

Legal experts concur that President Bush's wiretapping program was, and is, in violation of the Constitution and applicable federal law. Congress as a whole was kept in the dark for years about these activities.

It is our responsibility to protect innocent Americans who expect that their communications will remain private, except in circumstances provided under the law. Corporations that handed over their customers' records, without a valid court order or other legal instrument authorized by statute, undermined fundamental civil protections and privacy rights of Americans.

The courts should not be prevented from ruling on the legality of the actions taken by these corporations. And Congress should not meddle in the pending lawsuits.

Yes, we need to replace the outdated and controversial Protect America Act (S. 1927) and enable timely intelligence gathering against terrorists. But we must also ensure that power cannot be abused to violate our most precious freedoms.

Since the tragedy of September 11, the Bush administration has abused its intelligence gathering powers. In 2005, we learned that the government had circumvented intelligence laws to spy on Americans' phone conversations. Last year, an investigation found that the FBI had misused tools intended to fight terrorism to conduct unrelated domestic surveillance. And earlier this year, reports have surfaced that the FBI requested thousands of phone records to cover up its previous abuses, and that this and other questionably obtained data is being compiled by the National Security Agency in a massive data-mining operation about which we know almost nothing.

I cannot in good conscience vote for this bill, which gives the Bush administration even broader spying powers.

The Foreign Intelligence Surveillance Amendments Act implicitly gives retroactive immunity to telecommunication companies that facilitated warrantless wiretapping over the last 7 years and ensures the dismissal of all cases pending against telecommunication companies.

Furthermore, H.R. 6304 permits the government to conduct mass, untargeted surveillance of all communication coming into and out of the United States, without any individualized review, and without any finding of wrongdoing.

This act permits only minimal court oversight and court review is further trivialized by authorizing the Government to continue a surveillance program even after an application is denied by the court.

The legislation also contains a loophole that permits the Government to start spying and wait for up to 7 days to go to court and obtain a warrant.

Congress should not allow for the warrantless wiretapping of American citizens. Ensuring our national security must not come at the expense of our basic civil liberties. We can protect our Nation and our rights.

EXPRESSING CONDOLENCES ON
THE PASSING OF ONESEPHOR
PETER (O.P.) BROUSSARD

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. GENE GREEN of Texas. Madam Speaker, I rise today to extend my deepest sympathies to the family of Onesephor Peter Broussard, a constituent and citizen of Pleasantville, Texas, and a tireless civil rights advocate, who passed away June 25, 2008, at the age of 81.

Born in Louisiana to sharecropper parents, Mr. Broussard served in a segregated Army unit during World War II, in the battalion known as the Black Panthers. After returning to the States, Mr. Broussard served as a union organizer at Armco Steel, where he worked for 35 years.

But what truly distinguished Mr. Broussard, was his endless fight for civil rights, specifically for the integration of the Houston Independent School District. In 1966, Mr. Broussard and his wife filed a lawsuit against HISD to stop a project that would encourage de facto segregation. The suit eventually went to the U.S. 5th Circuit Court of Appeals, where the judges unfortunately refused to halt the program. Despite this, Mr. Broussard's eldest son, Richard Broussard, became the first African-American freshman at McReynolds High School in the Fifth Ward of Houston, TX. It was only thanks to his father's tireless struggle that Richard, and his siblings, were able to gain the good education that their father had never had.

In addition to this civil rights work, Mr. Broussard served as an officer in the Pleasantville Civic League, and as director of the Gulf Coast Community Action Board and the Community Development Commission. He dedicated his life to helping others, and this made him a true leader in every way. O.P. was a civil rights pioneer and a good friend.

He will be greatly missed by the Pleasantville community and by all those who knew him, and I ask that you remember the Broussard family in your thoughts and prayers.

SUPREME COURT'S DECISION IN
BOUMEDIENE ET AL. v. BUSH

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Ms. MOORE of Wisconsin. Madam Speaker, the Supreme Court's recent decision in Boumediene et al. v. Bush has again shown a spotlight on this administration's misguided attempts to rewrite the Constitution to suit its own ends. Once again, the Court has spoken up for the Constitution and against attempts to do an end run around the venerable document.

In this important decision, the Court found that those at Guantanamo Bay "have the constitutional privilege of habeas corpus" and are "not barred from seeking the writ . . . be-

cause they have been designated as enemy combatants or because of their presence at Guantanamo" and struck down attempts by the 109th Congress and the President to prevent detainees from using this historic writ to challenge their detention in court.

In its ruling, the Court again reminds us "that the Framers considered the writ a vital instrument for the protection of individual liberty" as well as a safeguard of the separation of powers provided in the Constitution.

This decision marks at least the third time in which the Supreme Court has acted to overturn disastrous and controversial Bush Administration policies regarding the treatment of enemy combatants. These policies have helped to make Guantanamo a negative symbol of America around the world.

While I strongly believe that dangerous terrorists should and must be detained, the confusing, conflicting, and sometimes illegal policies at Guantanamo and the actions of the Supreme Court time and again clearly indicate a need for change. These changes must include the closing of the detention facilities at Guantanamo and an end to the torture and detention policies that have tarnished America's image, drawn condemnation from our allies, and done little to help bring to justice those responsible for acts of terrorism against our country.

Prolonged indefinite imprisonment without charges and torture are out of line with the traditions and values of the U.S. While the Supreme Court decision will now ensure that Habeas Corpus will be available so that an independent court can review the facts and make a determination of whether individuals should be detained, the administration's other policies also need to be reformed.

Last year, in the FY 2008 Defense Authorization bill, Congress urged the administration to ensure that detainees at Guantanamo Bay, to the maximum extent possible, are charged and expeditiously prosecuted for crimes committed against the U.S. The bill also urged the administration to carry out operations at Guantanamo Bay "in a way that upholds the national interest and core values of the American people" and called for the Defense Department to provide Congress with its plan for each detainee—whether they have or will be charged, whether they will be released or transferred, or whether they will be detained.

In light of the recent ruling and continuing controversy regarding this facility, Congress can and must go further to ensure that this facility is closed.

Closing Guantanamo won't immediately repair the damage done by the detention and other policies that have undermined America's image even among some of our allies. Such a move may open up a host of new questions of what to do about those detained there. However, rather than putting that important question to an administration which our courts have repeatedly had to check, the Court's ruling creates another opportunity for Congress to Act.

And one of its first steps should be putting Guantanamo out of business while holding accountable those prisoners at Guantanamo who represent real danger to the U.S. We can and should do so in a way that does not require us to switch off the Constitution, our values, or