

someone relief from deportation, an immigration judge must find that the person is not a terrorist, a criminal, or someone who has engaged in fraud or misrepresentation.) When relief from deportation is granted, no person should be subject to continued detention based merely on the Attorney General's unproven suspicions.

Require the AG to bring charges against a person who has been arrested and detained as a "certified" terrorist suspect within seven days, but the law does not require that those charges be based on terrorism-related offenses. As a result, an alien can be treated as a terrorist suspect despite being charged with only a minor immigration violation, and may never have his or her day in court to prove otherwise.

Make material support for groups that have not been officially designated as "terrorist organizations" a deportable offense. Under this law, people who make innocent donations to charitable organizations that are secretly tied to terrorist activities would be presumed guilty unless they can prove they are innocent. Restrictions on material support should be limited to those organizations that have officially been designated terrorist organizations.

Deny legal permanent residents readmission to the U.S. based solely on speech protected by the First Amendment. The laws punish those who "endorse," "espouse," or "persuade others to support terrorist activity or terrorist organizations." Rather than prohibiting speech that incites violence or criminal activity, these new grounds of inadmissibility punish speech that "undermines the United States' efforts to reduce or eliminate terrorist activity." This language is unconstitutionally vague and overbroad, and will undeniably have a chilling effect on constitutionally protected speech.

Authorize the AG and the Secretary of State to designate domestic groups as terrorist organizations and block any noncitizen who belongs to them from entering the country. Under this provision, the mere payment of membership dues is a deportable offense. This vague and overly broad language constitutes guilt by association. Our laws should punish people who commit crimes, not punish people based on their beliefs or associations.

While every step must be taken to protect the American public from further terrorist acts, our government must not trample on the Constitution in the process and on those basic rights and protections that make American democracy so unique.

While the PATRIOT Act may not deserve all of the ridicule that is heaped against it, there is little doubt that the legislation has been repeatedly and seriously misused by the Justice Department. Consider the following:

It's been used more than 150 times to secretly search an individual's home, with nearly 90 percent of those cases having had nothing to do with terrorism.

It was used against Brandon Mayfield, an innocent Muslim American, to tap his phones, seize his property, copy his computer, spy on his children, and take his DNA, all without his knowledge.

It's been used to deny, on account of his political beliefs, the admission to the United States of a Swiss citizen and prominent Muslim Scholar to teach at Notre Dame University.

It's been used to unconstitutionally coerce an Internet Service Provider to divulge infor-

mation about email activity and Web surfing on its system, and then to gag that Provider from even disclosing the abuse to the public.

Because of gag restrictions, we will never know how many times it's been used to obtain reading records from library and book stores, but we do know that libraries have been solicited by the Department of Justice—voluntarily or under threat of the PATRIOT Act—for reader information on more than 200 occasions since September 11.

It's been used to charge, detain and prosecute a Muslim student in Idaho for posting Internet Web site links to objectionable materials, even though the same links were available on the U.S. Government's Web site.

Even worse than the PATRIOT Act has been the unilateral abuse of power by the Administration. Since September 11, our Government has detained and verbally and physically abused thousands of immigrants without time limit, for unknown and unspecified reasons, and targeted tens of thousands of Arab-Americans for intensive interrogations and immigration screenings. All this serves to accomplish is to alienate Muslim and Arab Americans—the key groups to fighting terrorism in our own county—who see a Justice Department that has institutionalized racial and ethnic profiling, without the benefit of a single terrorism conviction.

Mr. Speaker, the sunset proposed in the bill before us is insufficient to allow adequate consideration by the House; therefore, I oppose it.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FOLEY). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4659.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

- H. Res. 648, by the yeas and nays;
- H. Res. 653, by the yeas and nays;
- H.R. 4659, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes may be conducted as 5-minute votes.

ELIMINATING FLOOR PRIVILEGES OF FORMER MEMBERS AND OFFICERS

The SPEAKER pro tempore. The pending business is the question of sus-

pending the rules and agreeing to the resolution, H. Res. 648.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DREIER) that the House suspend the rules and agree to the resolution, H. Res. 648, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 379, nays 50, answered "present" 1, not voting 3, as follows:

[Roll No. 3]	
YEAS—379	
Ackerman	Davis (IL)
Aderholt	Davis (KY)
Alexander	Davis (TN)
Allen	Davis, Jo Ann
Andrews	Davis, Tom
Baca	Deal (GA)
Bachus	DeFazio
Baldwin	DeGette
Barrett (SC)	Delahunt
Barrow	DeLauro
Bass	Dent
Bean	Diaz-Balart, L.
Beauprez	Diaz-Balart, M.
Becerra	Dicks
Berkley	Dingell
Berman	Doggett
Berry	Doolittle
Biggert	Doyle
Bilirakis	Drake
Bishop (GA)	Dreier
Bishop (NY)	Duncan
Bishop (UT)	Edwards
Blackburn	Ehlers
Blunt	Emanuel
Boehlert	Emerson
Boehner	Engel
Bonner	English (PA)
Bono	Eshoo
Boozman	Etheridge
Boren	Evans
Boswell	Everett
Boucher	Farr
Boustany	Fattah
Boyd	Feeley
Bradley (NH)	Ferguson
Brady (PA)	Filner
Brown (OH)	Fitzpatrick (PA)
Brown (SC)	Foley
Brown, Corrine	Forbes
Brown-Waite,	Ford
Ginny	Fortenberry
Butterfield	Fossella
Buyer	Fox
Calvert	Frank (MA)
Camp (MI)	Franks (AZ)
Campbell (CA)	Frelinghuysen
Cantor	Gallegly
Capito	Gerlach
Capps	Gibbons
Cardin	Gilchrest
Cardoza	Gingrey
Carnahan	Gohmert
Carson	Gonzalez
Carter	Goode
Case	Goodlatte
Castle	Gordon
Chabot	Granger
Chandler	Graves
Chocola	Green (WI)
Cleaver	Green, Al
Clyburn	Green, Gene
Coble	Grijalva
Cole (OK)	Gutierrez
Conaway	Hall
Conyers	Harman
Cooper	Harris
Costa	Hart
Costello	Hastert
Cramer	Hastings (WA)
Crenshaw	Hayes
Crowley	Hayworth
Cuellar	Hensarling
Culberson	Herger
Cummings	Herseth
Davis (AL)	Higgins
Davis (CA)	Hinchey
Davis (FL)	Hinojosa

