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109TH CONGRESS, 2D SESSION/SENATE DOCUMENT 109–22

Resolved: That the United States Federal Government Should Substantially Decrease Its Authority Either to Detain Without Charge or to Search Without Probable Cause

NATIONAL DEBATE TOPIC FOR HIGH SCHOOLS, 2005–2006
Pursuant to 44 United States Code, Section 1333

Compiled by the Congressional Research Service
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TITLE 44, SECTION 1333 OF THE UNITED STATES CODE

CHAPTER 13--PARTICULAR REPORTS AND DOCUMENTS

Sec. 1333. National high school and college debate topics

(a) The Librarian of Congress shall prepare compilations of pertinent excerpts, bibliographical references, and other appropriate materials relating to:

(1) the subject selected annually by the National University Extension Associ the national high school debate topic and

(2) the subject selected annually by the American Speech Association as the r college debate topic.

In preparing the compilations the Librarian shall include materials which in his jud are representative of, and give equal emphasis to, the opposing points of view on the res topics.

(b) The compilations on the high school debate topics shall be printed as Senate dc and the compilations on the college debate topics shall be printed as House of Representative documents, the cost of which shall be charged to the congressional for printing and binding. Additional copies may be printed in the quantities and di: in the manner the Joint Committee on Printing directs.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1270.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., Supp. III, Sec. 170 [Sec. 276a] (Dec. 30, 1963, Pub. I 246, Secs. 1, 2, 77 Stat. 802).

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Foreword

The 2005-2006 high school debate topic is: "Resolved: That the United States federal government should substantially decrease its authority either to detain without charge or to search without probable cause."

In compliance with Title 44, Section 1333 of the United States Code, the Congressional Research Service (CRS) of the Library of Congress prepared this bibliography to assist high school debaters in researching the topic. This bibliography is intended to assist debaters in the identification of further references and resources on the topic. In selecting items and websites for this manual, the CRS has sampled a wide spectrum of opinions reflected in the current literature on this issue. No preference for any policy is indicated by the selection or positioning of articles or websites cited, nor is CRS disapproval of any policy or article to be inferred from its omission.

Some of the U.S. government documents listed in this bibliography may be found in U.S. government depository libraries, which can be identified by local public or college libraries. The Library of Congress cannot distribute copies of these or other materials to debaters. This manual is also available on the GPO Access Home Page on the World Wide Web at http://www.access.gpo.gov.

The bibliography was prepared by Tara Rainson, Law Librarian, Knowledge Services Group.

Good luck to each debater in researching, preparing, and presenting arguments on this year's topic.

Daniel P. Mulhollan, Director
Congressional Research Service

NATIONAL DEBATE TOPIC FOR HIGH SCHOOLS, 2005-2006

RESOLVED: THAT THE UNITED STATES FEDERAL GOVERNMENT SHOULD SUBSTANTIALLY DECREASE ITS AUTHORITY EITHER TO DETAIN WITHOUT CHARGE OR TO SEARCH WITHOUT PROBABLE CAUSE.

AN ANNOTATED BIBLIOGRAPHY ON THE 2005-2006 HIGH SCHOOL DEBATE TOPIC

Tara Rainson
Law Librarian
Knowledge Services Group
Congressional Research Service

October 2006

Introduction

The 2005-2006 high school debate topic is: "Resolved: That the United States federal government should substantially decrease its authority either to detain without charge or to search without probable cause."

This selective bibliography is intended to assist debaters to identify resources and references on the debate topic. It lists citations to books, congressional publications, newspaper and journal articles, and websites on the Internet. The manual is divided into six sections: Federal Laws, Treaties, Books, Government Documents, Articles, and General Electronic Resources Addressing the Subject of Civil Liberties. The final section has been subdivided further into three subgroups: Think Tanks, Private Lobbying Groups, and Other Organizations; Universities; and U.S. Government. Debaters may look for these and related resources at their local high school, research, government depository, and public libraries.

Summary

The purpose of the debate manual is to provide students with a brief overview of information concerning the 2005-2006 high school debate topic **"Resolved: That the United States federal government should substantially decrease its authority either to detain without charge or to search without probable cause."**

This bibliography includes citations to books, congressional publications, newspaper and journal articles, and electronic resources. This compilation is not intended to supply complete coverage of the topic. Further research on the topic resources in general, as well as each suggested subtopic, can be done at high school, research, depository, and public libraries.

The U.S. government, private think tanks and lobbying groups, universities, and other organizations provide information on topics related to civil liberties on their websites. Debaters are encouraged to consult the Internet as well as library resources of their research on this topic

Federal Laws

Constitution of the United States
http://www.loc.gov/rr/program/bib/ourdocs/Constitution.html

This site, part of the Library of Congress American Memory Project, links to the text of the Constitution and to documents from the Constitutional Convention.

Constitution of the United States, Analysis and Interpretation
http://www.gpoaccess.gov/constitution/browse2002.html#2004

The Government Printing Office maintains a site with the text of the Constitution annotated with historical information.

Foreign Intelligence Surveillance Act
http://www.fas.org/irp/agency/doj/fisa/

The Foreign Intelligence Surveillance Act of 1978 prescribes procedures for requesting judicial authorization for electronic surveillance and physical search of persons engaged in espionage or international terrorism against the United States on behalf of a foreign power. This Website, maintained by the Federation of American Scientists, includes the text of the act and information on hearings, annual reports, and other government documents.

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001

The Department of Justice has a website dedicated to the USA PATRIOT Act, found at http://www.lifeandliberty.gov/index.html.

The Electronic Privacy Information Center has a website dedicated to the USA PATRIOT Act at http://www.epic.org/privacy/terrorism/usapatriot/.

The text of the act can be found on the Library of Congress Thomas website at http://thomas.loc.gov/cgi-bin/query.

Treaties

The Fletcher School, Tufts University, Edward Ginn Library, Multilaterals Project
http://fletcher.tufts.edu/multilaterals.html

The page dedicated to human rights treaties can be found at (http://fletcher.tufts.edu/multi/humanRights.html) and includes the Universal Declaration of Human Rights (http://fletcher.tufts.edu/multi/texts/UNGARES217A.txt) and the Geneva Convention Relative to the Treatment of Prisoners of War (http://fletcher.tufts.edu/multi/humanRights.html).

International Commission of Jurists, Eminent Jurists Panel on Terrorism, Counter-Terrorism, and Human Rights
http://ejp.icj.org/

The Eminent Jurists Panel examines the compatibility of laws, policies and practices, which are justified expressly or implicitly as necessary to counter terrorism, with international human rights law and, where applicable, with international humanitarian law.

International Commission of Jurists, Legal Resource Center
http://www.icj.org/news_multi.php3?lang=en

Library of Congress, Thomas website
http://thomas.loc.gov/home/treaties/treaties.html

U.S. treaties are searchable by key word and subject back to the 90th Congress.

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General Electronic Resources Addressing the Subject of Civil Liberties

The U.S. government, international and non-governmental organizations, universities, think tanks and private lobbying groups, and other organizations provide information related to civil liberties on their websites. Topics addressed on these sites include privacy in electronic communications, national security, and police practices.

Think Tanks, Private Lobbying Groups, and Other Organizations

American-Arab Anti-Discrimination Committee
www.adc.org

This site's legal section provides information on civil rights and discrimination and can be found at http://www.adc.org/index.php?id=134.

American Bar Association
www.aba.org

The ABA Section on Individual Rights and Responsibilities "provides leadership within the ABA and the legal profession in protecting and advancing human rights, civil liberties, and social justice." The section's web page is found at http://www.abanet.org/irr/home.html.

American Library Association
www.ala.org

The ALA "Federal Legislative Issues" web page (http://www.ala.org/ala/issues/fedissues.htm) includes links to information on the following issues: government information, intellectual freedom, privacy, and the USA PATRIOT Act.

American Civil Liberties Union
www.aclu.org

The ACLU home page includes links to information on the following issues: national security, police practices, prisoners' rights, and privacy and technology.

American Conservative Union

www.conservative.org

The ACU online publication *Conservative Battleline* offers updates on current issues.

American Enterprise Institute
www.aei.org

The AEI list of "Legal and Constitutional Studies" publications is found at http://www.aei.org/research/filter.all,subjectID.30/projectfilter_detail.asp, and their list of "Crime and Law Enforcement" publications is found at http://www.aei.org/research/filter.all,subjectID.26/projectfilter_detail.asp.

American Immigration Lawyers Association
www.aila.org

Anti-Defamation League
www.adl.org

This site provides links to information on civil rights, security awareness, and terrorism.

The Brookings Institution
www.brookings.edu

The Brookings online "Research Topics" tab links to papers on both U.S. and global politics.

The CATO Institute
www.cato.org

The CATO "Research Topics" tab links to information on the following issues: civil rights, constitutional studies, criminal justice and law enforcement, defense and national security, foreign policy, government and politics, and law and legal issues.

Electronic Privacy Information Center
www.epic.org

EPIC's electronic surveillance page (http://www.epic.org/features/surveillance.html) includes analysis, court cases, and information on the Foreign Intelligence Surveillance Act.

EPIC also has compiled a web page dedicated to the USA PATRIOT Act that includes history, analysis, and news articles. The web page is available at http://www.epic.org/privacy/terrorism/usapatriot/.

The Federalist Society
www.fed-soc.org

The Federalist Society's National Security White Papers are found at http://www.fed-soc.org/Publications/White%20Papers/nationalsecurity.htm.

The Heritage Foundation
www.heritage.org

The "Heritage Research" tab links to information on homeland security and terrorism.

Human Rights First
http://www.humanrightsfirst.org/index.asp

The organization's "Law and Security" page is found at http://www.humanrightsfirst.org/us_law/us_law.asp.

Human Rights Watch
www.hrw.org

The organization's counterterrorism site, which includes information on the treatment of detainees, is found at http://www.hrw.org/doc/?t=ct.

National Center for Policy Analysis Debate Central
http://www.debate-central.org/

Debate Central is an online resource created and maintained by the National Center for Policy Analysis for high school students researching the nationwide high school debate topic.

People for the American Way
www.pfaw.org

Main topics include constitutional liberties and civil rights and equal rights.

The Rand Corporation
www.rand.org

Rand "Research Areas" include national security and terrorism and homeland security.

Universities

Howard University Debate Institute
http://www.howard.edu/schoolcommunications/CommCulture/HUDI/2005/topic.htm

This site provides a background and summary of the 2005-2006 debate topic.

Kansas State University Libraries High School Debate Topic Help Guide
http://www.lib.k-state.edu/depts/govpubs/classassignment/classdebate.html

Michigan State University Research Guide to the 2005-2006 National High School Debate Topic
http://www.lib.msu.edu/harris23/govdocs/debate.htm

Notre Dame University Law School Kresge Law Library
http://www.nd.edu/~lawlib/find/human_rights.html

The Kresge Law Library website includes links to human rights documents and international human rights organizations.

University of Michigan Library Documents Center
http://www.lib.umich.edu/govdocs/debate05.html

This website provides detailed information and web links for the 2005-2006 National High School Debate Topic.

University of Minnesota Human Rights Law Library
http://www1.umn.edu/humanrts/

This site is a collection of links to human rights documents and other related materials.

University of Vermont Debate Central
http://debate.uvm.edu/

This site provides links to information about debates and debating.

U.S. Government

Central Intelligence Agency
www.cia.gov

Congressional Committees

The various committees of the U.S. House of Representatives and U.S. Senate maintain their own websites. These sites include links to hearings, press releases, and reports. Below is a list of House and Senate committees with jurisdiction over subjects relevant to the 2005-2006 debate topic.

House Committee on Homeland Security: http://hsc.house.gov/

House Committee on International Relations: http://wwwc.house.gov/international_relations/

House Committee on the Judiciary: http://judiciary.house.gov/

House Permanent Select Committee on Intelligence: http://intelligence.house.gov/

Senate Committee on Foreign Relations: http://intelligence.house.gov/

Senate Committee on Homeland Security and Governmental Affairs: http://hsgac.senate.gov/

Senate Committee on the Judiciary: http://judiciary.senate.gov/

Senate Select Committee on Intelligence: http://intelligence.senate.gov/

Department of Justice
http://www.lifeandliberty.gov/index.html

The Department of Justice has compiled this website in support of the Patriot Act. It includes the text of the act, hearings testimony, and background information.

Department of Homeland Security
http://www.dhs.gov/dhspublic/

Department of State, Office of the Coordinator for Counterterrorism
http://www.state.gov/s/ct/

Federal Bureau of Investigation, National Security Branch
http://www.fbi.gov/hq/nsb/nsb.htm

The FBI site includes information on counterterrorism and intelligence.

FirstGov
http://www.firstgov.gov/Agencies/Federal/All_Agencies/index.shtml

This A-Z agency index provides links to the websites of all federal agencies.

Government Printing Office, GPO Access

This site provides links to two useful resources: the Congressional Record and the Weekly Compilation of Presidential Documents. The Congressional Record the official record of the proceedings and debates of the United States Congress. It is published daily when Congress is in session. The Weekly Compilation of Presidential Documents includes executive orders, signing statements, and the text of speeches.

Congressional Record: http://www.gpoaccess.gov/crecord/index.html

Weekly Compilation of Presidential Documents: http://www.gpoaccess.gov/wcomp/index.html

Library of Congress, Thomas Website
http://thomas.loc.gov

Legislation back to 1989 can be searched by word, phrase, or bill number. Treaties and congressional committee reports can be searched back to 1995.

National Security Agency
www.nsa.gov

Supreme Court
www.supremecourtus.gov

The Supreme Court website includes the text of Supreme Court opinions, oral argument transcripts, and merits briefs.

White House

Presidential news and speeches: http://www.whitehouse.gov/news/

White House web page on Homeland Security issues:
http://www.whitehouse.gov/infocus/homeland/

White House web page on the PATRIOT Act: http://www.whitehouse.gov/infocus/patriotact/

Transcripts of White House press briefings: http://www.whitehouse.gov/news/briefings/

HIGH SCHOOL DEBATE TOPIC, 2005-2006

U.S Government Publication about....

	Stock Number	Price
National Debate Topic for High Schools, 2005-2006. RESOVLED: That the United States Federal Government Should Substantially Decrease its Authority Either to Detain Without Charge or to Search Without Probable Cause.		
Constitution of the United States of America: Analysis and Interpretation. BOOK. 2004.	052-071-01421-7	$ 215.00
Country Reports on Human Rights Practices: Report by the Department of State in Accordance with Sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961, as Amended, Volume 1-2. BOOK. 2006. Covers the human rights practices of all nations that are members of the United Nations, and a few that are not. 2 books, sold as a set. 109th Congress, 2nd Session. 2 bk. (2684 p.) 0-16-076179-4 Y 4.IN 8/16-15:2005/V.1-2	052-070-07478-7	78.00
Manzanar National Historic Site: Cultural Landscape Report. BOOK. 2006. In 1942, the United States Government ordered more than 110,000 men, women, and children to leave their homes and detained them in remote, military-style camps. Manzanar War Relocation Center was one of ten camps where Japanese American citizens and resident Japanese aliens were interned during World War II.	024-005-01247-8	51.00
Report to the Congress of the United States: A Review of the Restrictions on Persons of Italian Ancestry During World II. BOOK. 2001. Examines the World War II era restrictions imposed on individuals of Italian ancestry. Describes the provisions of Public Law 106-451 and the findings of Congress. Addresses arrests, detentions, internments, the confiscation of property, and the effects on fishermen and railroad workers, all within the context of wartime orders, proclamations, and directives. 250 p. 0-16-072917-3 J 1.2:2002005454	027-002-00525-2	39.00

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	Stock Number	Price
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The Constitution of the United States and the Declaration of Independence (Pocket Edition). BOOK. 2006. In addition to the Constitution and the Declaration of Independence, this edition includes: an index to the Constitution and its amendments; and a chronology of early dates to remember. 47 p. 0-16-076548-X	052-071-01445-4	2.75

109TH CONGRESS, 2D SESSION/SENATE DOCUMENT 109–22

Resolved: That the United States Federal Government Should Substantially Decrease Its Authority Either to Detain Without Charge or to Search Without Probable Cause

NATIONAL DEBATE TOPIC FOR HIGH SCHOOLS, 2005–2006
Pursuant to 44 United States Code, Section 1333

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