

OCTOBER 6, 2004

SCHAKOWSKY OPPOSES PARTISAN INTELLIGENCE BILL

REPUBLICAN LEGISLATION FAILS TO IMPLEMENT THE RECOMMENDATIONS OF THE BIPARTISAN 9/11 COMMISSION

WASHINGTON, D.C. - Mr. Speaker, I rise today in opposition to H.R. 10, the so-called 9/11 Recommendations Implementation Act. At a time when our national security is at risk and our brave troops are fighting overseas, it is shameful that the Republican leadership has chosen to present a partisan bill that does not effectively implement the recommendations of the bipartisan 9/11 Commission. In fact, of the Commission's 41 recommendations, H.R. 10 only fully implements eleven. Fifteen are not implemented at all, and another 15 are incomplete.

On the other hand, many of the provisions in H.R. 10 go far beyond the recommendations of the September 11th Commission. This is obviously an attempt by the Republican leadership to insert previously rejected proposals into this important bill at the final hour. In fact, the 9/11 Commission's Republican Chairman, Thomas Kean, said that the contentious provisions were being promoted by "people who don't want the intelligence legislation to pass." Former Representative Lee Hamilton, the Commission's vice chairman, said, "Consideration of controversial provisions at this late hour can harm our shared purpose." The Family Steering Committee of the victims of September 11th is concerned that if H.R. 10 is passed by the House, "the hard work of the Commission and the dedication of the 9/11 families will be undermined, as will the safety of our nation."

Many of the controversial and mean-spirited measures included in this bill are extremely harmful to immigrants, asylum-seekers, and refugees. These measures have been included although they do not make our nation any safer. H.R. 10 allows immigration officials to deport foreign nationals for whatever reason they see fit, devoid of judicial review, to countries that openly use torture when interrogating prisoners.

Unbelievably, H.R. 10 places an extreme burden of proof on asylum-seekers, many of whom have been victims of brutality in their native lands, requiring them to provide evidence that he or she would be tortured if returned to his or her point of origin. This violates the current standards established under the U.N. Convention Against Torture already in place. And what kind of message does this send to our troops engaged in combat? If the United States is seen by the world as being willing to outsource torture, how can we be sure that our military men and women captured overseas will be treated decently?

In addition, H.R. 10 would further undermine the right to basic due process protections for non-citizens by prohibiting habeas corpus review of many immigration decisions and

by prohibiting federal courts from granting stays of deportation while cases are pending.

This bill even includes language blocking use of matricula consular cards, for identification purposes, even though the House voted to allow their use. This provision has nothing to do with the 9/11 Commission and protecting national security. It is simply an irrelevant action.

Furthermore, this legislation does not properly refocus our intelligence efforts on Afghanistan, the nation which harbored the terrorists who attacked us on September 11th, as the 9/11 Commission recommended. H.R. 10 also does not include Commission recommendations to provide strong budgetary authority for the newly-created National Intelligence Director, protect civil liberties through the creation of an effective and independent civil liberties board, or address the need for Congressional reform. That is simply unacceptable.

I supported the Menendez amendment which institutes the recommendations of the 9/11 Commission, is a closer reflection of the bipartisan legislation passed in the Senate, and does not include the dangerous and extraneous provisions in H.R. 10. Unfortunately, that amendment was not successful; but fortunately those conferees will have one more opportunity to get it right. We should now support the Senate bill and move to protect our nation's safety while preserving the beliefs and traditions of liberty and freedom we cherish. H.R. 10 does not make the United States as safe as it can be. I urge my colleagues to vote no on H.R. 10.