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June 29, 2006

Thursday, June 29, 2006

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“The fundamental challenge facing our nation in the aftermath of 9-11 is how to guarantee the security of our citizens without sacrificing the fundamental principles upon which this great nation is founded...And the wisdom of including both in our nation’s founding document indicates that our greatest leaders did not see these ideas as contradictory.”

Washington, DC – Congresswoman Doris O. Matsui (CA-5) delivered the following statement on the floor of the U.S. House of Representatives against the Republicans so-called New York Times resolution.

[Click here to view Congresswoman Matsui’s floor statement on the so-called New York Times Resolution](#)

“Mr. Speaker, today we debate a resolution with far-reaching implications. It affirms the legal authority for the so-called Terrorist Finance Tracking Program is program. It would also condemn the unauthorized disclosure of classified information. Finally, it sets the expectation that news outlets will yield to the government’s decision whether or not to publish stories with classified information.

“A vote in favor of this resolution would affirm each of these points. Assertions about a classified program that cannot be proved or disproved with the limited information available. Assertions that implicitly threaten the freedom of press enshrined in our Constitution.

“And because of the closed rule, Members are prevented from correcting its inaccuracies. So if the choice is simply an up or down vote, the resolution must be voted down.

“Mr. Speaker, it is unclear how the information disclosed by the Wall Street Journal, the New York Times and several other newspapers around the country differed from what was already in the public record.

“As the Boston Globe documented yesterday, anyone with an Internet connection could have read the president’s Executive Order authorizing increased efforts to track terrorist financing.

“Public testimony to Congress has described how the Administration is actively utilizing wire transfers and other financial transactions to track terrorists around the globe.

“As one former U.S. diplomat noted, “We have spent the last four years bragging how effective we have been in tracking terrorist financing.”

“Tracking financial transactions is a general principle of counterterrorism. The question should be the specific ways this Administration uses this tool.

“The Administration’s actions have indicated consistently that in a time of war, it is above the law. This raises the concern over how well we as a nation strike the balance between security and civil liberty…and how we scrutinize the outcome.

“This leads to a second, important point. Consultation and oversight by the full House and Senate intelligence committees is required to check the potential for abuse of power. It is not clear this happened as the resolution asserts.

“Many members sitting on those panels do not think the limited information given to them meets the required threshold of consultation. Without that, this body cannot judge the program’s legal basis. Nor ensure a balance is struck between security and civil liberties.

“Notwithstanding information already in the public domain, some government officials may have disclosed classified information about this program. As a result, the Director of National Intelligence has begun a classified investigation. Anyone who leaked this information should be prosecuted to the fullest extent of the law.

“Recent history is not encouraging, however. Three years ago next month, classified information was deliberately leaked to the press for political purposes by one or more senior White House officials.

“The intelligence community expressed outraged over the disclosure of Valerie Plame. A network of U.S. intelligence sources developed over the course of several decades was endangered.

“At no time did the House leadership bring a resolution to the floor condemning the leak. Every effort by Democrats to investigate the incident was blocked. While the resolution before us references other past leaks of classified information by name, it remains silent about this particular incident.

“Mr. Speaker, the fundamental challenge facing our nation in the aftermath of 9-11 is how to guarantee the security of our citizens without sacrificing the fundamental principles upon which this great nation is founded. Guaranteeing security is about the end goal. Guaranteeing those fundamental principles is about how we get there. We cannot allow either principle to erode. And the wisdom of including both in our nation’s founding document indicates that our greatest leaders did not see these ideas as contradictory.

“My local newspaper, the Sacramento Bee, has an editorial of their own this morning which speaks to this subject. It reads in part, ‘The First Amendment’s durability rests not only on its text but on a long-standing unwritten bargain between government and the press that both will do their best to avoid straying over that line.’

“I could not agree more. I urge my colleagues to reject this rule and the underlying resolution.”

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