

continue to experience many great memories with your lovely wife, Linda, as well as your family and friends.

HONORING DR. CHARLES A.  
PICKETT, SR.

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 13, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a once outstanding civil servant and educator, Dr. Charles A. Pickett, Sr. His remarkable service to education and the community spanned over 45 years.

Dr. Pickett, Sr. was born January 16, 1938 to Mr. William D. Pickett and Mrs. Willie C. Flowers Pickett in Miles Station, Mississippi. He obtained his high school education from Jim Hill High School in Jackson, Mississippi and pursued his collegiate studies at Tougaloo College, Temple University, and the University of Southern Mississippi. Even in accomplishing such magnificent educational achievements, Dr. Pickett, Sr. pressed forward with additional studies at Brown University and Columbia University. His appointment as a National Science Foundation Physics Fellow awarded him the opportunity to work at nationally renowned universities, such as Fisk University, Texas Southern University, Louisiana State University, and Lawrence Livermore Laboratory. Having obtained a wealth of knowledge and expertise, Dr. Pickett, Sr. was uniquely prepared to pursue the lasting career he ultimately dedicated his life's work towards.

Dr. Pickett, Sr. began his lifelong commitment to education as a teacher of mathematics and physics at Hinds County Agricultural High School in Utica, Mississippi. His exceptional prowess in those subject areas paved the way for him to teach at numerous other institutions, including: Utica Junior College, Alcorn State University, Louisiana State University, Jackson State University, and Mississippi Valley State University, where he was appointed Chairman of the Department of Chemistry and Physics.

Not only was Dr. Pickett, Sr. an outstanding teacher, but also a strong advocate for increasing the number and quality of physics courses offered at historically black colleges and universities. His advocacy was instrumental in implementing these changes, as well as enhancing the availability of physics laboratory equipment.

In addition to his valuable contributions to academics, Dr. Pickett, Sr. held key offices on the Board of Trustees of the State Institutions of Higher Learning (IHL), including Associate Commissioner of Academic Affairs and Interim Commissioner, solidifying him as the first African American professional to serve in either of these positions. Even after his retirement, Dr. Pickett, Sr. continued to provide valuable input to IHL as a consultant.

Dr. Pickett, Sr. was well-known in the community, not only for his professional contributions, but also for his dedication to his family and leisure enjoyments. He was a devoted husband to Marie Wilcher for 44 years and a committed father of two sons, Charles, Jr. and Dwayne. He was a member of the Mississippi Cattlemen's Association, the Terry

Cowboys Riding Club, Sigma Pi Sigma Honorary Physics Society, and Alpha Phi Alpha Fraternity. Dr. Pickett, Sr. transcended this life on earth on January 17, 2009.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Charles A. Pickett, Sr. for his dedication and service as a respected educator and for the commendable contributions he made to the field of public education.

HONORING THE LIFE AND LEGACY  
OF MARY JOHNSON

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 13, 2013*

Mr. HIGGINS. Mr. Speaker, today I rise to honor the extraordinary life of Mary Johnson, who passed away on June 7, 2013 at the age of 87. Mrs. Johnson, a fixture of Buffalo's Ellicott community, was a pioneering activist whose life was an unwavering crusade for the betterment of others.

Mrs. Johnson was truly adored by her neighbors as a tireless advocate for the less fortunate. A nearly lifelong resident of the Frederick Douglass Housing complex, Mrs. Johnson was a fearless force dedicated to improving public housing in the community for more than fifty years. In 2001, the Buffalo Municipal Housing Authority recognized her spirited volunteerism with the dedication of Mary Johnson Boulevard on Buffalo's East Side.

An active, steady force for change, Mrs. Johnson gave her time and talents to myriad organizations focused on community advancement. She served on the board of directors of the Community Action Organization and was a member of the JFK Community Center, Urban League Education Auxiliary Group, AMVETS Auxiliary Post 5, Ellicott Neighborhood Advisory Council, and the YMCA Heart of the Home Club. Her tenure with the Buffalo Urban League alone spanned over twenty three years.

Mrs. Johnson was an unselfish champion for her community and will be remembered as a lasting role model for those graced with her acquaintance. Her enduring contributions have made Buffalo a better city for generations to come.

The love Mrs. Johnson poured into her community is equaled by her love of family. The wife of the late, great Billy Johnson, this caring mother is survived by her son, George Jr., and six daughters, Jean Ann Robinson, Estelle Arlene Blue, Catherine Lee Watkins, Virginia Beard, Anna Mae Hoskin, and Mary Harris.

Mr. Speaker, thank you for allowing me a moment to remember the life of this remarkable woman. I ask my colleagues to join me in offering our sincere condolences to her family. I am grateful for her innumerable good works and inspired by her legacy.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2014

SPEECH OF

**HON. ALAN GRAYSON**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes:

INTENT OF CONGRESS REGARDING "FUSION CENTERS"

Mr. GRAYSON. Mr. Chair, according to the Constitution Project, there are at least 77 fusion centers active in the United States today. Fusion centers are essentially information-sharing hubs designed to pool the knowledge and expertise of state, local and federal law enforcement and intelligence agencies, and, in some instances, other government agencies, military officials and private sector entities. They operate primarily on state funding, though they generally receive federal funds and work closely with federal agencies such as the Department of Homeland Security (DHS) and the Department of Justice (DOJ). As a general matter, fusion centers are not established pursuant to specific state legislation or state executive orders, but rather derive their authority from general statutes creating state police agencies or memoranda of understanding among partner agencies. Many fusion centers simply represent extensions of existing intelligence units in state law enforcement agencies.

Congress shares the serious constitutional concerns that have been raised after several fusion centers issued bulletins that characterize a wide variety of peaceful religious and political groups as threats to national security. In some instances, state law enforcement agencies that funnel information to fusion centers have improperly monitored and infiltrated anti-war and environmental organizations. Moreover, the manner in which fusion centers amass and distribute personal information raises the concern that they are keeping files—perhaps containing information that is sensitive or concerns constitutionally protected activities—on American citizens in the United States without proper justification. With the interconnected system employed by fusion centers, even those with the best civil liberties practices can inadvertently perpetuate or exacerbate the problematic activities of other fusion centers or law enforcement agencies. The breadth of the fusion center network also means that inaccurate or problematic information can be distributed widely across government databases, and perhaps even to private businesses, with potentially disastrous consequences for the constitutional rights of individuals. Finally, without proper safeguards, links between fusion centers in different states might allow "forum-shopping" law enforcement officials to evade the privacy and domestic surveillance restrictions of their own states by accessing information obtained by fusion centers in other jurisdictions. All of these risks are potentially compounded by the limited transparency and accountability of these institutions.

Recent reports from across the country bear testament to the potential for constitutionally

problematic profiling at fusion centers, particularly regarding bulletins and intelligence reports circulated by fusion centers. These are a few examples:

The February 2009 "Prevention Awareness Bulletin," circulated by a Texas fusion center, described apparently peaceful Muslim lobbying groups as "providing an environment for terrorist organizations to flourish" and warned that "the threats to Texas are significant." The bulletin called on law enforcement officers to report activities such as Muslim "hip hop fashion boutiques, hip hop bands, use of online social networks, video sharing networks, chat forums and blogs."

A Missouri-based fusion center issued a February 2009 report describing peaceful support for the presidential campaigns of Ron Paul or third party candidates, possession of the iconic "Don't Tread on Me" flag, and anti-abortion activism as signs of membership in domestic terrorist groups.

The Tennessee Fusion Center listed a letter from the American Civil Liberties Union (ACLU) to public schools on its online map of "Terrorism Events and Other Suspicious Activity." The letter had lawfully advised schools that holiday celebrations focused exclusively on Christmas were an unconstitutional government endorsement of religion.

The Virginia Fusion Center's 2009 Terrorism Risk Assessment Report described peaceful student groups at Virginia's historically black colleges as potential breeding grounds for terrorism and characterized the "diversity" surrounding a military base as a possible threat.

Additional allegations of monitoring of constitutionally-protected speech, including by DHS Megacenters, were revealed by FOIA requests made by the PCJF. Just a few of many examples are included below:

An October 5, 2011 document reflects that the DHS Philadelphia Megacenter was monitoring the OWS demonstration in New York, titled "Demonstration-Peaceful/Planned," and reporting on assembly and movements "peacefully protesting union solidarity issues."

An October 30, 2011 document shows DHS' Battle Creek Megacenter also reporting that a "peaceful/unplanned" "Occupy Wall Street demonstration [was] taking place in Ilus W. Davis Park in Kansas City, MO."

The Boston Regional Intelligence Center (BRIC), a fusion center, focused resources on monitoring and reporting on peaceful protest activity in Boston during 2011.

The intent of Congress with this legislation is to place strict limitations on DHS involvement with and funding of "Fusion Centers," due to these serious reports that they may be violating the constitutional rights of citizens. To avoid the grave risk that this poses or could pose to the exercise of the free speech rights that are fundamental to our democracy, in addition to threats to constitutional protections against unreasonable invasions of privacy, Congress intends to prohibit any DHS cooperation with, or funding of, any "Fusion Centers" or similar entities (e.g. "Megacenters") that have not established and strictly adhered to the following best civil liberties practices, drawn from the proposals made by an esteemed bipartisan team of leading constitutional law experts (arranged by specific topic):

#### PROFILING AND DATA COLLECTION

1. Fusion centers shall establish guidelines that clearly prohibit their personnel from en-

gaging in racial and religious profiling. In determining when to collect and share information, the guidelines shall focus on behaviors that raise a reasonable suspicion of criminal activity or evidence of wrongdoing. Race, national origin, ethnicity and religious belief may not be considered as factors that create suspicion, and may only be used as factors in alerts if they are included as part of a specific suspect's description. The guidelines shall also specify that political association and the peaceful exercise of constitutionally protected rights may not be relied upon as factors that create suspicion of wrongdoing.

2. Fusion centers shall ensure that their personnel are properly trained on the constitutional rights of free expression, assembly, religion and equal protection.

3. Fusion centers shall ensure that individuals who instruct their personnel on intelligence analysis and terrorist threats are competent and well-qualified, and have themselves been trained in the constitutional rights discussed above.

#### SUSPICIOUS ACTIVITY REPORTING

Fusion centers shall carefully analyze suspicious activity reports to determine whether there is a likely connection to criminal or terrorist activity, and may only retain and disseminate suspicious activity reports if they demonstrate reasonable suspicion of such activity.

#### DATA MINIMIZATION

1. Fusion centers shall periodically review the information in their files to determine whether that information is accurate and of continuing relevance. The frequency of this review shall be made public by each fusion center or similar entity. Data retained by fusion centers shall be purged no later than five years after its collection unless its continued relevance can be demonstrated.

2. Fusion centers may collect and retain only the minimum amount of personally identifiable information necessary to serve their law enforcement purposes. Fusion centers may only use this personally identifiable information for the law enforcement purpose for which the information was collected.

#### AUDIT LOGS

1. Fusion centers shall ensure that immutable audit logs track all database activity.

2. Independent auditors shall review fusion center audit logs every two years and publish reports describing the use of fusion center databases and any abuses or unauthorized access.

#### DATA MINING

As set forth in The Constitution Project's report *Principles for Government Data Mining*, fusion centers shall act carefully to ensure that constitutional rights and values are respected if they engage in data mining or if the information in their databases is used for data mining by other government entities.

#### PRIVATE SECTOR PARTNERSHIPS

1. Fusion centers shall carefully limit the information that they disseminate to private sector entities. Personally identifiable information may be shared with private sector entities only to the extent necessary to carry out legitimate law enforcement or national security functions. Any data sharing with private entities beyond these prescribed limits must be specifically elaborated in a public statement or document, that is easily accessible by the general public, and specifies in detail the type of information

being transferred and which private entities are involved.

2. Fusion centers may not collect information from private sector sources that they would otherwise be restricted by law from obtaining, nor can they obtain information produced American citizens without a warrant, probable cause that the conduct of that American is directly connected to terrorism or other criminal activity, or obtained written consent from that American to the Fusion Center.

#### MISSION STATEMENT

Fusion centers shall develop clear mission statements that express their purpose and the criteria upon which their performance can be evaluated. This should be completed within 3 months of the passage of this legislation.

#### TRANSPARENCY AND REDRESS

1. Fusion centers shall engage local communities by publicly explaining their mission, budget and staffing, and that information should be easily accessible to the general public.

2. Fusion centers shall publicize their privacy policies and the results of their compliance audits.

3. Fusion centers shall be equipped with effective redress processes by which individuals can, if necessary, review and correct or challenge information possessed by a fusion center.

4. Redress processes shall provide for the availability for review of complaints by an independent, security-cleared arbiter, with a right of appeal to a higher-level independent state or local authority.

5. Redress processes shall be well-publicized.

6. Redress processes shall ensure that corrections are disseminated across DHS databases.

#### DHS AND MEDICAL MARIJUANA

It is the intent of Congress that full Fourth Amendment protection extends to medical marijuana users, regardless of the status of marijuana under federal law. Specifically, DHS's legitimate efforts to prevent illegal immigration and drug smuggling do not justify relaxation of Fourth Amendment protections for medical marijuana users, even in border areas.

### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

#### SPEECH OF

**HON. HOWARD P. "BUCK" McKEON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes:

Mr. McKEON. Mr. Chair, I submit the following exchange of letters:

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

*Washington, DC, June 7, 2013.*

Hon. HOWARD P. "BUCK" McKEON,  
Chairman, Committee on Armed Services, U.S.  
House of Representatives, Washington, DC.

DEAR CHAIRMAN McKEON: I am writing to you concerning the jurisdictional interest of