

“THE MOMENT” BY BEN STROK

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2001

Mr. BARR of Georgia. Mr. Speaker, a 20 year-old student at Hunter College in Manhattan, Ben Strok wrote this poem reflecting on the September 11th terrorist attacks. It was recently read at one of my town hall meetings in Holly Springs, Georgia, by my constituent, Becky Babcock. As we enter this holiday season, let us remember how invaluable life is and make the most of each and every moment.

THE MOMENT
(By Ben Strok)

The smoke rises,
and the ashes fall
on someone you know.
Someone you have not recently told
how dear they are to you.
Your last chance,
may have been a minute ago.
Your last chance,
might be one minute from now.
One precious minute,
one precious moment.
What does that moment mean to you?
I'll tell you what it means to me.
That moment,
this moment,
right now,
is all that matters.
What good is the moment
if it is not lived for?
What is life,
if it is not being relished
for all that it is?
It is not life,
it is a wasted moment
you will never recapture.
It is an emotion,
you will never again
have the opportunity to express.
It is a person
you will never again
be able to see,
and hold,
and tell them
how much you love them.
It is time,
made up of endless moments,
the only differentiating factor being
how you lived
from one to the next.

IMMIGRANTS AND THE NATIONAL
INSECURITY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2001

Mr. RANGEL. Mr. Speaker, I rise today to bring the Congress's attention to a recent article in the *Carib News* entitled “Immigrants and the National Insecurity” by Dr. Basil Wilson. His opinion editorial cogently details our Nation's current struggle with ensuring our personal security while continuing to uphold the founding principles of this country. The article highlights some of our past reactions to times of strife and their dramatic impact on our immigrant community. Most notably, the passage of the 1996 Anti-Terrorist Act and the 1996 Immigration and Responsibilities Act, spurred

in part by the World Trade Center attack in 1993 and the Oklahoma City federal building bombing in 1995, have conveyed the anti-immigrant sentiment in the United States and have sought to reduce the rights and benefits available to immigrants.

Since 1996, many of us have worked to undo the damage done to this community. But our overreaction to September 11th's attack stand to prevent us from advancing our efforts. As Americans we pride ourselves in our historical knowledge in looking at the past and learning from our successes and failures. Immediately following the attacks we strove to respond in an unconventional manner, both here and abroad. Yet, just four months later, we sit by and allow the Attorney General to indefinitely detain aliens, the use of military tribunals to try those suspected of terrorism, and interviews by law enforcement agencies based on ethnic and religious identities. The echoes of Japanese internment camps and McCarthyism are ringing in the halls of Congress and I know I am not the only one who hears them.

Dr. Wilson cautions, “in a global society, there is a danger that America will project to the world that it only values the life of its own citizens. The constitution and life will be preserved for Americans but different standards will be used to measure those who are not citizens of Rome.”

More critically than the projection to the world, we will tell our fellow countrymen and teach our children that the immigrant life should be valued less than the citizen's life that the immigrants who have been the building blocks of our pluralistic society generation after generation should stay at the bottom. Dr. Wilson warns that this treatment is a “slippery slope that can readily lead to the dehumanization of others.” More than “can lead”, it does lead, perpetuating an environment of inequality.

If we sacrifice the constitutional liberties that we are asking our armed services to defend, then I ask what are we fighting for? Each time we give up one of our precious freedoms, we open the door to surrender more.

It does not matter if we give up these rights for our citizens versus our immigrants because one day these immigrants will be citizens. They will not forget that from the inception they were told they were less than the people their children will attend school with.

Our enemy is not the immigrant. Do we honestly believe that if we harshly punish the immigrant community we are now secure, that we are now safe?

By condoning a society that devalues the immigrants' contributions and vital role in our community, we degrade ourselves and our history and we condone the inequity that is present in the United States and in the world. If there is one history lesson we should all remember it is our treatment of the most vulnerable of our citizens that defines our national character. We are only as strong as our weakest link and if we truly want a country where all are equal and prosper, we must empower each part of it to succeed.

IMMIGRANTS AND THE NATIONAL INSECURITY
[*Carib News*, Week Ending Dec. 11, 2001]

(By Dr. Basil Wilson)

The planning and executing of the bombing of the Pentagon in Washington, D.C., and the implosion of the twin towers led us to believe that the United States was confronted with a formidable foe. The henchmen of

Osama bin Laden had demonstrated their zealotry in 1993 in the initial attempt to take down the symbol of world capitalism. They struck again in Saudi Arabia, in Yemen, in Tanzania and Kenya before the devastating blow on the mainland of the United States.

Al Qaeda had managed to pull together jihad warriors from Muslim countries in Bosnia, Algeria, Egypt and Pakistan. This fierce band of warriors with the capacity to kill civilians along with the Taliban in Afghanistan have manifested to the world an incapacity to fight against the United States military. The Al Qaeda and Taliban warriors have shown an inability to wage modern warfare.

That prompts the question, what is left of the Al Qaeda international network? As bin Laden forces disintegrate in Afghanistan, does Al Qaeda remain a formidable terrorist network capable of threatening American national security? The extra-constitutional measures that Attorney General Ashcroft claims that is necessary to save American lives is based on the assumption that the remnants of bin Laden are still capable of additional savagery.

The 1993 attack on the World Trade Center and the destruction of the Federal building in Oklahoma in 1995, prompted the Clinton Administration and Congress to pass the 1996 Anti-Terrorist Act. That Act and the Immigration and Responsibilities Act reduced measurably the rights of permanent residents and foreigners living in the United States. Even the Acts passed since September 11, 2001 respects the constitutional rights of citizens but run roughshod over those who are domiciled in the United States and are not citizens. The Patriot Act is similar to the Walter/McCarran Act passed in 1952. Then the fear was communist organizations and the law allowed the Immigration and Naturalization Service to bar those who sought to enter the United States who were members of communist or organizations sympathetic to communism.

With the Patriot Act, the attempt is to interdict or deport non-citizens who are members of a terrorist organization or who seek to raise or to give funds to any terrorist organization. The Attorney General does not need to bring the defendants to trial and the non-citizen can be immediately deported.

The Attorney General has now assumed powers to indefinitely detain aliens. This amounts to a suspension of habeas corpus and the Attorney General now has the power to supersede the rights of INS judges to release a detainee providing that detainee is suspected to be linked to terrorist activity. No evidence has to be presented in court. Such powers exercised by the state are troubling to constitutional scholars. The rationale given is national security but there are no checks or balances to ensure that the rights of the defendants are duly protected.

Officials at the Justice Department are insisting that the investigation must cast an extensive net. Thus far the Attorney General has indicated after prodding from Congress that 93 persons have been charged with minor visa or criminal violations unconnected to events of September 11, 2001. The files of 11 have been sealed and 22 Middle Eastern men who were engaged in obtaining licenses to transport hazardous materials across state lines, all but one, have been released. Approximately 548 are in custody, mostly comprised of Middle Eastern males.

To extend the dragnet, the Justice Department is asking state and city policy to cooperate with them to interview 5,000 Middle Eastern men between the ages of 18 and 33 who entered the United States from January 2000. They are not necessarily suspected of any crime but the Justice Department wants

to conduct voluntary interviews with the expectation it might produce leads to determine the state of the Al Qaeda network in the United States.

This amounts to a vulgar form of racial profiling. Racial profiling as it was aimed at African Americans on the New Jersey Turnpike or the unconstitutional search and seizures conducted in Black and Latino neighborhoods in New York City are examples of the might of state power being used against the powerless to maximize domestic security. Events of September 11, 2001 necessitate additional vigilance on the part of law enforcement but it is dangerous to pass legislation oblivious to the rights of non-citizens since such legislation jeopardizes the rights of all American citizens.

President Bush announced on November 13, in his capacity as Commander-in-Chief of the Armed Forces that the government would reserve the right of trying foreigners during the course of the war in military tribunals. Military tribunals were used during the American Civil War and in World War II. Military tribunals do not require the preponderance of evidence necessary for conviction in a civilian court or in military courts used for court martial cases. Conviction in the Military Tribunal would not require the same rules of evidence and a two-thirds vote of the commissioners could lead to a conviction even in the case of a death penalty.

As the New York Times editorial on Sunday, December 2, 2001 stated, it is very difficult to criticize a President when the nation is at war but the editorial board felt compelled to speak out against the extensive extra-judicial powers assumed by the Bush administration. A conservative columnist like William Safire, who writes for the New York Times has condemned the Military Tribunals as kangaroo courts. Safire is mindful of the spectacle of a bin Laden trial and the security risks that would entail and suggests rather dispassionately that the United States should ensure that Osama bin Laden is bombed to smithereens.

A liberal columnist like Thomas Freedman equivocates. He recognizes the danger of the extra-constitutional decrees but his position is that the nation is up against an enemy with no love for life and cannot carry out business as usual.

In a global society, there is a danger that America will project to the world that it only values the life of its own citizens. The constitution and life will be preserved for Americans but different standards will be used to measure those who are not citizens of Rome. It is a slippery slope that can readily lead to the dehumanization of others.

Treasuring the *ewei* and not the *ethey* is inextricably linked to the present human condition. That is the troubling issue in the Middle East. It is that thought process that led to the bombings in Jerusalem. Saturday night that resulted in the death of 25 Israelis and over 250 wounded. It is that same mentality that has led to the unending grieving of the 3,000 lives lost in the World Trade Center.

Some emergency measures are sorely necessary in light of the holocaust of September 11, 2001. But one of the strangest phenomenon of the latter twentieth and the beginning of the twenty-first century is the increasing insecurity of human life and the proposed solutions to enhance safety which seem to augment the quasi-incarcerated nature of our lives. It has prompted the expansion of the penal state with millions in prison and hundreds of thousands leaving prison to be re-integrated into an economy that is jettisoning those who are presently employed.

The military reserve now provides additional security on our streets. Airport security has been federalized and new legislation has been passed by Congress to counter terrorism. The Attorney General is convinced that expanded powers will make us more secure. This should be seen as a temporary holding action. We fought a war in yesterday to make the world safe for democracy. We need to explore a new politics and to construct a new global system to make the

world safe for Christians, Jews, Muslims and non-believers.

DUTY SUSPENSIONS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2001

Mr. GILMAN. Mr. Speaker, today I am introducing three bills H.R. 3526, H.R. 3527, and H.R. 3528, which would suspend duty on three chemicals imported into the United States.

These chemicals are used in the manufacture of corrosion inhibitors that protect metal coatings, as well as solvent-based coatings for a variety of industrial and consumer products. I understand these products are also "environmentally friendly" because they use organic molecules, instead of heavy metals, to prevent corrosion.

I have been advised that these chemicals are not domestically produced. Thus, enactment of this legislation would allow businesses in this country to reduce their costs and thereby make U.S. industries more competitive in world trade markets.

Copies of these bills are set out below.

H.R. 3526

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TEMPORARY SUSPENSION OF DUTY ON (2-BENZOTHAZOLYTHIO) BUTANEDIOIC ACID.

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking heading 9902.32.31 and inserting the following new heading:

9902.32.31	(2-Benzothiazolythio) butanedioic acid (CAS No. 95154-01-1) (provided for in subheading 2934.20.40).	Free	No change	No change	On or before 12/31/2004	”.
------------	--	------	-----------	-----------	-------------------------	----

H.R. 3527

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TEMPORARY SUSPENSION OF DUTY ON 60-70% AMINE SALT OF 2-BENZOTHAZOLYTHIO SUCCINIC ACID IN SOLVENT.

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

9902.38.35	60-70% amine salt of 2-benzothiazolythio succinic acid in solvent (provided for in subheading 3824.90.28).	Free	No change	No change	On or before 12/31/2004	”.
------------	--	------	-----------	-----------	-------------------------	----

H.R. 3528

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TEMPORARY SUSPENSION OF DUTY ON 4-METHYL-g-OXO-BENZENE-BUTANOIC ACID COMPOUNDED WITH 4-ETHYLMORPHOLINE (2:1).

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking heading 9902.38.26 and inserting the following:

9902.38.26	4-Methyl-g-oxo-benzenebutanoic acid compounded with 4-ethylmorpholine (2:1) (CAS No. 171054-89-0) (provided for in subheading 3824.90.28).	Free	No change	No change	On or before 12/31/2004	”.
------------	--	------	-----------	-----------	-------------------------	----