

were Professor Cheryl Hanna of Vermont Law School; Professor Stephen Dycus of Vermont Law School; Trina Magi, Past President of the Vermont Library Association; and Ben Scotch, the Former Executive Director of the Vermont American Civil Liberties Union. Well over 200 people participated in the meeting.

Mr. Speaker, in the United States today there is a great concern about terrorism. Our country suffered a horrendous tragedy on September 11th, 2001—and there is no doubt in my mind that there are people on this earth who would like to attack us again.

Is terrorism a serious problem? The answer is “Yes, it is.” Should the United States and the rest of the world do all that we can to protect innocent people from terrorist attacks? The answer, once again in my view, is “Yes, we should.”

But the question that we are struggling with in Congress and throughout our country is: “Do we have to sacrifice our basic liberties and constitutional rights in order to protect ourselves from the threat of global terrorism?” And in my view, the answer to that question must be a resounding “No.”

Mr. Speaker, I would like to submit an article that ran in the Rutland Herald on Tuesday, February 1, 2005, about this town meeting.

#### PANEL DISCUSSES CIVIL LIBERTIES

ROYALTON.—Big Brother might not be watching just yet, but many believe George Orwell’s nightmare is becoming more plausible by the day.

“We need to be aware that a cancer is threatening our basic civil liberties, our constitutional rights and our privacy rights,” Rep. Bernard Sanders, I-Vt., said Monday night to a crowd of more than 200 people at Vermont Law School.

The audience filled the Jonathan B. Chase Community Center for the panel discussion on civil liberties and national security with Sanders, VLS professors Stephen Dycus and Cheryl Hanna, former Vermont Library Association president Trina Magi and former Vermont American Civil Liberties Union president Ben Scotch.

Much of the discussion centered on the USA Patriot Act, passed in the wake of Sept. 11, 2001.

Sanders said the issue alone was not just the Patriot Act, which broadened the powers of law enforcement and the federal government, but also how those who want to keep track of people are gaining more ways of doing so.

Sanders said there was an effort in Congress last year to require trackable computer chips in all drivers’ licenses.

“Someone with the right kind of device could track your every movement,” he said. “George Orwell, here we are. In a few short years, unless we change it, every single thing we do, every place we go, every person we meet could be recorded in a database.”

Hanna said the provisions of the Patriot Act that civil libertarians find most troublesome and unconstitutional have been difficult to challenge in court because of the secrecy with which the law allows the government to operate.

“In order to challenge something, you have to have a case,” she said. “You need someone who has been harmed. With the Patriot Act, so much of the harm has been clandestine. You might not even know if you were the target of an investigation.”

Scotch argued that the real dangers of the Patriot Act were its vagaries and the ways in which it challenged established legal language.

Scotch presented provisions of a bill he called “The Free Speech Enhancement Act

of 2005,” that would outlaw several forms of speaking out against the government during wartime. He then revealed that the law had been passed, under another name in 1918 and had since been repealed.

“Bills that restrict freedom are more and more subtle and more and more clever,” he said. “That’s what we’re seeing in the USA Patriot Act. When the Sedition Act of 1918 says we’re going to ban disloyal speech, it comes out and says it.”

Magi said she was worried that the provisions allowing investigators to look at the records of any business, including libraries, without a warrant would destroy the effectiveness of libraries.

“As an academic librarian, it is my job to help students really dig deeper,” she said. “In order to do that, students must feel that the library is a safe place to seek information.”

Dycus challenged the notion that “normal Americans” who are not terrorists don’t need to fear the Patriot Act.

“It would be a terrible mistake to believe none of this concerns you,” he said. “You might be right to think that you will never be taken away in the night and detained in a military brig . . . but you shouldn’t be so sure. Besides, what our government does with our knowledge it also does in our name.”

The floor was opened to questions from the audience, which ranged from angry rants against the Bush administration to questions about what can be done.

One student challenged the one-sidedness of the discussion.

“I was a little surprised the Vermont Law School would have only one side presented,” she said. “I would think they would want both sides presented so we, as law students, could learn.”

Sanders said the make-up of the panel was his doing and not the school’s.

The student went on to challenge some of the assertions about the Patriot Act, saying her understanding was the “sneak and peek” provisions merely expanded capabilities that law enforcement already had.

Scotch replied that the earlier law on which those provisions were based included a requirement similar to probable cause, but the Patriot Act does not.

One man asked how to best strike a balance between preserving civil liberties and vigilance against terrorist threats. Magi said it was something people would have to decide for themselves.

“I think it’s really legitimate to be afraid of terrorists,” she said. “We can also be afraid of an overreaching government that stretches too far into our lives. There are plenty of examples of lives that were ruined by a government that was not restrained.”

Sanders said there was more to the issue than a simple tradeoff and that reductions in privacy don’t necessarily lead to increases in security.

Sanders cited the deportation of people advocating trade unions in the 1920s, the internment of Japanese citizens during World War II, the McCarthyism of the 1950s and government surveillance during the 1960s as examples of how the government can be just as much of a threat to the people as those from whom it is supposed to protect them.

“We have got to be vigilant,” he said.

Sanders said people need to put as much effort into defending their civil liberties as the Republican Party leadership has put into promoting the policies of the Bush Administration.

“Tom Delay works day and night, fighting for what he believes in,” he said. “You have to begin to think about changing the political culture. All of us are going to have to roll up our sleeves and talk to our neighbors.”

The key, Sanders said, lies not in just organizing liberals, but reaching out to conservatives.

“It is not moderate Republicans, it is conservative Republicans, people who love their guns and don’t want their guns taken away, who are going to join you,” he said. “Do you talk to them and or just think they’re jerks who aren’t as bright as you? Well, that’s what they think about you.”

Sanders said nobody on the left has the luxury of being depressed or defeatist.

“On issues like this, I believe that once people hear the issues, they understand we can deal with terrorism without the provisions of the Patriot Act,” he said.

IN HONOR OF MR. JOHN FREITAS

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 1, 2005

Mr. FARR. Mr. Speaker, I rise today to honor Mr. John L. Freitas, who is retiring after 18 years as Executive Director of the Carmel Foundation in Carmel, California. The Carmel Foundation was established in 1950 with the purpose of providing “. . . for the residence, health, care and good living and the welfare and well being of persons in and about Carmel who are advanced in years and not otherwise sufficiently cared for.”

Under John’s direction, the foundation procured vehicles to provide the residents and members with the independence that mobility affords. Facilities were outfitted with fixtures and appliances designed for both able and disabled people. More than fifty classes and programs were made available to enrich the lives of the members. A new computer learning center was added and became so popular that one thousand members graduated from its classes in the first 5 years, proving John’s faith in the interest and ability of these seniors to learn difficult new skills.

John Freitas’ strong sense of community and fine balance with his board made it possible for the Carmel Foundation to continue to add enrichment programs. In-home supportive services, assistance with accounting, home safety checks, a weekend meal program, parties and potlucks are just a few of the elements that enhance their members’ quality of life and ensure a loyal following. This loyalty flows over to the employees, who can see every day that what they do makes a tangible difference in the lives of all the people.

Mr. Speaker, I applaud John Freitas’ many accomplishments, and commend him for the tremendous amount of personal time, thought, and dedication he put into this project. I join the Carmel community in honoring this truly remarkable man for all of his lifelong achievements.

THE RETIREMENT OF THOMAS N. CLARK

### HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 1, 2005

Mr. THOMAS. Mr. Speaker, I rise today to commemorate the retirement of Thomas Newton Clark, General Manager of the Kern County Water Agency. Tom has worked at the