

Service Medals, the Army Commendation with Combat Distinguishing Device “V,” four Army Commendation Medals, three Army Achievement Medals, the Army Reserve Components Achievement Medal, the National Defense Service Medal with Bronze Service Star, the Armed Forces Expeditionary Medal, the Kosova Campaign Medal with Bronze Service Star, two Afghanistan Campaign Medals with Bronze Service Star, four Iraq Campaign Medals with Bronze Service Star, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korean Defense Service Medal, the Army Service Ribbon, three Overseas Service Ribbons, the NATO Medal Kosova and the NATO Medal Combat Action Badge, and the Basic Parachuters Badge.

At the conclusion of his current tour in Afghanistan, Lieutenant Colonel Clark’s next assignment was going to bring him back to Texas as he was poised to become the executive officer or the second-in-command of the Reserve Officers Training Core at his alma mater, Texas A&M University.

In the coming days, Lieutenant Colonel Todd Clark will be laid to rest at Fort Sam Houston National Cemetery in West. Our thoughts and prayers are with the family of Lieutenant Colonel Todd Clark. He will be forever remembered as an outstanding soldier, husband, and father. We thank him and his family for their service and sacrifice for our country. His sacrifice also reflects the words of Jesus in John 15:13: “Greater love hath no man than this, that a man lay down his life for his friends.”

God bless our military men and women, and God bless America.

#### DEFENDING LIBERTY

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2013, the Chair recognizes the gentleman from Virginia (Mr. GRIFFITH) for 30 minutes.

Mr. GRIFFITH of Virginia. I stand here today on the floor of the United States House of Representatives, and I come to talk about matters of import to this country and what should be important to each and every one of us.

I often look, as I’m sitting on the floor getting ready to cast votes, down here at the front. You see “tolerance” and “justice.” And you see the word “liberty”—you may not be able to see it at home, but there they are carved into the wood here.

Liberty is extremely important to this country, and liberty is a fragile creature which can easily be extinguished if we, as citizens of the United States—and particularly those of us who are Members of Congress—do not take the opportunity to defend liberty, even when it sometimes may seem to be unpopular.

Now we have, of recent, heard in the press reports that certain agencies of the United States Government have

been accessing all kinds of information—phone records, et cetera. I think this is wrong. I think that the approach that has been taken is an overreach under the PATRIOT Act—although I believe that, when written, there were gray areas of the PATRIOT Act which could have been anticipated that there would be an overreach by the government. But some have interpreted that it’s okay that you gather information even if it’s just in the megadata on millions and millions of American citizens. I do not take that position. I believe that it is wrong, and I believe it cuts to the core of liberty in this country.

Let me explain.

To understand why we do things that we do, we have to look at the history of this country and, many times, of other countries, particularly Great Britain. When we look at our right not to have the government intrude into our homes, into our thoughts, into our very beings, it goes back to before the American Revolution. I would point to the 1760s as being instrumental.

As a student of history at Emory and Henry College, I learned under Professor Raiser there that there was a fellow named John Wilkes. Now, John Wilkes was a rake of a man, and many times his actions I would not have approved of. But whether by design or just by circumstance, John Wilkes weighs heavy in both America’s history and in the history of Great Britain.

John Wilkes was from London. He stood for Parliament, was a member of Parliament. He began a secret printing on things that he didn’t think that George III was doing correctly in the 1760s. One of those he printed in what was called the paper, the North Britain.

In North Britain 35, John Wilkes actually inferred that George III may have acted dishonestly in reaching a treaty with the French. Needless to say, George III was incensed that this happened, and he issued, through his ministers, what was known as a general warrant—that meaning that they could go, even though they didn’t have a specific person, they didn’t have a specific place, they could go into parts of London and search house to house, seizing papers, property, whatever they thought might lead to the conclusion of who was printing the North Britain and responsible in particular for North Britain No. 45.

Needless to say, after rounding up roughly 50 people and going into a number of houses, they did arrest Mr. John Wilkes, along with a number of other people, and it was ultimately determined that Mr. Wilkes was in fact responsible for the writing that the King found so inappropriate.

It’s also interesting to note that, as a part of this, in his legal defense, John Wilkes raised the issue of whether or not general warrants were in fact legal. The courts would later rule that they were not. The courts would later rule that they were not.

Now, it’s interesting—and I’ll pull out a wonderful treatise on British history, just hits the highlights, the history of the English-Speaking Peoples by Winston Churchill. Winston Churchill, in talking about—and he acknowledges the faults of Mr. Wilkes, but he also points out the court’s reasoning on this matter.

The question of general warrants became a big issue. The radical-minded Londoners welcomed the rebuff of the government. It goes on to talk about what Wilkes did, but it also goes on to tell us what the courts ruled.

Let me see if I can find it here, if you will bear with me for just a minute. I appreciate your patience as I look for the exact quote. Here is Churchill talking about what the justices said:

The officials pleaded—that would be the government officials of George, III—that they were immune from a suit by Wilkes because they were acting under government orders. Churchill says this large and sinister defense—the defense would be that they could use the general warrants—this large and sinister defense was rejected by the chief justice in words which remain a classic statement on the rule of law, quoting now the Chief Justice Lord Camden:

With respect to the argument of state necessity or a distinction which has been aimed at between state offenses and others, the common law does not understand that kind of reasoning, nor do our books take notice of any such distinction.

Wilkes was heralded as a hero of liberty. And there’s a great controversy in history as to whether he was a true patriot, a true lover of liberty, or one who merely happened to fall into the circumstances at the time. I prefer to think he was a hero of liberty.

Notwithstanding the fact that he ultimately prevailed in England, he was also seen across the pond in what would later be the United States, in the Colony—particularly in Massachusetts, but in other Colonies—as a hero of liberty. He was in communication with Sam Adams and the Sons of Liberty.

At the same time, almost identical to this, there was a thing called Writs of Assistance. Now, those were writs that were used in naval terms dealing with trade. They said that whatever the King’s people needed to do for assistance, they could have, very much like a general warrant, and some would argue that they were the same.

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In Massachusetts, about this same time, there was a James Otis, Jr.—this was pointed out, I must let you know, earlier today to me by Congressman NADLER. Mr. Otis argued the same things that were being argued in the Wilkes case in Great Britain. Sam Adams was present for those arguments, so he was communicating with John Wilkes and he was listening to the arguments against general warrants or writs of assistance made by Mr. Otis.

