(Ms. HERSETH addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. OWENS) is recognized for 5 minutes.

(Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

BUSH'S PLEBISCITARY PRESIDENCY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Massachusetts (Mr. FRANK) is recognized for 60 minutes as the designee of the minority leader.

Mr. FRANK of Massachusetts. Mr. Speaker, to begin, I want to express my appreciation for the remarks of the gentleman from North Carolina who just spoke with regard to his call for oversight. It has been sorely lacking, and it is relevant to the point I want to make today.

Mr. Speaker, I meet, as we all do, with people in my district and people elsewhere in the country, and I have for a couple of years now been engaged in some debate with some of my liberal friends on the nature of our disagreements with this administration. And up until a few months ago, my argument was that we should focus on those policy issues where we disagreed, and there were many: the war in Iraq; an economic policy that undercuts working people, that promotes inequality; policies that weaken the environment; policies that undercut the rights of minorities.

□ 1815

Others have said, no, we have to go beyond that. We have to indict this administration for his whole philosophy of governing and people have questioned its commitment to democracy. I continue to disagree that we should question this administration's commitment to democracy.

Some of the words that get thrown around, authoritarianism and worse should not be used lightly. This remains today, in the sixth year of the Bush Presidency, a very free country. People are free to speak out, to dissent. People are free to be critical. So while I agree that this administration believes in democracy in the broadest sense, I am now convinced that it is a very different kind of democracy than that which has prevailed for most of our history, and which I think is the preferable form.

Yes, the President agrees that the source morally or the power of the government is an election, and he believes that the President ought to be elected. I will turn a little later to questions that have been raised about the integrity of the election process. And I think enough doubt has been raised so that we need to do more to reassure people that we are committed to protecting that integrity.

But let me take the President at his word now. After the election, he said, okay I have been elected. I agree that the President honors the concept that you gain power in a democratic society by winning the election. But here is the difference.

We have historically talked about our checks, about balances, about our three branches of government. We have contrasted that to the more unitary governments in other parts of the world, even democratic ones. We have a separate legislative and a separate independent judiciary and the executive branch.

We have talked, from the beginning of this country, in the debates over ratification of the Constitution, about the benefits of checks and balances. This is an administration which considers checks and balances to be a hindrance to effective governance. This is an administration that believes that democracy consists essentially of electing a President every 4 years and subsequently entrusting to that President almost all of the important decisions.

Now, given the role of Congress, the administration, which I believe deeply holds this view, articulated most consistently and forcefully by the Vice President, they could not have succeeded in imposing it on this country and its Constitution as much as they have without the acquiescence of this Congress.

And that is why I appreciated what the previous speaker, the gentleman from North Carolina, talked about, the need for oversight. I believe we have seen an overreaching by the President. I believe we have seen a seizing of power that should not have been seized by the executive branch. But executive overreaching could not have succeeded as much as it has without congressional dereliction of duty.

I hope that some of the signs I am now seeing of resistance finally in Congress to that will take seed. But I do not see that yet. What we have is a President who won the election in 2004, was declared the winner of the election in 2000, much more dubiously. You know, in some ways President Bush was lucky that there was this flap over the votes in Florida. Because that obscured the fact that George Bush became President of the United States, after the election of 2000, trailing his major opponent by a larger popular vote than anybody in American history.

If you assume that Florida was counted 100 percent accurately, a very hard assumption to make, George Bush still fell half a million votes behind Al Gore, the fact that he was a minority President, that is with Ralph Nader drawing off 3 million, while Pat Buchanan only drew off a half a million.

But despite that, George Bush took over because of all of the attention had been on Florida. But from then on, he took the position that as President, he was, as he later articulated it, the ''decider.'' That is not a word that you find often in American history. Yeah, the President is a very influential and very powerful person. But he is not the single decider. He is the most important in a system of multiple sources of power.

But thanks to the acquiescence of a Republican majority in this Congress, driven in part by ideological sympathy, he has been allowed to be the decider. So we have had a very different kind of American Government. We have had an American Government in which the President gets elected and exercises an extraordinary amount of power. It is democracy, but it is closer to plebiscitary democracy than it is to the traditional democracy of America.

Plebiscitary democracy, political scientists use to describe those systems wherein a leader is elected, but once elected has almost all of the power. Indeed, I believe, it certainly would seem to me the aspirations of the Vice President, that in some ways the approach of this administration to governance interestingly has more in common with that of Hugo Chavez in Venezuela than almost anybody else.

Elect the President. Let him win and then get out of his way. Now, this has become clear to me in recent months. We had a debate here a month ago on the floor of this House on the right of the President to ignore legislation passed 30 years ago, the Foreign Intelligence Surveillance Act, by which the President and Congress together set forward a method for wiretapping and eavesdropping in cases where we thought there were foreign threats to the U.S.

This is a case where the President and Congress together, in the Carter administration, explicitly adopted a scheme to listen in on people who meant us ill. It was followed by Presidents from Jimmy Carter through Ronald Reagan and George Bush and Bill Clinton. And then this President said, no, I do not like that. That is too confining, so I will ignore it. And I will instead use my power to do what I want to do and forget the requirements of the law, that is, he was doing here exactly what the law talked about doing in terms of goal, but ignored the method that the law set forward.

What Congress had decided with Presidential approval became irrelevant. Now, we debated that on the floor. And this really began to crystallize for me. And defenders of the President, opponents of our rule that said you cannot spend money to do this wiretapping in violation of the law, for the same thing the law calls for.