

hold hearings, question witnesses about the program, and consider its legality. Congress needs to step up and exercise its proper oversight responsibility, something it has failed to do for 5 years. At a minimum, the oversight committees must make a determination on the legality of this program.

Mr. Speaker, I have no doubt that the administration will contend that questioning the existence of this database is undermining our Nation's security efforts. It is essential that the President must have the best possible intelligence to protect our Nation, and he must be able to gather this intelligence. However, this has to be done in accordance with our Constitution, the bedrock of our Nation.

Despite what this administration would have us believe, securing our Nation from all enemies, both foreign and domestic, can be achieved without violations of our constitutional freedoms.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONTINUED VIOLATION OF AMERICANS' PRIVACY BY ILLEGAL SPYING CANNOT BE TOLERATED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. INSLEE) is recognized for 5 minutes.

Mr. INSLEE. Mr. Speaker, the continued violation of Americans' privacy by illegal spying cannot be tolerated. Today we found that this administration is building a database of millions of Americans' phone calls to know who we called and who called us. This is a privacy right that needs to be protected and respected, and we have now seen multiple violations of this principle where illegal spying has occurred.

The U.S. Congress must hold hearings. It must stop illegal spying. I will be offering an amendment on the defense appropriations bill to assure that no taxpayer money can be used for illegal spying to violate the privacy rights of Americans.

The excuse we may hear from the administration is that, no, these conversations may not be taped. But who Americans called is a privacy right and is protected by the law, and who calls us is a privacy right and it is protected by the law. It is protected by section 222 of the Communications Act, it is

protected by the fourth amendment to the United States Constitution, and it is protected by the common sense of the American people that we ought to protect our privacy and democracy at the same time we are protecting our security. And both can be protected.

The fact of the matter is that the FISA law builds in the ability of the Federal Government to in fact crack down on terrorism, something we all want to do. We want to have an aggressive program of electronic eavesdropping on al Qaeda and other terrorists, but we want to make sure that that is done within the law on the simple proposition that when the Federal Government does electronic eavesdropping, there is another set of eyes overseeing that program: our judges, our judicial system.

What the law demands and Americans demand and the Constitution demands is that there is a review through the warrant process so that a warrant is obtained when this eavesdropping occurs. And if there is not time for that, under the FISA law, warrants can be obtained 72 hours thereafter retroactively.

So what we are saying, and I think the broad swath of the millions of Americans who have to know tonight, is that somewhere in this country there is a database sitting with your records that belong to you that is subject to your privacy that has now been violated by the Federal Government, without any review whatsoever by a judge and without review whatsoever and oversight of the United States Congress. That is wrong, and it has simply got to stop.

The U.S. Congress has an obligation. It is an obligation to stand up to an administration that refuses to abide by the law. This is a precious thing, democracy; and democracy is most precious when it is threatened. When we are currently involved in a war, it is most important to rise to the protection of our privacy.

We have been involved in these fights for our privacy now for some period of time. We have fought to protect the private records of our cell phone records from being sold to telemarketers; we have fought to prevent our tax records being sold to other people who will market to us; and now we need to fight to make sure there is a review and a warrant given before, or at least after, our phone records are put into some master database with the privacy of millions of Americans violated.

The reason we found out about this today is that the journalists have reported on this. Unfortunately, the administration has not been forthcoming to tell the U.S. Congress what they have been doing; and the U.S. Congress, the folks elected by people from 435 districts in 50 States, ought to have access to this information so that there can be oversight. There is not a review of this.

In conclusion, Mr. Speaker, the U.S. Congress needs to stand up and be

counted, stand up and be counted for the privacy rights of America, to stop the violation of privacy that we have in our phone records. Who we called and who called us is a private matter. It ought to be protected, and we are going to ensure that it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DOING BETTER FOR THE AMERICAN PEOPLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, earlier today I took the opportunity to wish all of our mothers a very happy Mother's Day. Might I include my colleagues and their relatives, the staff of this House and this Congress, because this is an opportunity for us to simply say thank you, thank you to the many mothers who work every single day, whether in the home or outside the home. Whether they are your mom because they are related, or because they have just simply given you a greater opportunity in life, they deserve a thank you.

Might I also offer my appreciation to the moms who are on the front lines in Iraq and Afghanistan and serving in the United States military.

This is an opportunity, Mr. Speaker, to kind of recount where we are in this Congress and to ensure that we really are working on the kind of legislative agenda that really helps our families.

I guess I would argue somewhat with the statement that we have worked as hard as we should have worked. For example, the tax reconciliation bill gives most of the benefit to the richest of Americans. If you make a certain amount, if you are a hard-working single mom, you might even get the minimal \$9 tax break. I know we can do better.

Then let me say as we look to the United States military, we should remember that they are on the front lines so that we might be free. I am very proud today that, almost unanimously, this Congress passed by 415-9 an amendment that I offered to the defense authorization bill that will say happy Mother's Day to all the Reserve and National Guard families, because the amendment provides a clarifying feature, and that feature is that we will take into consideration the number of deployments one has had before further utilization of that particular soldier is enacted. We will take into consideration how many deployments there have been.

I have heard from Reserve families all around the Nation, and particularly

in my district, that they have been re-deployed one time, two times, three times. Yes, they are patriotic; but it is necessary to be considerate of the families, of the disruption in their income, and, of course, the children.

So I hope as this defense authorization bill makes its way to conference, that this provision that considers the number of times soldiers have been deployed in order to make the determination whether to deploy again will help our families stay together.

Of course, we know as well that pending is a deadline for the enrollment in Medicare part D. I have said to my colleagues that they know that I did not support the legislation that created a "donut hole," where seniors would have a certain coverage, and then all of a sudden mothers and fathers and others would drop into a donut hole.

But May 15 is the deadline. We will hold a massive citywide Medicare enrollment day in the city of Houston in the Communication Workers Hall on Jefferson. We are asking all of the citywide groups and organizations and adult children and others to bring their seniors to this place, because we will have almost an all-day registration. Eleven computers will be there for you starting at 11 a.m., and we will keep it open as long as necessary so that we can enroll those low-income seniors, some 55 percent who do not know that May 15 is the deadline.

To those of you who may be listening, let's make Mother's Day just a little bit sweeter and ask that senior citizen whether or not they have been enrolled over 65 in Medicare part D. Remember, if it is not extended by the President, and I am going to ask the President by letter today to extend it by executive order, if it is not extended, you will have a lifetime penalty of 1 percent, 1 percent, which is a lot of money, for your lifetime, if you do not enroll by May 15, 2006.

I hope, as I started out, that we will wish a happy Mother's Day to America's mothers and others around the world; and I hope that we will not only give them wishes, but we will also give them action.

I believe the amendment that has clarified when you go back into duty based upon a consideration of how many times you have gone is a gift to our mothers and the families of Reservists all over America. But we can give a further gift by making the kinds of tax laws that benefit hard-working Americans and increasing the minimum wage.

Then finally we can do something that is important, cease the divisive debate on immigration and recognize that immigration is a part of America's fabric. We have a system of laws which we can follow. Amnesty is not the question here, because we are not talking about amnesty. We are talking about earned access to legalization, where those who are undocumented would get online and be able to begin to gain access to legalization. The same individuals who are on the front lines of Iraq who are not citizens, their

families would have the opportunity to be documented. We can also provide job training from the fees that immigrants will pay to earn access to legalization.

Mr. Speaker, I simply say, we have it in our power to make Mother's Day every day and make mothers happy by having the legislative agenda that gives a better quality of life for all Americans.

Again, happy Mother's Day to all the mothers.

□ 1800

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

(Mr. ALLEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. GILCHREST) is recognized for 5 minutes.

(Mr. GILCHREST addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

(Mr. RUSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. GINNY BROWN-WAITE) is recognized for 5 minutes.

(Ms. GINNY BROWN-WAITE of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4297) "An Act to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006."

OUR TROOPS IN IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to address you, Mr. Speaker, and this House Chamber. I do rise in support, and I wish to associate with the remarks of the gentleman from Texas (Ms. JACKSON-LEE) who brought up that Mother's Day is coming up, and we need to honor our mothers. They are the source of a lot of the good things about the world. They

are the things that civilize us men, I would point out.

And I certainly give my greetings to all mothers and look forward to the day that we formally celebrate that glorious day. A source of compassion and understanding and nurturement, all of the things I will never be in my life are wrapped up in motherhood.

Mr. Speaker, I did come here to speak about a different subject matter, Mr. Speaker. Before I get to the subject of Iraq and the broader war on terror, I feel compelled to address the issue of the National Security Administration and their data mining operations that came to light today in a publication.

I am alarmed in the verbal messages that come around this Chamber, alarmed that there could be that kind of an operation going on in this country.

Before I react, though, Mr. Speaker, I think it is imperative and incumbent upon all of us to step back, to take a good look at the facts, and not run forward with an uninformed response. I concur with the first instincts of the gentlemen from New Mexico and also the gentleman from Washington that spoke on the issue of the data mining of the National Security Administration.

I serve on the Judiciary Committee where we had at least 12 and perhaps 13 hearings on the PATRIOT Act, renewed the PATRIOT Act. We put some insurances in the PATRIOT Act. In a couple of the sections, we set them up with a sunset so that we will be able to go back and review those issues in a shorter period of time to make sure that we are protecting the rights and the privacy of Americans.

Mr. Speaker, when I look at this issue and again, from the sense of alarm that there would be that kind of a potential intrusion into the private lives of Americans. And I would dig a little bit deeper and say this data mining, with the little bit of information that we have at this point, does not look into the details of Americans, and no one is alleging that it does except for the remarks made here in this Chamber, Mr. Speaker.

And it does not, according to the administration, collect any names of anyone, it does not collect any addresses, it does not listen to any telephone calls. None of those things, according to the administration's response at least, and worthy of verification I would add, takes place unless the FISA court is aware of that and unless it happens to be a communication from a domestic call within the United States from or to a caller in a foreign country, and even then the interest would be in al-Qaeda, as the President made clear.

So data mining is a little bit different. It is clear that, you know, it depends on how you define the invasion of privacy. And the allegation was made here, Mr. Speaker, that the administration, and through the NSA's