

whose rights have been seriously curtailed. The 1,200 detainees rounded up after Sept. 11 and held in secret were mainly Muslim men with immigration problems. So were the people the government tried to deport in closed hearings. The two Americans who were labeled "enemy combatants," hustled off to military brigs and denied the right even to meet with a lawyer, are a Saudi American man captured in Afghanistan and a onetime Chicago gang member.

There is also no denying that the need for effective law enforcement is greater than ever. The Constitution, Justice Arthur Goldberg once noted, is not a suicide pact.

And yet to curtail individual rights, as the Bush administration has done, is to draw exactly the wrong lessons from history. Every time the country has felt threatened and tightened the screws on civil liberties, it later wished it had not done so. In each case—whether the barring of government criticism under the Sedition Act of 1798 and the Espionage Act of 1918, the internment of Japanese-Americans in World War II or the McCarthyite witch hunts of the cold war—profound regrets set in later.

When we are afraid, as we have all been this year, civil liberties can seem abstract. But they are at the core of what separates this country from nearly all others; they are what we are defending when we go to war. To slash away at liberty in order to defend it is not only illogical, it has proved to be a failure. Yet that is what has been happening.

Since last September, the Bush administration has held people in prison indefinitely and refused to tell the public who is being held or even how many detainees there are. No less odious than the administration's secret arrests are its secret trials. The government has barred the public and the press from deportation hearings for immigrants suspected of ties to terrorism.

The administration has also shown contempt for basic rights in its enthusiasm for military tribunals. In November, when President Bush first issued the order setting these up, it seemed the administration wanted to try anyone alleged to have ties to terrorism, even American citizens arrested in the United States, in military courts. Faced with an uproar, the administration backed down, announcing that the tribunals would accord defendants some rights. It then decided to try several prominent terrorism suspects in civilian courts.

This summer the administration unveiled, with great fanfare, the TIPS program (for Terrorism Information and Prevention System), to recruit Americans to spy on their fellow Americans. As originally conceived, TIPS was to include mail carriers, utility workers and others with access to people's homes. Again, after a popular outcry the administration scaled TIPS back.

In times of conflict, the president seeks to increase his power. Congress, sensitive to public fears over safety, cannot always be counted on to stand up to him. That leaves the Judiciary and members of the public to worry about the trampling of rights. This year a number of judges have stood out for their courage. Gladys Kessler, of Federal District Court in Washington, D.C., declared that secret arrests were "odious to a democratic society," and ordered the government to release the names of all detainees. It has not done so. And Judge Robert Doumar of Federal District Court in Norfolk, Va., who is presiding over one of the "enemy combatant" cases, recently told prosecutors to submit documents for his review so he could determine if the defendant was in fact an enemy combatant. The Justice Department, disgracefully, defied his order.

As the Bush administration continues down its path, the American people need to

make clear that they have learned from history and will not allow their rights to be rolled back. The world has changed since Sept. 11, but the values this country was founded on have not. Fear is no guide to the Constitution. We must fight the enemies of freedom abroad without yielding to those at home.

## FIRE ISLAND AND THE WATER RESOURCES DEVELOPMENT ACT

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 2002

Mr. ISRAEL. Mr. Speaker, as the House begins the process of reauthorizing the Water Resources Development Act, I wanted to inform my colleagues of correspondence between myself, the gentleman from New York, Mr. GRUCCI, and the Acting Assistant Secretary of the Army for Civil Works, Les Brownlee.

Mr. GRUCCI and I wrote to the Assistant Secretary in June to note the fact that, in our opinion, the Army Corps of Engineers has not suitably complied with Section 342 of the Water Resources Development Act of 1999. I ask that our letter of June 19, 2002 be printed in the RECORD at this point.

Today my office received a reply from the Assistant Secretary, which I now ask be printed in the RECORD. In his reply, the Assistant Secretary noted that the Army Corps "deferred all investigations on the Fire Island Interim project in July 2001" due to the State's desire to focus on the Fire Island Reformulation project, which is slated to end in November 2005.

I bring these letters to the attention of my colleagues to help them in their deliberations on the Water Resources Development Act.

CONGRESS OF THE UNITED STATES,  
Washington, DC, June 19, 2002.

HON. CRAIG MANSON,  
Assistant Secretary for Fish & Wildlife and Parks, U.S. Department of the Interior,  
Washington, DC.

HON. LES BROWNLEE,  
Under Secretary of the Army and Acting Assistant Secretary for Civil Works, U.S. Department of the Army, Washington, DC.

DEAR ASSISTANT SECRETARY MANSON AND UNDER SECRETARY BROWNLEE: In 1999, the Congress passed, and the President signed, the Water Resources Development Act of 1999. Within that legislation was a Section of particular concern to us as Representatives of the South Shore of Suffolk County, New York. Section 342 of that law concerns the Fire Island Interim Project (FIIP), a routine beach nourishment project made necessary by the severe northeast storms of 1991-96. Those storms gravely weakened the barrier island, which protects the communities of the South Shore.

In an effort to resolve differences between the Army Corps of Engineers, the Fish & Wildlife Service and the National Park Service, the statute required your agencies to "complete all procedures and reviews expeditiously and to adopt and submit to Congress, not later than 120 days after the date of enactment . . . a mutually acceptable shore erosion plan for the Fire Island to Moriches Inlet reach of the project." Almost three years have passed, but Congress has yet to receive such a plan. This continued inaction raises serious concerns as to why your agencies could not agree on a plan that would

allow this beach preservation effort to go forward.

As you may know, the FIIP is an interim segment of a storm damage reduction and hurricane protection plan authorized by Congress more than 40 years ago. It arose in response to a request by New York State for Corps recommendations in the wake of the storms of the early 1990s. The Corps recommended, and then-Governor Cuomo's Coastal Erosion Task Force endorsed, a project that would serve as a bridge to a final "reformulated" plan for protecting Long Island's South Shore. Unfortunately, this important project has been constantly delayed.

This project is fully justified economically on the basis of reduction of storm damage to properties, both on the barrier island and in low-lying areas of the mainland. It is also of vital importance to the region's tourist economy and to the continued health of wildlife habitat, including that of certain endangered species, on the barrier. We are also concerned by the fact that despite a clear legal mandate, your agencies have not given Congress a "mutually acceptable shore erosion plan for the Fire Island to Moriches Inlet reach of the project."

Thank you for your attention to this matter. We look forward to hearing a response from your agencies as soon as possible and we hope to work with you in the future to resolve this issue.

Sincerely,

FELIX J. GRUCCI, JR.,  
STEVE ISRAEL,  
Members of Congress.

DEPARTMENT OF THE ARMY, OFFICE  
OF THE ASSISTANT SECRETARY,  
CIVIL WORKS

Washington DC, September 17, 2002.

Hon. STEVEN J. ISRAEL,  
U.S. House of Representatives,  
Washington, DC.

DEAR CONGRESSMAN ISRAEL: Thank you for your letter of June 19, 2002, co-signed by Congressman Felix J. Grucci, Jr. concerning the Fire Island Interim project and the Congressional directive contained in Section 342 of the Water Resources Development Act of 1999.

In accordance with the 1999 Partnership Agreement between the Departments of Army and Interior, the New York District prepared a draft decision document for the Fire Island Interim project. This project was a short-term project to reduce the potential for storm damages along the south shore of Long Island until completion and implementation of a more comprehensive plan, which could result from the ongoing reformulation study for Fire Island Inlet to Montauk Point. In a letter dated December 17, 1999, Dr. Joseph Westphal wrote to the Speaker of the House concerning our progress, specifically noting the draft decision document and draft Environmental Impact Statement, and our hope that a mutually acceptable solution would emerge as a result of the public and agency review.

During 2000, the New York District received many comments on the proposed Fire Island Interim project. The Department of Interior and the State of New York shared many concerns. Based on these concerns, the time that had passed to reach agreement on an interim project, and the time remaining to complete the reformulation study, the state decided not to support the proposed interim project. Instead, the State wished to focus on completing the reformulation study. Therefore, the Army Corps of Engineers (Corps) deferred all investigations on the Fire Island Interim project in July 2001.

The Corps has currently scheduled completion of the reformulation study in November

2005. All of the cooperating agencies are working towards developing a comprehensive plan, which would address various concerns noted during the evaluation of the interim project. Upon completion and analysis of the reformulation study, there may be an opportunity to construct initial, or separable increments of the overall project. If the particular concern at that time is construction along the Fire Island barrier island, then we will put our efforts towards achieving that goal.

Thank you for your interest in the Civil Works program. I hope that this letter addresses your concerns. Please do not hesitate to contact me if you need any additional information.

Sincerely,

L. BROWNLEE,  
*Acting Assistant Secretary  
of the Army (Civil Works).*

COMMEMORATIVE JOINT MEETING  
OF THE CONGRESS OF THE  
UNITED STATES IN REMEM-  
BRANCE OF THE VICTIMS AND  
HEROES OF SEPTEMBER 11, 2001,  
AND IN RECOGNITION OF THE  
COURAGE AND SPIRIT OF THE  
CITY OF NEW YORK, FEDERAL  
HALL, NEW YORK, NY, FRIDAY,  
SEPTEMBER 6, 2002

SPEECH OF

**HON. ROBERT A. BORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 6, 2002*

Mr. BORSKI. Mr. Speaker, and my fellow colleagues of the United States Congress, we are here in the City of New York as representatives of a United States that is bound together as never before. It is a tragic bond, as it came at a cost of immeasurable suffering to the people of this great city, and to those who lost their loved ones in the Pentagon or on flight 93 that ended in Shanksville, PA. Today we are gathered in remembrance of the events that pierced our hearts one year ago.

On September 11th, the terrible and violent acts perpetrated against our homeland took the lives of so many innocents. In the days after the attacks, the courage and strength of our rescue workers lifted the spirits of our nation. In the weeks and months following, an outpouring of generosity from every corner of our nation showed that we stand together. Thousands lined up to give blood in a gesture that Americans would share the essence of life with no regard for whom the recipient might be. The continuing work of the young men and women in our armed forces is a declaration that those responsible for such cowardly acts will not escape justice. Today, one year later, we can say that our wound are healing. Our nation has overcome a great deal, and it is unity that has helped us overcome our grief.

We, as public servants, have come together to realize an even greater responsibility to our nation. These memories are a reminder that we must remain vigilant while we rebuild and that we must never allow our greatest treasure, our liberty, to be vulnerable to the will of our enemies.

We will never forget the innocent victims. We will never forget the heroes. It is with their memory in our hearts that we live each day

with a greater sense of purpose and a deeper appreciation for the gifts that we in this nation share.

EXPRESSING THE SENSE OF CON-  
GRESS ON THE ANNIVERSARY  
OF TERRORIST ATTACKS  
LAUNCHED AGAINST THE  
UNITED STATES ON SEPTEMBER  
11, 2001

SPEECH OF

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 11, 2002*

Mr. TOWNS. Mr. Speaker, we are commemorating the terrible attack on America on September 11 last year. This was a terrible event in which about 3,000 people lost their lives. A year later, they are in our prayers.

Also in our prayers are the other victims—those who were subjected to violent, unfair attacks in the aftermath of September 11. One of these was Balbir Singh Sodhi, a gasoline station owner from Arizona. He was murdered at his gas station by someone who apparently mistook him for a follower of Osama bin Laden. His brother, Sukhpal Singh Sodhi, a cab driver in the San Francisco Bay area, was recently killed in his taxicab. I am sure that we would all like to extend our sympathies to the Sodhi family.

No one should be killed because of his religion. Even if Mr. Sodhi had been a Muslim and a follower of bin Laden, that would not justify murdering him. But what makes this crime even more disturbing is that this perception was a mistake. Mr. Sodhi was a Sikh, not Muslim.

Sikhism is an independent, monotheistic, revealed religion that believes in the equality of all people, including gender equality. It is not part of either Hinduism or Islam, yet because of the turbans they wear, which are required by their religion, Sikhs are sometimes mistaken for Muslim followers of bin Laden.

The violence has mostly ended, but there are still some unrelated violent incidents. Unfortunately, Balbir Singh Sodhi's brother was also killed just a couple of months ago in his taxicab outside San Francisco. I call for an end to all these attacks and for full and prompt prosecution of all the people responsible.

Mr. Speaker, I would like to place the Council of Khalistan's recent press release on the anniversary of September 11 into the RECORD at this time.

IN MEMORY OF THOSE KILLED IN LAST YEAR'S  
ATTACK ON UNITED STATES

SIKHS SUFFERED THE MOST AFTER THE AT-  
TACKS; COUNCIL OF KHALISTAN CONDEMNS AT-  
TACKS, CALLS FOR END TO VIOLENCE AGAINST  
MINORITIES

WASHINGTON, D.C., September 11, 2002.—Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, today remembered the attacks on America a year ago that killed almost 3,000 Americans. He also condemned the violence against Sikh Americans and other minorities that broke out in the wake of the September 11 attacks.

“On behalf of the 21-million strong Sikh Nation and especially on behalf of more than 500,000 Sikh Americans, we remember with sadness and outrage the attacks on America a year ago and offer our prayers and sym-

pathies on this sad anniversary to the people of the United States for the terrible attack on the United States and for the loss of life it entails,” Dr. Aulakh said. “We especially pray for the families of those who have departed.”

“America must do what it can to eradicate terrorism from the world,” Dr. Aulakh said. “We support all the efforts to do so and we must do our part as American citizens,” he said. “This sad anniversary reminds us that we stand together as a nation. We must show unity on this occasion.”

“We also condemn the violence against Sikhs and other minorities that took place last year after the September 11 attacks,” Dr. Aulakh said. “Sikhs suffered the most in the post-September 11 violence,” he said. “The very first victim of this violence was Balbir Singh Sodhi, a Sikh gasoline station owner from the Phoenix area,” he noted. “Recently, his brother was killed in his taxicab. All this violence must stop,” Dr. Aulakh said.

“Nobody should be killed for his or her religion, whether Sikh, Muslim, Christian, Jewish, Hindu, or whatever religion one may follow,” Dr. Aulakh said. “But it is important to note that Sikhs are not Muslims nor followers of bin Laden. We condemn bin Laden,” he said. “Unfortunately, because of the turbans we are required to wear, many people mistake Sikhs for bin Laden followers,” he said. “The Sikh religion is an independent, monotheistic, sovereign religion that believes in the equality of the whole human race, including gender equality,” he said. “Daily we pray for the well being of the whole human race.”

In the wake of the September 11 attacks, a couple of young Sikhs were attacked in Brooklyn. Sikh businesses have been stoned and cars have been burned. A Sikh boy was even shot in New York. Many Muslims and other minorities were also subjected to violent attacks.

“We hope that there will not be any more of these incidents in connection with the anniversary of the attacks. “Violence against innocent people of any religion or ethnicity is unacceptable,” said Dr. Aulakh. “It must be condemned and the violence must be ended.”

EXPRESSING THE SENSE OF CON-  
GRESS ON THE ANNIVERSARY  
OF TERRORIST ATTACKS  
LAUNCHED AGAINST THE  
UNITED STATES ON SEPTEMBER  
11, 2001

SPEECH OF

**HON. BART STUPAK**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 11, 2002*

Mr. STUPAK. Mr. Speaker, I wish to add my voice to the multitude of Members honoring our Nation and its heroes on September 11, 2002.

Mr. Speaker, although I was back in my district taking part in events commemorating the impact September 11th has had on all of us, I would have voted “Yes” on passage of H. Con. Res. 464. Due to a technical mixup, my name was not added as a cosponsor of this worthy bill, and I wish to state my intention here that I fully support this resolution and its sentiments.

As a former law enforcement officer, I know too well the toll such tragedy takes on individuals—their lives, their families, their future,