

Arar, a Syrian-born Canadian citizen. During a layover in New York on his way home to Canada, United States authorities seized him and shipped him to Syria, where he was imprisoned and tortured for nearly a year. He was subjected to extensive interrogations, during which he was beaten and whipped. He was imprisoned in a 6-foot underground cell. The Canadian Government conducted an investigation into the case and found that Mr. Arar was placed on a terrorist watch-list based on inaccurate, unsubstantiated and unreliable evidence. Since being released, he has been cleared of all charges. This case illustrates why the right of habeas corpus is so vital to our rule of law. Individuals must always have an avenue to challenge their detention. If not, innocent people can be unlawfully detained and indefinitely imprisoned based upon insubstantial or even erroneous evidence.

In a letter to Members of Congress commenting on the habeas stripping provisions, former Judge Advocate Generals John Hutson, Donald Guter, and David Brahms stated, "it is critical to these detainees, who have not been charged with any crime, that Congress not strip the courts of jurisdiction to hear their pending habeas cases. The habeas cases are the only avenue open for them to challenge the bases of their detention—potentially life imprisonment—as 'enemy combatants.'" In another letter to Members of Congress, 9 former Federal judges also expressed concerns. They warn that "... depriving the courts of habeas jurisdiction will jeopardize the Judiciary's ability to ensure that Executive detentions are not grounded on torture or other abuse ... Congress would thus be skating on thin constitutional ice in depriving the Federal courts of their power to hear the cases of Guantanamo detainees." Thomas Sullivan, a former United States attorney in Chicago who has represented Guantanamo Bay detainees, testified at a recent Senate hearing that he believed that if this legislation is "passed with these habeas-stripping provisions in it, then after I am dead and the members of this Senate are dead, an apology will be made, just as we did for the incarceration of the Japanese citizens in the Second World War." ("Security and War Take Center Stage as Campaign Break Nears," *New York Times*, September 26, 2006)

Mr. Speaker, as Members of Congress we should work to protect Constitutional rights, not deny them. As the former Judge Advocate Generals wrote in their letter to Members of Congress, "... the writ of habeas corpus embodies principles fundamental to our Nation. It is the essence of the rule of law, ensuring that neither king nor executive may deprive a person of liberty without some independent review to ensure that the detention has a reasonable basis in law and fact. That right must be preserved."

H.R. 6166 has serious consequences for the safety of our brave military men and women and for our Nation. If the United States supports stripping detainees of fundamental legal protections, other countries will feel justified in doing the same thing. Allowing questionable interrogation techniques—practices that could actually violate the Geneva Convention—would have dangerous implications for the treatment of American soldiers who are captured abroad. It will also make the enemy fight harder because capture or surrender could have such dire consequences. In fact,

there are fewer people surrendering to American troops now than in at the start of the war in Iraq.

While there are those who argue that the erosion of civil liberties is needed to protect our Nation, I believe it will actually have the opposite effect and will make our country less safe. The most important asset the United States has in the world community is our commitment to the rule of law and fair treatment. By denying habeas corpus rights and giving the President unfettered discretion in defining torture, we are sending out a signal to the world that the United States will no longer serve as the world's standard in our commitment to human rights, civil rights and the rule of law. It will erode our international reputation as a moral Nation that is an example of democracy and freedom, and it will undermine our leadership role in the world community.

I urge all of my colleagues to vote "no" on H.R. 6166.

#### HONORING THE LIFE OF LLOYD WAYNE WAGGONER

#### HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 28, 2006*

Mr. YOUNG of Alaska. Mr. Speaker, I come to the House floor today to express my profound sadness for the loss of a constituent and a friend, Lloyd Wayne Waggoner. He was a husband, father, father-in-law, grandfather, brother, and a friend. Known by most people as "Wayne" or "Gotebo," the little town in Oklahoma in which he grew up, Wayne was an Alaskan for more than 40 years. He arrived shortly after the 1964 earthquake with a friend who asked him to ride along on his trip to the last frontier. And like many people in Alaska, Wayne fell in love with the beauty, independence and kind people that Alaska had to offer, and he never left.

When he first came to Alaska, he worked on an oil rig on the North Slope. During his years in the Last Frontier, he pursued such varied career interests as holding the first Seiko watch distributorship in the State, running for state office, operating a wholesale jewelry business, serving on the Anchorage Zoning Commission and opening Wayne's Diamond Center stores in Anchorage, Wasilla, and Fairbanks. He also gave his time generously to the Anchorage Lions Club, the Shriners, and the Freedom Frog program, which promotes recovery from substance abuse and addiction.

Wayne had experiences, met people, and lived a life that most people only dream about. He regaled his family and friends with stories he told about the little bar in Laguna Beach that he gave to a friend when he decided not to return from Alaska; his dislike for salmon because that was all he ate for 3 weeks on a cargo ship he boarded as a stowaway in the Mediterranean; his one and only hole-in-one that he shot in 2001 at Fort Richardson Golf Course; the night he met the beautiful pianist—the love of his life, Karen—at the bar up at Stuckagain Heights; and the time he and his daughter saw a moose calf taken down by a sow bear right in front of them while fly-fishing in Naknek River.

Wayne was a patriot, a great American who served his country honorably and a true

sourdough Alaskan. With a story and a smile for everyone, he was a person that made people think, "boy, am I glad I met him." We are all better for having known him, for having loved him, and for having been loved by him. For the person he was, for the lessons he taught us, for the love he shared with us, he will always be in our hearts. We celebrate his life and cherish our memories. Mr. Speaker, in Wayne's words I leave you with his favorite toast "may you work like you don't need the money, may you dance like no one is watching, and may you love like you've never been hurt."

#### MILITARY COMMISSIONS ACT OF 2006

SPEECH OF

#### HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 27, 2006*

Ms. HOOLEY. Mr. Speaker, in the 5 years since this Administration declared a "War on Terror", hundreds of insurgents have been detained in Afghanistan and Iraq and are currently being held at Guantanamo Bay by American military forces. It was my hope that this legislation would establish clear guidelines for the treatment of these detainees as opposed to the undefined, and often conflicting, rules that the Administration has been acting under. Instead, this legislation threatens both the safety of our troops and undermines our values. Rather than clearly banning abuse and clearly recognizing these detainees as POWs under the Geneva Conventions, this legislation reinterprets the Geneva Conventions' guidelines and leaves American soldiers serving in Iraq, Afghanistan, and elsewhere outside the scope of protection offered by the Geneva Conventions. We have made the decision to send these soldiers into harm's way and we cannot in good conscience vote for legislation that exposes them to the risk of abuse.

#### McGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION PROGRAM

#### HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 28, 2006*

Mr. MCGOVERN. Mr. Speaker, today, Congresswoman JO ANN EMERSON (MO) and I, along with 23 of our House colleagues, introduced legislation to reauthorize the George McGovern-Robert Dole International Food for Education and Child Nutrition Program (McGovern-Dole). This unique and flexible program, administered by the U.S. Department of Agriculture (USDA), helps promote education, child development, and food security for the world's poorest children.

Sadly, an estimated 300 million children go hungry every day around the world. Of these children, an estimated 120 million do not attend school, in part because of hunger or malnourishment. Because of cultural traditions, prejudice, or simple economic need, many of these children are girls or children engaged in labor to increase their families' basic income. Providing meals in schools has proven to be