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No. 62

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FOSSELLA).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
May 6, 2004.

I hereby appoint the Honorable VITO FOSSELLA to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### PRAYER

The Reverend Joseph V. Brennan, St. Linus Church, Norwalk, California, offered the following prayer:

Dear Lord, in many and varied ways You have been compared to a shepherd who carefully watches over his flock. You shepherd us by example, Lord, seeking out those who are lost and protecting the flock with Your very life. So lead us and guide us this day to pastures of truth, goodness, and justice. Guide our feet into the way of peace.

Bless these chosen ones in this House. Give them wisdom and the spirit of courage and of right judgment. Bless the work of their hearts and hands and keep our beautiful country always in Your loving and tender arms. We ask all of this with confidence in Your love for You live and reign forever and ever. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Utah (Mr. MATHESON) come forward and lead the House in the Pledge of Allegiance.

Mr. MATHESON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a joint resolution of the following title in which the concurrence of the House is requested:

S.J. Res. 34. Joint resolution designating May 29, 2004, on the occasion of the dedication of the National World War II Memorial, as Remembrance of World War II Veterans Day.

The message also announced that pursuant to section 637, title VI of Public Law 108-199, the Chair, on behalf of the Majority Leader, appoints the following individual to serve as member of the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission:

Dr. Marty LaVor of Virginia.

The message also announced that pursuant to Public Law 100-175, as amended by Public Laws 102-375, 103-171, and 106-501, the Chair, on behalf of the Majority Leader, after consultation with the members of the Committee on Health, Education, Labor, and Pensions, and the Committee on Aging, appoints the following individuals as members of the Policy Committee to the White House Conference on Aging—the Senator from Iowa (Mr. GRASSLEY); and

the Senator from Idaho (Mr. CRAIG).

The message also announced that in accordance with sections 1928a-1928d of title 22, United States Code, as amend-

ed, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the Second Session of One Hundred Eighth Congress—

Senator ERNEST F. HOLLINGS of South Carolina; and

Senator ZELL MILLER of Georgia.

The message also announced that pursuant to sections 276h-276K of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from New Mexico (Mr. BINGAMAN) a member of the Senate Delegation to the Mexico-United States Interparliamentary Group conference during the Second Session of the One Hundred Eighth Congress.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 10 one-minute speeches per side.

### WELCOMING REVEREND JOSEPH V. BRENNAN

(Mrs. NAPOLITANO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. NAPOLITANO. Mr. Speaker, I rise to pay homage and recognize our guest chaplain today, a gentleman who has been our pastor in our church for the last 12 years.

He was born in the San Fernando Valley in California on March 20, 1954, the ninth out of 10 children to Roger and Helen Brennan of Van Nuys. He was born again through Sacrament of Baptism on April 18, 1954, celebrating this year 50 years as a Catholic.

This June 21 he will be celebrating his 24 years as a priest. He graduated from St. John's Seminary College in 1976. He was ordained as a priest from

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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St. John's Seminary Theologate in 1980 and is a priest in good standing with the Archdiocese of Los Angeles. He served with Cardinal Roger Mahony at the old Cathedral Church of St. Vibiana for 5 years.

His current assignment, we are sorry to see him go because he has brought our parish together and is adored by all of the children of the school and those that go to our church, will be assigned as pastor of Holy Trinity Church in San Pedro on July 1. We are very happy he was able to spend some time with us today and offer the blessings to the House.

Mr. Speaker, I thank you very much for allowing Father Brennan to give the morning prayer, and I thank Father Brennan for the ability to be here and our resident chaplain for allowing him to be here.

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#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1078

Mr. KING of Iowa. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1078.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

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#### SUPPORT OUR TROOPS

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, this morning the news indicates that some of our Democrats have politicized the war in Iraq. It is a war against terrorism. We have got to support our troops. Our Secretary of Defense is doing a super job.

The question is, are we here in the United States of America as citizens going to support them to the hilt? When I was in Vietnam as a POW, we were scared to death that the United States was going to turn on us, politicize it and end it without getting us out.

They did get us out of Vietnam, but they did not get all of our people out of Cambodia and Laos, and it was because of the peaceniks who did not believe we could win.

We have to support our troops. Our freedom, our Nation, our liberty depend on it. God bless the United States.

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#### A PRESCRIPTION FOR CONFUSION

(Mr. GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, I rise this morning to discuss the extreme frustration that our senior citizens are experiencing in applying for this Medicare discount card.

This card was created from a flawed Medicare prescription bill, so it is no

surprise that our seniors are having problems utilizing it.

The Houston Chronicle recently published an article about how confusing this discount card is for seniors. The article found the discount card more confusing than preparing your income taxes or dealing with an insurance company regarding a hospital bill.

With great fanfare on Friday, Medicare released a Web site to provide seniors with the ability to compare drug prices. The problem is a lot of our seniors do not have access to the Web site or are not proficient.

Even if seniors are willing to go through the steps, it is so confusing that our seniors cannot make a truly informed choice.

The story, unfortunately, gets worse for our seniors. They spend time and energy and brain power and choose the best card, and seniors are not even guaranteed that the company will hold up their end of the bargain. The company has no obligation to maintain its advertised price that is on that Web site or even carry those drugs for the full year. And yet our seniors, once they sign up, are stuck for that full year. Also, if they do not sign up now, then they lose their benefits. They get penalized if they do not sign up now. It is a flawed bill, and it is causing problems now.

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#### WINNABLE WAR

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, I give thanks that we serve in a Chamber where we can champion differences of opinion. Yet I rise really more in sorrow than in anger to see the headline in today's Roll Call newspaper, the senior Member from the other side of the aisle now calls our war effort in Iraq "unwinnable."

Mr. Speaker, our troops in uniform do not wear their political registrations on their sleeves. They are Americans representing all over America. I would caution those even as I embrace the right to dissent. I would caution those who choose to blame America first even in the wake of the challenges we see now with the abuses that are being found out and the people are going to be punished and punished and brought to justice from our side.

I would caution those who would paint with a broad brush every member of our military. I would caution those who would attempt now for political reasons to snatch defeat from the jaws of victory. It is not becoming this Nation. It does not well serve our men and women in uniform. And even as I defend the right to dissent, I disagree in the strongest possible terms with those who attempt to politicize this conflict and, in essence, place in jeopardy our men and women in uniform.

#### PRIORITIES OF THE HOUSE

(Mr. EMANUEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EMANUEL. Mr. Speaker, since April 1 this body has been in session 11 days. In those 11 days of legislative activity, we have named eight post offices and other Federal buildings, authorized the use of the Capitol grounds for the Soap Box Derby, congratulated the University of Connecticut, the University of Denver and Kennesaw State for their sports achievements.

Mr. Speaker, since April 1, 163 soldiers died in Iraq, bringing the total to 767.

Yesterday, the administration announced that it will keep our current troop level through 2005, and that we will need another \$25 billion on top of the \$112 billion already spent.

But while we name post offices and congratulate sports teams, our constituents are asking us the whys and the hows of Iraq. When the chairman of the Committee on Armed Services and the majority leader refuse to hold hearings, they are failing America.

As President Kennedy once said, "An error does not become a mistake until you refuse to correct it. Without debate, without criticism, no administration and no country can succeed, and no republic can survive."

Mr. Speaker, to govern is to choose. We can name post offices, or we can ask the hard questions about the direction of our country, and we might even be able to do both in this House.

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#### WHATEVER IT TAKES

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, the book on terrorism has a chapter in it called "Iraq." You cannot close the book on terrorism until you close the chapter on Iraq.

It saddens me that the Democrat leaders have now joined the ranks of the French and Spanish in calling the war in Iraq unwinnable. That is not what our troops told me when I visited them in Iraq. I asked a soldier what did he think about being in Iraq where all the terrorists are congregating from around the Middle East.

He said, this is where we ought to be. He said, this is the only place in the globe where every American carries a gun.

That war is winnable. We must support our troops. We must do like the firemen in New York City said on September 12 when they spoke to the President: do whatever it takes. We must do whatever it takes to win, and we will win.

God bless America.

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#### MISMANAGED WAR

(Mr. BLUMENAUER asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. Mr. Speaker, I have been listening to my colleagues on the other side of the aisle. The issue has never been whether or not our troops could win a war. They are the finest fighting men and women in the world, and they can win a war.

The issue is the mismanagement of this administration, their inability to win the peace. The mismanagement of our war is not the fault of our troops. It starts with the Secretary of Defense who is out of the loop. It is a failure of candor with people in this Congress who have to rely on the *The New Yorker* magazine to find out things that the Administration should have provided to our committees. It is a failure of our committees to move forward to deal with the investigations of problems of supply, of inappropriate activities on the part of contractors, of why there has been a failure of command that has produced the horrific pictures that put not just our troops at risk but put at risk any American traveling in the Middle East.

I think it is time for my colleagues to get a grip and get back to the business that we should, as Members of Congress, fulfill our responsibilities, not try to play politics.

#### STAND UP FOR AMERICA

(Mr. BURNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURNS. Mr. Speaker, I am disturbed. I am disturbed by the Democrats who would suggest that this war in Iraq is unwinnable. I reject that premise. Nothing could be further from the truth. We must continue to fight terrorism wherever it exists in the world.

Mr. Speaker, I am convinced that the security of our Nation depends upon stabilizing Iraq, Afghanistan, the Middle East and bringing peace and freedom to that region of the world. It is time to stand up for America. It is time to stand firm for freedom.

Mr. Speaker, we are blessed to live in the greatest Nation on Earth.

God bless America.

#### RUMSFELD MUST GO

(Mr. MCDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, Secretary Powell came before the Congressional Black Caucus yesterday. Every Member was there. They asked him, Are you going to ask for more money? He said, There is no need for more money.

Within 2 hours, the President of the United States came on and said, We need \$25 billion more money.

Even the Secretary of State is left out of the loop. This government has

no plan; and the fact that a Member has finally stood up and said what everybody knows, the emperor has no clothes, it is about time somebody said that.

My newspaper, the lead editorial this morning is "Rumsfeld Must Go." He laid our people out there in danger. There is a study out of the Army that says that a quarter of the people who have died would not have died if they had provided the proper equipment.

Now, this was a war of choice. We did not have to go. Nobody was attacking us. It is clear we were not in danger.

□ 1015

They chose a day to go and so they went, whether they were ready or not. They did not care about the troops. Our troops are being badly used by rotten leadership. They should go.

#### SADNESS OVER COMMENTS ON IRAQ WAR

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, this morning it is with a sense of profound sadness that I address the House of Representatives, and usually it is not so. I cherish the time that I have been able to spend here representing my District.

Mr. Speaker, my son is a member of the Air National Guard of the 136th Wing out of the old Carswell Air Force Base in Dallas. He is a staff sergeant, but I picked up the paper this morning like so many of my friends, and we see that the leaders on the other side have proclaimed the war unwinnable, and I think of all of the brave young men and women that I saw when I was in Iraq two times in the past year, and I cannot help but feel a profound sense of sadness that they feel that their leaders have abandoned them.

Now, we are all outraged and saddened by the photos of mistreatment of the Iraqi prisoners we have seen on our television screens. The abusers will be punished. The commanding officers will likely have their careers in ruins, but I just want to caution the leaders on the other side, indeed the candidates who are running for the highest office in this land, that this response is reminiscent of the response that a candidate named KERRY, 30 years ago had before the Senate committee where he condemned all of our troops in Vietnam.

This is not the case of our brave men and women over in Iraq today.

#### POINT OF ORDER

Mr. FILNER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Mr. FOSSELLA). For what purpose does the gentleman from California rise?

Mr. FILNER. Do the rules of the House allow personal reference to a

candidate running for the presidency of the United States?

The SPEAKER pro tempore. Members may not personally attack a presumptively nominated candidate but may criticize his policies.

Mr. FILNER. The candidate was personally attacked on this floor, and I ask for his words to be taken down.

The SPEAKER pro tempore. The Clerk will report the words.

□ 1030

The Clerk read as follows:

"Now we are all outraged and saddened by the photos of mistreatment of the Iraqi prisoners we have seen on our television screens. The abusers will be punished. The commanding officers will likely have their careers in ruins, but I just want to caution the leaders on the other side, indeed candidates who are running for the highest office in this land, that this response is reminiscent of the response that a candidate named KERRY 30 years ago had before the Senate committee where he condemned all of our troops in Vietnam. This is not the case of our brave men and women over in Iraq today."

The SPEAKER pro tempore (Mr. FOSSELLA). In the opinion of the Chair, while personal attacks on a presumptive candidate are not in order, general references to past statements or positions by such a candidate are not, as with the reported choice of words, necessarily prohibited under the rules.

#### PARLIAMENTARY INQUIRIES

Mr. FILNER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FILNER. Mr. Speaker, I am still not sure where that line is. If I were to say that the Republican candidate for President misled us into this war, is that crossing the line?

The SPEAKER pro tempore. The Chair will state these guidelines.

As the Chair stated on March 11 and April 22, 2004, the standards of decorum in debate applicable to the President are applied against any apparent nominee for that office. Thus, although remarks in debate may include criticism of such a candidate's official positions as a candidate, it is a breach of order to refer to the candidate in terms personally offensive, whether by actual accusation or by mere insinuation.

Mr. FILNER. Mr. Speaker, further parliamentary inquiry.

I am not going to challenge the ruling of the Chair; but if the candidate of the Democratic Party is accused of condemning our troops, I find that crossing the line, inappropriate and wrong. We are allowed, the candidate is allowed at Senate hearings to make his voice known about the war in Vietnam. He did not condemn the troops. I am upset with the ruling of the Chair.

The SPEAKER pro tempore. The point of order has been overruled.

## HEARINGS ON ABUSE

(Mr. OWENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS. Mr. Speaker, the House should hold hearings on the abuses in the Iraqi prisons. The most powerful military machine that the world has ever seen quickly won the hot war in Iraq. It is the occupation of Iraq that is unwinnable. The gentleman from Pennsylvania (Mr. MURTHA) is on target with his analysis. The incompetent, improvised occupation of Iraq, guided by the Department of Defense, is unwinnable. Our troops in Iraq have been betrayed by the blundering of this administration and their top command.

An unqualified Secretary Rumsfeld improvising this occupation has thrown untrained soldiers into the role of prison guards. We owe it to our soldiers in the ranks to have a full investigation, to openly let the American people see exactly what happened. Yes, this is an un-American approach, un-American activity, and it probably involves only a few, but that few operate under top command.

Mr. Speaker, let us have a full investigation. The top command must accept responsibility. Hearings will reveal this truth. Let us have hearings as soon as possible.

## STANDING BY OUR TROOPS

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, I am very concerned that with troops in the field, the Democrats are now going out sending a signal this war is unwinnable. With young men in the hospital, wounded, amputees, they are saying this war is unwinnable. With families and Americans mourning the dead, the Democrats are saying this war is unwinnable. We often hear from Democrats, Well, I support the troops, but I am against the war.

Mr. Speaker, I have never understood that. I have the honor of representing the Third Infantry Division and five military installations in my district, and that just does not sell to the soldiers in the field that, well, I support you individually, but what you are doing is wrong and I am against it.

This is not the time for our country to be sending mixed signals abroad that we are a divided country and that some of us want to cut and run. The best thing we can do to honor those who are wounded, to honor those who have lost their lives and their family and to stand beside the nearly 200,000 troops we have in Iraq and Afghanistan is say, You are doing the right thing. This cause is noble and it is winnable. We stand united behind you. Even though it is an election year, America comes first.

## WHO HAS LET OUR TROOPS DOWN?

(Mr. FILNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FILNER. Mr. Speaker, the gentleman says we do not support our troops. The gentleman says we want to cut and run. The gentleman says we have let our troops down.

I will tell Members who have let our troops down: the administration that misled us into this war and did not tell us the truth, an administration that is incompetent, that does not provide the body armor for our troops, nor the armored cars. We have been told 25 percent of the casualties would have been prevented if this administration had been competent.

I will tell Members who has let our troops down: those who did not instruct prison guards in the Geneva Convention and who led young people, brave young men and women, to the abuse of prisoners and led to our embarrassment worldwide. That is who is letting our troops down: an administration that has no plan for the peace. We have no idea what we are doing there or how to get out. That is who is letting our troops down. That is who is not supporting our troops. I yield the balance of responsibility to this administration.

## U.S. OIL PRODUCTION

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, NPR News this morning had a report about why gas prices are now over \$2 a gallon in some States and headed higher everywhere. The reporter explained that while demand has gone up, as everyone has known it would for many years, capacity has gone way down.

He said due to environmental restrictions, no new refineries have been built in this country for more than 20 years, and the number of refineries in California has decreased from 37 to 13. Also, radical environmentalists have successfully fought and stopped oil production in the frozen tundra of Alaska and most other places where it can be safely and environmentally and economically done in the U.S. Environmental extremists almost always come from wealthy, or at least very upper-income, families; but they are really hurting the poor and the lower income and working people of this country, and even our national security, by shutting down so much oil production and refining here and making us overly dependent on foreign oil that is being sold at rip-off prices.

□ 1045

## REGARDING THE WAR IN IRAQ

(Ms. JACKSON-LEE of Texas asked and was given permission to address

the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask my good friend from Georgia how many of the military families has he engaged. How many has he asked why there is a blackout on allowing America to mourn with them as their loved ones' flagged-draped coffins come home to America. How many administration officials have deigned to go to the funeral and to give to the family some comfort?

I know military families. They want this war to end with dignity, yes; but they want some people to be responsible for the travesty of what is going on. And so I ask in light of the fact that we want to blame the troops because of what happened in the prison, I do not want to blame them. They are young. They are 19, 20, 21. I demand for there to be some heads to roll. And Secretary Rumsfeld is the one that needs to roll along with his deputy, Paul Wolfowitz.

I ask the Speaker of the House to demand an open session here on the floor of the House for Secretary Rumsfeld to come and tell us why he was hiding reports for 2 months, why no one knew about the reports, and why these kinds of heinous and ridiculous acts are going on. We want peace over war, but this administration went to war with untruth. Now it is time for people like Secretary Rumsfeld to wash his hands of the tragedy of this and resign. This is the time that we should start anew.

## MISTREATMENT OF IRAQI PRISONERS

(Mr. ISSA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISSA. Mr. Speaker, the one bipartisan thing that we can all agree on today that we will address in a resolution today is that the conduct which we have all witnessed in pictures spread around the world by a few misguided and perhaps sadistic and criminally accountable young men and women in charge of prisoners of war was wrong. There is no debate on that. There is no debate outside the American military. There is no debate inside the Congress that this was wrong.

But I do believe it is important, Mr. Speaker, for the American people to understand that every soldier is instructed that this is unacceptable. Every officer is trained that this is unacceptable. From my experience both as an enlisted man and as an officer, the military will see that these individuals who were instructed that this was not acceptable and then broke the regulations will be punished. This Congress will oversee that. That is a word that the people of the Arab world need to understand, that the people of Iraq need to understand. Things have changed. This Congress will not tolerate this behavior.

HONORING TOM WOODRUFF AND  
MELISSA MILLER DURING NA-  
TIONAL TEACHERS WEEK

(Mr. BOOZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOOZMAN. Mr. Speaker, I rise today to honor two of the many outstanding teachers in my home State of Arkansas. Melissa Miller, a sixth grade math and science teacher at Randall G. Lynch Middle School in Farmington, Arkansas, was in Washington this week to accept the National Educator Award from the Milken Family Foundation. She was honored by the foundation for her innovative teaching methods that use real-world applications to make learning relevant and interesting to students.

Then there is Tom Woodruff, who teaches at Rogers High School in Rogers, Arkansas. Tom was recently named as one of five national finalists in the NASDAQ's national teaching awards. The awards recognize teachers for their originality, creativity, and effectiveness in advancing interest in, and understanding of, our economic system.

Mr. Speaker, we are blessed to have such dedicated people teaching our children in the Third District of Arkansas. It seems fitting since the PTA has named this week National Teachers Appreciation Week to take a moment to thank Tom, Melissa, and all the wonderful teachers who are helping to shape the future of our Nation.

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SUPPORT OUR TROOPS

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CUNNINGHAM. Mr. Speaker, the American people quite often are seen from time to time from both civilian businesses and the military with some bad actors. We all condemn those. The problem that I have is that too many people focus on just the bad actors and forget about the people that serve us well both in civilian business and in the military. I have served in the military. What irks me is that people that condemn our military are generally the people that have not served themselves. They are generally the people that continually vote against defense, which most of goes to the families to support them coming back. They continually vote against intelligence. And then they have the gall to stand up here and chastise our military. Mr. Speaker, I think that is wrong. I am proud of the men and women that serve in our military. I think if those individuals would speak about their accomplishments more, maybe we would all be better off.

APPOINTMENT OF CONFEREES ON  
H.R. 2443, COAST GUARD AND  
MARITIME TRANSPORTATION  
ACT OF 2003

Mr. LOBIONDO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2443) to authorize appropriations for the Coast Guard for fiscal year 2004, to amend various laws administered by the Coast Guard, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. FOSSELLA). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. FILNER moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H.R. 2443) to authorize appropriations for the Coast Guard for fiscal year 2004, to amend various laws administered by the Coast Guard, and for other purposes, be instructed to insist on the language contained in section 415 of the House bill that requires foreign-flag vessels to have their vessel security plans approved by the United States Coast Guard before entering a port in the United States.

The SPEAKER pro tempore. Under the rule, the gentleman from California (Mr. FILNER) will be recognized for 30 minutes and the gentleman from New Jersey (Mr. LOBIONDO) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, I yield myself such time as I may consume.

The motion that the House has before it is really very simple. It instructs the House conferees on the Coast Guard and Maritime Transportation Act to insist on our House provision on section 415. Section 415 simply clarifies that all foreign-flag vessels that may be involved in a security incident in the United States must submit their vessel security plans to the Coast Guard for their review and approval before they enter the United States. It is pretty simple. We are trying to make sure that we do not have a terrorist incident caused by a ship coming to our shores.

We have seen clear evidence that terrorists have the means and capability to use vessels as a weapon. We all know about the attack on the U.S.S. *Cole*. Most recently, insurgents in Iraq blew up their boat filled with explosives when a U.S. boarding team tried to inspect their vessel. Two members of our Navy and one member of the Coast Guard died in that attack.

When this Congress enacted the Maritime Transportation Security Act in November of 2002, foreign vessel owners were clearly required to submit vessel security plans to the United States Coast Guard. They were prohibited

from operating after July 1 of this year if those plans were not approved and if they were not operating in accordance with those plans. But in the month after this MTSA, the Maritime Transportation Security Act, was enacted, the Coast Guard went to London and agreed to amendments to the Safety of Life At Sea Convention to require security standards for all vessels engaged in international trade. These amendments are called the International Ship and Port Facility Security Code, or as we refer to them, the ISPS Code.

The Coast Guard never told Congress that they were intending to overturn the new security law by allowing foreign-flag vessels to enter the United States if their security plans were approved not by the Coast Guard but by the government in which the ship is flagged. As many Members know, thousands of ship owners choose to register their ships in so-called "flag of convenience" countries. The ship owners do this to save money because they know that these governments flaunt international law by not enforcing the international maritime conventions to which they are a party.

Mr. Speaker, our Nation has learned a great deal about terrorism since 9/11. One thing we have clearly learned is that not every nation in the world is our friend. Each day hundreds of ships enter U.S. ports with dangerous and hazardous cargoes. A weapon of mass destruction, a biological agent could easily be smuggled aboard a vessel in a foreign port. Look at some of the largest registries in the world, like Panama, Malta and Cyprus, and you will find vessels that are often detained by the Coast Guard for violations of international safety laws. Now we expect those same governments to protect U.S. citizens by making sure that their vessels have adequately implemented security plans? Give me a break! I for one am not willing to delegate our security responsibilities to the governments of Panama or Malta or Cyprus.

I raised this issue with the Coast Guard at two separate hearings. The Coast Guard argued that they do not have the resources to approve the security plans for the thousands of foreign-flag vessels that come to our country. I have a simple thing to say, as I said to the commandant: send us a budget request, and we will fight for every nickel you need to review and approve the foreign vessel security plans. The resources will be there if you ask for them. But do not compromise the security of our coastal communities and our whole Nation by placing our security in the hands of these foreign governments.

When Congress wrote the Maritime Transportation Security Act in 2002, we realized that it is up to the United States Government through the United States Coast Guard to protect our citizens. I urge my colleagues, Mr. Speaker, to support the motion to instruct the conferees on H.R. 2443 to insist on the House provisions requiring all foreign-flag vessels, any one of which may

be a potential terrorist threat, to submit their security plans to the Coast Guard for review and approval before they enter the United States. We ask this in law. We ask now to reinforce the law.

Mr. Speaker, I reserve the balance of my time.

Mr. LOBIONDO. Mr. Speaker, I yield myself such time as I may consume.

On behalf of Chairman YOUNG and myself, I have a couple of remarks about this motion. We support section 415 and allowed it to be included in the House bill with the agreement that we would continue to work to improve the language. It is very important that we ensure that all vessels, including foreign vessels, have security plans. However, to protect the United States, we need to support the Coast Guard's efforts as they board and inspect vessels coming into U.S. waters.

However, the Coast Guard and the Department of Homeland Security have expressed strong concerns about the current House language. They are concerned about requiring submission and secretarial approval of all foreign vessel security plans. They are concerned that this requirement could undermine extensive progress on vessel security planning already made in the international arena and would impose an unsupportable resource drain on the Coast Guard. They are concerned that this could conflict with provisions of the Safety of Life At Sea Convention and the International Ship and Port Facility Security Code. This would place the United States at a significant disadvantage when demanding that other nations comply with their responsibilities and would significantly degrade our ability to negotiate new international requirements.

Additionally, other nations could retaliate and demand to review and approve U.S. security plans before our vessels were allowed to trade in their ports. I believe that this is a real danger. Ultimately, the sharing of sensitive U.S. vessel security plans with all nations may not be in the best interests of our own national security. I would like to continue to explore whether acceptance of foreign vessel security plans approved under the International Ship and Port Facility Security Code with aggressive Coast Guard verification and enforcement might better achieve our national maritime security goals.

There is concern that the number of plans that could potentially be subject to review is staggering. Worldwide, there are approximately 40,000 vessels required to have security plans. If section 415 were enacted, the Coast Guard would be required to review the security plan of each of these vessels that wanted to visit the United States. In recent years, approximately 8,000 vessels per year have visited the United States, making roughly 50,000 port calls.

□ 1100

Without significant additional resources, our diversion of resources

from some other area, the Coast Guard could not accomplish this review and approval process in a timely manner. The cost of this effort would be substantial, and the Coast Guard is not funded in this effort.

The gentleman from Alaska (Mr. YOUNG) and I pledge to continue to work with our colleagues and the gentleman from Minnesota (Mr. OBERSTAR), the Democratic ranking member, and the gentleman from California (Mr. FILNER) to address their concerns on this homeland security issue.

Today we will support this motion, but would strongly recommend that we continue to discuss this issue with the Coast Guard and the maritime shipping industry and our colleagues in the other body to improve and merge our other bills to ensure that the country and our security is protected.

Mr. Speaker, I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, I yield myself such time as I may consume.

I was a little surprised the gentleman was going to accept the motion after speaking out against it, but I appreciate that, and I hope we fight for this at the conference committee.

Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the ranking member for yielding me this time.

I was just meeting with some constituents in my office, and when I came in I heard the chairman speaking, and it sounded to me as though he was strongly opposed to our motion to instruct to better protect our ports and national security, but apparently from what I heard, he is going to support the motion. So I am a little confused.

But let me make the points that I think need to be made about this. We have a law, a national law, a law in the United States of America, that says under the Maritime Transportation Security Act, that foreign-flagged, that is, vessels that sail to the United States many times with very obscure ownership, in fact, the way international maritime law works, Osama bin Laden could very well own some of these freighters, but we would not be able to find that out.

So we are working on that problem and the Coast Guard has made some slight progress, but not enough in terms of lifting the veil of secrecy around who actually owns these ships, which I think is essential to our national security, but in the interim under the Maritime Transportation Security Act, these foreign-flagged ships of unknown ownership with crews who are not very well identified, that is, there are no foolproof counterfeit-proof IDs or certification for the crews, many of them have false documents, many of them are of a dubious lineage, no security checks that are meaningfully conducted on those people, are cruising in and out of the ports of the United States, and what we have today is a little better than before 9-11.

Proposals I had made subsequent to a ship accident have been implemented by the Coast Guard to hold the vessels that are in international align and to require manifests and other things and do boardings when they think they are necessary, and that is all well and good. But the Maritime Transportation Security Act goes one step further. They are supposed to have a plan that has been approved by the United States Coast Guard, these foreign-flagged vessels of uncertain lineage. Now, the issue before us is are we going to allow foreign classification societies, flags of convenience, and others to certify these plans in foreign languages with no review by the Coast Guard and just assume that everything is hunky-dory? That is really the issue that is before us.

I mean, let us take Liberia, for instance. There is no government in Liberia, pretty plain and simple, but they are a major flag of convenience for these freighters, these freighters which may be owned by Osama bin Laden. We really do not know. But they are done in an obscure way through nonexistent countries like Liberia. They exist, but they do not have a functioning government. They certainly do not have a Coast Guard. In fact, the government of Liberia, I think, recently moved. They were in Reston. I think they moved somewhere else in Virginia. They have a bunch of ex-Coast Guard people who are running their registry, which is just a for-profit thing they do, a flag of convenience, so that vessel owners, whoever they might be, can avoid the strictures of U.S. law for crewing and for safety and a whole host of other reasons.

I have never been comfortable with this arrangement, but I am particularly uncomfortable with an arrangement where the nonexistent government of Liberia will be certifying vessel security plans without any review by the Coast Guard, except perhaps the retired Coast Guard who are being paid a fabulous salary to pretend that there is a government in Liberia and that they are processing these plans on behalf of that government.

That is the situation we are confronted with. This does not give me great comfort. And, in fact, the international standards say, well, these nonexistent governments of Liberia, or its substandard performers like Panama, Malta, and Cyprus, again, all who are just trying to make money on flagging ships, and if they get tough with those people, like make them have an actual real vessel security plan, really certify the crews, well, they will just go to another country or so-called country, as in the case of Liberia, and get a flag from them for a few bucks more or less.

That is what it is all about. They are trying to avoid safety, security, crewing requirements, and all that. And this becomes to me another major security loophole for the United States of

America to say that Malta, Cyprus, Liberia, who do not care about the interests of the United States in these matters, would certify in foreign languages these vessel security plans. This is not adequate. It does not meet laws that were enacted with, I think, virtually unanimous support of the United States Congress under the Maritime Transportation Security Act. They undermine the Maritime Transportation Security Act. And then as I came in, I heard my chairman, with whom I have tremendous respect and he is a great advocate for the Coast Guard and he has helped them get more money, saying if we made the Coast Guard review these plans, they would not have enough people. They would need more resources.

Then let us ask for the resources. This is a pattern I keep hearing from the administration. Yesterday I was at a hearing with the Transportation Security Administration folks, and we were raising concerns about rail and port security in the Railroads Subcommittee, and I said, Look, just be honest with us. Tell us you do not have enough people and you need more money. And they cannot do that because the political minders down at the White House are watching them. They cannot ask for more money for homeland security. We cannot ask for enough money to help the Coast Guard. I mean, the Coast Guard could contract this out if they do not have the staff, and the administration loves contracting out. We could hire a firm, a U.S. firm, who has security credentials or something else to certify these plans. But to allow Liberia, which does not have a government, to approve these plans of ships of unknown lineage and ownership in foreign languages and say that meets U.S. law, that is providing optimal homeland security for the United States of America, is absolutely wrong.

So I hope that the ranking member was right in saying that the chairman will support this. I hope he will and I hope he will not just support it with his vote, but he will support it wholeheartedly through conference. We need these protections for homeland security. And if it is a matter of a few more dollars, then let us ask for that money so we do it compliant with our law and not with a loophole-ridden international organization that does not give a darn about U.S. security.

Mr. LOBIONDO. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Oregon (Mr. DEFAZIO) for his comments. The gentleman from Alaska (Mr. YOUNG) and I do support this, but as we have worked through the committee all along in a very strong bipartisan way, we are expressing that there are some legitimate concerns such as our turning over our vessel security plans to this nonexistent government of Liberia. These are things that we should be talking about. These are things that we want to talk about so that in the

end the final product that we have is a product that will ensure our national and homeland security.

Mr. Speaker, I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, I have been informed that there are no ships with American flags going to Liberia.

Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR), ranking member of the full Committee on Transportation and Infrastructure.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman, ranking member, for his stout defense of the committee position and for his splendid service, and I also wanted to express my great appreciation to the gentleman from Alaska, the chairman of the full committee, who has, from his first day in this body, been a stout defender and advocate of the U.S. Coast Guard. He sometimes calls it "my Coast Guard," and rightly so, because Alaska has the largest coastline to protect in all of the Coast Guard's work.

And I have enormous respect for the gentleman from New Jersey, who has one of the largest Coast Guard facilities, perhaps the largest in his district, who has chaired the subcommittee with great distinction.

But I must say I am disappointed in the Coast Guard and in the administration, whoever it is. It is uncertain. The Coast Guard has been shifted from the Department of Transportation to the Department of Homeland Security. We hardly know who is the Secretary to whom they report for all the various functions of the Coast Guard, or whether this message is coming from the White House or the Office of Management and Budget. Whatever it is, the Coast Guard is on the wrong track.

We passed the port security bill, known as the Maritime Transportation Security Act, in November, 2002, hard on the heels of all of the horrific events of September 11 and in the spirit of vastly improving security in all of the modes of transportation. We had extensive discussion, debate within our committee, all aimed at one objective, protecting transportation in America from terrorist threats. Every step of the way, the purpose was to elevate security in transportation, make it substantially better, not just an increment, not just a little step better. And I was at the White House for the signing of the bill. I think the gentleman from New Jersey was there as well, as I recall. A delegation from the other body was there.

The President was very proud of that bill. Hardly was the Coast Guard involved in the International Maritime Organization negotiations on the Safety at Sea law, negotiating something that really undercuts a main thrust of this legislation. When we crafted this bill, the MTSA, the original law, I drew on our experience in aviation in the aftermath of Pan Am 103. I served on that commission with the gentleman from Arkansas, Mr. Hammerschmidt,

and one of the great failings we saw was that the United States really did not have the ability to go into foreign countries' aviation programs and see whether they had a strong security program, whether they were doing security inspections and screening of passengers, screening of luggage, screening of mail, as we were doing and as we were proposing to do in even stronger fashion; so we crafted in that legislation language to establish foreign security liaison officers within the FAA in foreign countries with the authority to go in and inspect, with the authority to look at aviation security plans of foreign governments.

And I took that theme and introduced it into our Maritime Transportation Security Act. It was missing one word. I sort of take the responsibility for it. We did not put the word "foreign" vessel, thinking that was pretty clear that vessels coming into U.S. ports that are suspect would be from other countries. The Coast Guard went and negotiated away that power of the U.S. to inspect the security plans of other countries and to see whether vessels operating under a foreign flag were in compliance with the security plan of the country of registry of that vessel.

□ 1115

Well, seeing that shortcoming, in the course of hearings that the chairman of the committee conducted, the issue came up. It was raised by members on both sides in the course of our hearings. So the language was tightened up, just to make it very clear we would have the ability to inspect, that the Coast Guard have the ability to inspect, the security plans of foreign governments.

Now, why is that a concern? Because this is the document that the U.S. Coast Guard negotiated, the Safety of Actions At Sea. It was 17 December 2002, and the relevant language, "Ship security plans are not subject to inspection by officers duly authorized by a contracting government to carry out control compliance measures in accordance with regulations specified in section 9.8.1."

Here is section 9.8.1. "Officers," meaning U.S. Coast Guard in this case, "will have limited access to the specific section of the plan allowed in the exception, only with the consent of the contracting government," meaning Malta, Liberia, Panama, the Philippines, "or the master of the ship concerned. Parts of the code are considered as confidential and cannot be subject to inspection unless otherwise agreed by the contracting governments concerned."

Did our President not say, the President of the United States say, and has he not said repeatedly, "I will never ask permission of the United Nations to defend the United States. I will never ask permission of a foreign government to protect the citizens of the United States. We are not going with a permission slip"?

This is a permission slip. This is what has been agreed to. I heard what the chairman said, that, oh, if we insist on protecting our interests, then other governments will insist on inspecting security plans of the United States.

We have only 37 American-flagged vessels in international commerce. They do not call on ports at Malta and Liberia. That is not the issue. The issue is whether we, the biggest trading Nation in the world, 11 million containers coming into the United States every year, will have the ability to see whether those ships were loaded in accordance with the security plan that meets our standards and will protect our security, and that there is not anything going on those ships that does not belong on those ships, like bombs, nuclear devices, weapons of mass biological destruction.

We do this already with aviation. Why can we not do it for maritime? Time and again, we have heard our biggest threat, the biggest unknown is what might be in a vessel coming into a U.S. port, what could be there that could destroy a city, not only on the coastal plain of the United States, but in the interior as containers move from the port to the interior of the country.

Now, why have this motion to instruct? The purpose is that the Senate, excuse me, the other body, has language in its version of our bill that simply accepts the international convention. The Senate version simply recognizes the ISPS Code, security plans drawn up by foreign-flag states, and allows the country of registry to do the signoff.

Well, I know from experience and having been at this for some time that in those countries of foreign registry, very frequently the security plan is contracted out to some private entity, a private entity that has been approved by the classification societies. And as we know, those international ship classification societies are not repositories of great strength and great courage and great oversight or great concern about security. So I do not want to see a security plan and have us just on faith accept a security plan of another country of registry, done by a contractor, which we do not even review.

Furthermore, under the international convention, which I just read, the Coast Guard has to get the equivalent of a search warrant. They have to have probable cause. They have to find something that they say, we know there is something wrong. We have evidence that this ship has been improperly loaded and there may be ricin stored in one of these containers, or the equivalent thereof.

Why do we have to do that? That is nonsense. Are we going to protect America, are we going to protect our shores, are we going to protect our ports, or are we just simply going to leave it to the good will and good offices of other countries? We do not do that in aviation, and we ought not to be doing it for port security.

Why do I take the time to say this? Because I feel very strongly about this. I have given 25 years of my service in this body to security in aviation and to maritime security, to on-land security. A good part of my career has been on aviation safety and aviation security, and I do not think that we should do anything less than the best.

So, yes, we had that language in our bill. I think we need to have this vote here on that language to reinforce the position of the conferees when we go to the other body because their language simply embraces the international convention. We have to tell them, wait a minute, that is not good enough. That does not do a good enough job. If you are serious about protecting our ports and protecting the homeland of the United States, with 11 million containers coming in, 8,000 vessels calling at our ports every year, let us get serious about it and make sure we provide the Coast Guard with the personnel and financial resources to carry out this mission.

It is crucially important. Either we are serious about port security or we are not; and not being serious is swallowing this International Convention on Safety of Life At Sea.

That is not safe. I will trust the U.S. Coast Guard. I know what the men and women of the Coast Guard can do. They are serious, they are experienced, and they will do the job of security.

So let us reaffirm the position of the House. Let us make sure when we go to conference, we stand firm; that the four principal negotiators on the part of the House are backed up by the voice of this body, so that we stand firm on this language. Let us give the Coast Guard the authority it needs. Let us stand up to make sure that we are protecting our ports. Protect the House position, protect security in the homeland of the United States through the one major Achilles heel afflicting us right now, and that is port security.

Mr. LOBIONDO. Mr. Speaker, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from New Jersey.

Mr. LOBIONDO. Mr. Speaker, we are in agreement with so many points that the gentleman made. No Member and no one should get the impression that any of us are not completely committed to maritime anti-terrorism, to homeland and port security. What we are saying here is we believe there needs to be just a little bit of additional fine tuning.

But in principle, I agree. I will support the gentleman's motion to instruct, and I thank the gentleman very much.

Mr. OBERSTAR. Mr. Speaker, reclaiming my time, I thank the gentleman. We will stand firm in conference.

Mr. FILNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FOSSELLA). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. FILNER).

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FILNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PROVIDING FOR CONSIDERATION OF H. RES. 627, DEPLORING ABUSE OF PERSONS IN UNITED STATES CUSTODY IN IRAQ

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 628 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 628

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 627) deploring the abuse of persons in United States custody in Iraq, regardless of the circumstances of their detention, urging the Secretary of the Army to bring to swift justice any member of the Armed Forces who has violated the Uniform Code of Military Justice, expressing the deep appreciation of the Nation to the courageous and honorable members of the Armed Forces who have selflessly served, or are currently serving, in Operation Iraqi Freedom, and for other purposes. The resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for a division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services; and (2) one motion to recommit which may not contain instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 628 is a closed rule providing for the consideration of House Resolution 627, deploring the abuse of persons in United States custody in Iraq, regardless of the circumstances of their detention, urging the Secretary of the Army to bring to swift justice to any member of

the Armed Forces who has violated the Uniform Code of Military Justice, and expressing the deep appreciation of the Nation to the courageous and honorable members of the Armed Forces who have selflessly served, or are currently serving, in Operation Iraqi Freedom, and for other purposes.

Mr. Speaker, the rule provides for 1 hour of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services. The rule provides one motion to recommit, which may not contain instructions.

Mr. Speaker, Members of this House, and indeed millions of concerned Americans, have been appalled by reports that Iraqi prisoners have been severely mistreated by their U.S. captors. President Bush has rightly pledged to ensure that those responsible for this abuse are brought to justice, and that process is already under way.

Mr. Speaker, in a society like ours that prides itself on its commitment to civil and human rights, there is no place for the sorts of atrocities depicted in recent days in newspaper and television accounts from Iraq.

Thankfully, it appears that the reported abuses have been the exception, rather than the rule, during this conflict. But that does nothing to excuse those who carried out or permitted the acts in question to take place. They must be punished swiftly and surely.

At the same time, Mr. Speaker, we must not permit the outrageous acts of a relative few to stain the service of more than 100,000 of our brave American men and women who are risking their lives every day in the cause of freedom. They are doing what is right, and they are doing it the right way. Their services make us all proud to be Americans.

Therefore, in addition to strongly condemning the acts of abuse by U.S. personnel against Iraqi prisoners, House Resolution 627 also pays tribute to the selfless service of our men and women in uniform.

Mr. Speaker, the President has spoken loudly and clearly on this subject, and it is imperative that we in the House do the same. Accordingly, I ask my colleagues to support both the rule and House Resolution 627.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Washington for yielding me the customary 30 minutes.

Mr. Speaker, we are here this morning to carry out a very grave duty. We are here to express the horror felt by the American people upon seeing the graphic images and learning of the torture, abuse, brutalization, and humiliation of Iraqi detainees at the Abu Ghraib prison.

□ 1130

We are here to condemn such acts.

But we are also here to do much more. We need to make clear that this Congress not only condemns these actions, but demands a full investigation and accountability for those who perpetrated these acts, those who ordered these acts, those who turned a blind eye to these acts, and those in the chain of command who failed to act upon repeated warnings and reports of abuse of Iraqi detainees.

Mr. Speaker, I firmly believe that the overwhelming majority of our uniformed men and women currently on active duty in Iraq, Afghanistan and elsewhere carry out their duties in an exemplary manner. They have represented the United States in perilous times with great distinction and great honor. And it is critical that Congress not blindly accept the scapegoating of a few enlisted men and women when there is a much more serious, troubling, high-ranking, and systemic problem that needs our most serious attention.

In December last year, Human Rights Watch issued a searing report on inhumane conditions and abuses of detainees under U.S. authority in Afghanistan.

We now know from the media that the International Committee for the Red Cross has also been urging U.S. military authorities to make substantial changes on how detainees are treated at prison facilities throughout Iraq.

Mr. Speaker, this is a grave and serious crisis, and I do not use the word "crisis" lightly. It is a crisis for our relations with the people of Iraq. It is a crisis for our relations with our allies. It is a crisis for our intentions to create a stable and more democratic Middle East. It is a crisis for our Armed Forces, whose honor has been stained by these revelations. It is a crisis for our Nation whose honor, intentions, reputation, and moral authority are now suspect throughout the world. It is a crisis for the safety of our troops in the field and the safety of our homeland.

Mr. Speaker, I fear for every American, military and civilian, who is now held captive in Iraq. For how can we demand standards for the humane treatment of our own citizens when it appears to many that we have turned our backs on those very standards and international law in our treatment of foreign detainees?

Mr. Speaker, Congress needs to carry out its own thorough investigation, not just about what happened at one isolated prison in Iraq, but in the breakdown in chain of command and the context within the Armed Forces that created such a climate for these crimes to take place.

I believe the conditions that led to abuse were created at the very top when our Secretary of Defense announced early in the war against terrorism that the Geneva Conventions

would not apply to many of our actions, especially those concerning detainees.

I believe the conditions that led to abuse were created at the very top when independent monitors were denied access to prisons and detention facilities.

I believe the conditions that led to abuse were created at the very top when decisions were made to assign troops, many of whom were inexperienced in prisoner treatment and the rights of prisoners, rather than to troops who have been trained for such duty.

I believe the conditions that led to abuse were created at the very top when information and reports were withheld from the relevant intelligence, defense, and foreign policy Congressional committees regarding these abuses.

Mr. Speaker, I also believe that this Congress needs to take a hard and serious look at the use of private contractors engaged in interrogation of prisoners and ensure that their role in these abuses is fully investigated and punished.

But even more importantly, I believe the President of the United States must act. The President must demonstrate exactly how serious the United States is about changing the conditions that led to these abuses.

The President prides himself on being a plain-spoken, straight-shooting man of action. This moment desperately calls for some plain speaking and accountability. Anonymous leaks to the news media about the President of the United States "privately chiding" the Secretary of Defense simply will not do.

Mr. Speaker, Donald Rumsfeld needs to resign as Secretary of Defense, and if he does not do so, President Bush should fire him. No other action, no other words would send as strong a signal to the world that the United States is serious about fixing what is wrong in Iraq.

Mr. Speaker, I regret that this resolution required a rule for debate. I regret that unanimous consent could not be obtained. But I firmly believe that this resolution needs to assert the oversight responsibilities, our own accountability, and investigate these abuses and the systems that created a climate of abuse. We cannot call for accountability by others and then shirk our own responsibilities. I firmly believe that we must investigate the roles of both our uniformed personnel and private contractors in these abuses, and I would have hoped that the majority would believe the same.

Mr. Speaker, at the conclusion of this debate, I will move the previous question. If defeated, I will offer an amendment to the rule allowing for the consideration of an amendment to be offered by the gentleman from Missouri (Mr. SKELTON), the ranking member of the House Committee on Armed Services, affirming the need for a bipartisan congressional investigation to

be conducted immediately into these allegations of abuse, including those by civilian contractor personnel and into systemic chain of command and other systemic deficiencies that contributed to such abuse.

I hope that my colleagues on both sides of the aisle will join me in this effort to affirm the need for the Congress to carry out its constitutional duties of oversight.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Speaker, I thank my colleague, the gentleman from Washington (Mr. HASTINGS) for yielding me this time. I rise today in strong support of both the rule and the underlying resolution.

I believe most Americans, as I was, were extremely upset by the images they saw on television of prisoner abuse in Iraq, and the horrific actions just defy everything that America stands for and Americans stand for: goodness, decency, fairness, compassion.

The perpetrators of these dastardly deeds must be swiftly brought to justice and severely punished for their actions.

America and our allies liberated Iraq from a despot. Mr. Speaker, our soldiers are very sincerely over there helping to restore basic services to Iraq and make life for the Iraqi people much better, and they are doing it at serious risk to their own lives. A few sick people in the military have set back our efforts for peace in the Mideast and around the world for who knows how long. They have destroyed all of the good relationships our soldiers and others have established in Iraq. And the majority of our service men and women are very good, decent, patriotic Americans, very honorable.

So we must not allow these actions by a few to overshadow the goodness of the majority of Americans or of our soldiers, or the effort to win the war on terror. We cannot close the book on terror until we close this chapter on Iraq.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. HASTINGS), a member of the Committee on Rules and the Permanent Select Committee on Intelligence.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my colleague and my good friend, the gentleman from Massachusetts (Mr. MCGOVERN) for yielding me this time. This morning he and I and the other members of the Committee on Rules who are here met at 7 o'clock a.m. to discuss this resolution.

Now, the simple fact of the matter is, it is important for us to recognize that the American military has no peers. It is also important for us to recognize that most of the men and women, the great majority of the men and women in the military are not the kind of peo-

ple that are now being investigated and that we see so widespread, and are not the kind of people that would abuse people in the circumstances that the detainees found themselves.

It is unfortunate that this matter does not come to the floor under unanimous consent. It does have, as I pointed out this morning, one or two flaws that could easily have been corrected had the majority determined that it was proper to do so.

One of those flaws allows itself to come forward in one paragraph which reads, "Whereas the Congress was not fully informed of the existence," and that is true, "or the seriousness." But it does not say what I think it should say, and that is that we decried the fact that for too long, this was in the hands of military higher-ups who did not deem the oversight responsibilities of Congress important enough for them to bring the matter forward.

Additionally, this is a resolution about horrors that took place inside a prison. This is not a proper place, in my judgment, for us to be bragging about anything concerning the conditions being better after the removal of Saddam Hussein.

Additionally, it is that these abuses, as offensive as they are, need to be put in perspective with regard to the ongoing military effort.

I would urge everybody to take a deep breath and to realize that no American, Republican or Democrat, would allow for this kind of conduct, and no one from the President on down does not feel sorry that this occurred, and all of us should be in a position to do as the general who now is in charge of this prison did, and that is, apologize not only to the detainees that this occurred to, but to the others who likely feel that America has lost its moral authority.

America will never lose its moral authority, because in this body and in the White House and in the Secretary of Defense's office, and in the Secretary of the Army's office, justice will come to those who took advantage of others in circumstances that were not proper.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. GOSS), the distinguished chairman of the Permanent Select Committee on Intelligence in the House.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank my colleague and friend, the gentleman from Washington (Mr. HASTINGS) for yielding me this time.

Mr. Speaker, we have always known that the war on terrorism was going to be lengthy and difficult. President Bush told us that from the very beginning.

Americans everywhere have girded up for a sustained conflict across the globe, around the world. We have great and justifiable pride in our troops and all they have accomplished. We have

accepted the necessary sacrifices in the war on terrorism with a heavy, but a resolute heart in places like Afghanistan and Iraq.

However, it is impossible to accept the apparently isolated, but nonetheless totally deplorable instances of blatant prisoner mistreatment that have surfaced in the past week. These actions, particularly when contrasted with the courageous and honorable decisions made day in and day out by the vast majority of our American soldiers in difficult circumstances, must be strongly condemned.

The charges of abuse will be examined fully and immediate corrective measures taken to prevent against their reoccurrence. That is assured. No equivocation can be tolerated. Wrong is wrong. The international community will be watching America's actions closely, and now is the time to demonstrate anew that the American soldier respects the rules of engagement and always values justice and humane treatment of detainees and prisoners. We all abhor the slaughter and maiming and carnage of innocent victims, which, of course, is the terrorists' hallmark.

Mr. Speaker, I rise today because our military has worked too hard and accomplished too much to be stained by the actions of a few. By acknowledging that this is a tremendously hurtful anomaly in an otherwise impressive effort, I hope that justice may be swiftly served and the trust in America restored.

The House Permanent Select Committee on Intelligence routinely and regularly oversees interrogation activity for intelligence purposes, and we are giving comprehensive attention, of course, to these newly-discovered abusive treatment cases. In fact, as we speak, our committee is receiving briefings upstairs and asking some very tough questions, and I will return to that meeting forthwith.

The conduct of appropriate and professional interrogation is extremely important to the successful prosecution of the war on terrorism and the protection of our troops and citizens at home and abroad.

□ 1145

Terrorism is a bad thing, and interrogation on a proper level of a terrorist is an important tool for us to preempt the mischief that they can cause us.

This rule brings forward a clear resolution that supports the views I espouse and that other Members have espoused articulately. I urge passage for this rule and for this resolution.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MCGOVERN) for yielding me time.

Mr. Speaker, I rise in strong opposition to this rule. This resolution condemns abuse, but presents glaring and unacceptable omissions. The boiler

plate language offers no apology, does nothing to ease the international tensions, and calls on the Department of Defense, quite frankly, to investigate itself.

The resolution is insufficient on all three grounds. We need a full-scale bipartisan congressional investigation into these charges and their devastating international consequences and also the role of private contractors in this war. I hope that these horrible human rights abuses are not just the tip of an iceberg.

Tens of thousands of American troops are serving with great courage. These outrages do not typify their behavior; but they do, they do endanger their lives. As for those accused and others, I quite frankly worry about our young men and women in uniform who are being dehumanized.

These young men and women are being dehumanized. They are being dehumanized by the policies of the Bush administration and a war that allows them to cross this threshold.

Finally, Mr. Speaker, this resolution presents really a very false portrait of Iraq, one that is safe and secure and prosperous. I urge Members to vote against this rule. This really is not about a handful of photographs. It is about the failures of leadership at the very highest levels.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Ms. PRYCE), the distinguished Republican Conference chairman.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in support of this rule and the underlying legislation. I rise in sadness and regret. The behavior of the soldiers charged with misconduct and abuses of prisoners in Iraq, to use the President's word, is abhorrent.

The Iraqi people are beginning new lives of liberty and freedom. They are just beginning to shake off the dread of years of torture and abuse. They are only just beginning to sleep soundly, without fear of midnight kidnappings. They are only just beginning to express their views on politics and social issues. Our whole country is appalled and disgusted by the reports of this insane abuse.

I send my deepest sympathy and regret to these Iraqis who, in such a tender moment, are forced to see scenes of abuse that I can only imagine bring to the surface old fears, old nightmares, and old wounds.

The actions of a few are sure to have long-term implications of mistrust in the Middle East. Our message is clear: we are devastated. We went into Iraq because Americans reject evil and embrace liberty. The heart of American values is founded in respect for one another, in fairness and a love for freedom.

Today we should ask ourselves what can we do to rebuild the trust and con-

fidence in the hearts and minds of those we want to help. Unlike 20 years of unavenged, unstoppable evil at the hands of Saddam Hussein, this abuse will not be tolerated. It will not be brushed over. It will not be excused.

I join my colleagues in the U.S. House of Representatives and condemn these acts and support immediate, meticulous investigations into the abuse reports, full disclosure of abuses committed, and justice served to those men and women responsible.

Every day the men and women of our Armed Forces are putting their lives on the line because they believe in their mission and they are devoted to their duty. They also have been hurt by these senseless, shameful acts. We cannot falter in our support for thousands of troops who now more than ever require reinforcement, support and prayers from their government, their friends, and their families at home.

I would ask the American people, Iraqis who have tasted liberty, and freedom-loving people across the world to renounce the reprehensible deeds of a few and look forward. I ask them to renew their support in the brave efforts to free Iraq and our efforts in the war on terrorism, and for the men and women of our Armed Forces who sacrifice daily in defense of honor, justice, and democracy.

Mr. Speaker, I urge my colleagues to support this rule and the very important legislation it enforces.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, this outrage cuts to the bone, not just because it damages our international relations, but because it damages basic tenets of American values. And when you have such a deep wound, self-inflicted, you cannot have half measures. And this resolution is weak tea when we need strong medicine; and it is inadequate, and this rule should be defeated for that reason.

Where in this resolution is there a call for the obvious need for an investigation of the private contractors who are making hundreds of thousands of dollars, who are involved in this outrage, who are outside the chain of command, who are not subject to military justice? Why will the Republican Party not join us in investigating those private contractors and putting this in this resolution? Why is there nothing in this resolution about the need for an international opening up of our system so that we can regain credibility? Why is there not in this resolution an accounting for the Iraqi people of who is in there? And lastly, where is the resignation for Donald Rumsfeld?

Mr. HASTINGS of Washington. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Washington (Mr. HASTINGS) has 19 minutes

remaining. The gentleman from Massachusetts (Mr. MCGOVERN) has 17 minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, this resolution will be minimally useful at best.

I intend to vote for it. But it falls far short of what this House ought to be doing today.

Lou Dobbs two days ago on CNN I think said it best when he said that the reason the Commander in Chief needed to make a public apology for what happened in the prisons in Iraq was not just because that conduct was offensive to the Arab world but because it was offensive to basic American values. And I think Mr. Dobbs had it dead right.

Later on in that same program, Anthony Cordesman, a well-known defense expert, made the observation that the worst thing about this from the standpoint of American troops is that because the pictures associated with these violations of human rights will have inflamed the Arab world, that unfortunately it is likely that additional Americans will die because of that. And unfortunately, he also had it dead on.

This resolution needs to be amended, and there will be an effort to do that, to amend it to affirm that we need a bipartisan congressional investigation to conduct an investigation into these allegations of abuse, including those by U.S. civilian contractors and other civilians, and an investigation into the chain of command and other systemic deficiencies including the command atmosphere that may have contributed to such abuse. That is the minimum that is necessary.

Now, months ago I called for the resignation of the Secretary of Defense because I think the conduct of the civilian leadership of the Defense Department in conducting the affairs in Iraq after the war was spectacularly incompetent. So I do not need to go into that today.

Mr. Speaker, the following is an article from a Washington Post editorial on Mr. Rumsfeld's performance on this issue.

[From the Washington Post, May 6, 2004]

#### MR. RUMSFELD'S RESPONSIBILITY

The Horrific abuses by American interrogators and guards at the Abu Ghraib prison and at other facilities maintained by the U.S. military in Iraq and Afghanistan can be traced, in part, to policy decisions and public statements of Secretary of Defense Donald H. Rumsfeld. Beginning more than two years ago, Mr. Rumsfeld decided to overturn decades of previous practice by the U.S. military in its handling of detainees in foreign countries. His Pentagon ruled that the United States would no longer be bound by the Geneva Conventions; that Army regulations on the interrogation of prisoners would not be observed; and that many detainees would be held incommunicado and without

any independent mechanism of review. Abuses will take place in any prison system. But Mr. Rumsfeld's decisions helped create a lawless regime in which prisoners in both Iraq and Afghanistan have been humiliated, beaten, tortured and murdered—and in which until recently, no one has been held accountable.

The lawlessness began in January 2002 when Mr. Rumsfeld publicly declared that hundreds of people detained by U.S. and allied forces in Afghanistan "do not have any rights" under the Geneva Conventions. That was not the case: At a minimum, all those arrested in the war zone were entitled under the conventions to a formal hearing to determine whether they were prisoners of war or unlawful combatants. No such hearings were held, but then Mr. Rumsfeld made clear that U.S. observance of the convention was now optional. Prisoners, he said, would be treated "for the most part;" in "a manner that is reasonably consistent" with the conventions—which the secretary breezily suggested, was outdated.

In one important respect, Mr. Rumsfeld was correct: Not only could captured al Qaeda members be legitimately deprived of Geneva Convention guarantees (once the required hearing was held) but such treatment was in many cases necessary to obtain vital intelligence and prevent terrorists from communicating with confederates abroad. But if the United States was to resort to that exceptional practice, Mr. Rumsfeld should have established procedures to ensure that it did so without violating international conventions against torture and that only suspects who truly needed such extraordinary handling were treated that way. Outside controls or independent review could have provided such safeguards. Instead, Mr. Rumsfeld allowed detainees to be indiscriminately designated as beyond the law—and made humane treatment dependent on the goodwill of U.S. personnel.

Much of what has happened at the U.S. detention center in Guantanamo Bay is shrouded in secrecy. But according to an official Army report, a system was established at the camp under which military guards were expected to "set the conditions" for intelligence investigations. The report by Maj. Gen. Antonio M. Taguba says the system was later introduced at military facilities at Bagram airbase in Afghanistan and the Abu Ghraib prison in Iraq, even though it violates Army regulations forbidding guards to participate in interrogations.

The Taguba report and others by human right groups reveal that the detention system Mr. Rumsfeld oversees has become so grossly distorted that military police have abused or tortured prisoners under the direction of civilian contractors and intelligence officers outside the military chain of command—not in "exceptional" cases, as Mr. Rumsfeld said Tuesday, but systematically. Army guards have held "ghost" prisoners detained by the CIA and even hidden these prisoners from the International Red Cross. Meanwhile, Mr. Rumsfeld's contempt for the Geneva Conventions has trickled down: The Taguba report says that guards at Abu Ghraib had not been instructed on them and that no copies were posted in the facility.

The abuses that have done so much harm to the U.S. mission in Iraq might have been prevented had Mr. Rumsfeld been responsive to earlier reports of violations. Instead, the publicly dismissed or minimized such accounts. He and his staff ignored detained reports by respected human rights groups about criminal activity at U.S.-run prisons in Afghanistan, and they refused to provide access to facilities or respond to most questions. In December 2002, two Afghan detainees died in events that were ruled homicides

by medical officials; only when the New York Times obtained the story did the Pentagon confirm that an investigation was underway, and no results have yet been announced. Not until other media obtained the photos from Abu Ghraib did Mr. Rumsfeld fully acknowledge what had happened, and not until Tuesday did his department disclose that 25 prisoners have died in U.S. custody in Iraq and Afghanistan. Accountability for those deaths has been virtually nonexistent: One soldier was punished with a dishonorable discharge.

On Monday Mr. Rumsfeld's spokesman said that the secretary had not read Mr. Taguba's report, which was completed in early March. Yesterday Mr. Rumsfeld told a television interviewer that he still hadn't finished reading it, and he repeated his view that the Geneva Conventions "did not precisely apply" but were only "basic rules" for handling prisoners. His message remains the same: that the United States need not be bound by international law and that the crimes Mr. Taguba reported are not, for him, a priority. That attitude has undermined the American military's observance of basic human rights and damaged this country's ability to prevail in the war on terrorism.

Mr. Speaker, I would just make this observation. The Congress has only two real abilities to effect events. The first is to use the power of the purse, and preliminary to doing that, to ask the right questions about what the intent of our government is before we get into something like Iraq. The Congress, unfortunately, settled for spongy answers beforehand.

But the second power that Congress has is the power of investigation. At least after the fact, this Congress ought to investigate from top to bottom what contributed to this outrageous chain of events that has been such a disgrace to our ability to stand up for basic American values. At least if we do that, we can try to ensure that something like this never happens again in the name of the United States of America.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman yielding me time.

Mr. Speaker, it is sad that the resolution before U.S. today is as close as we can get to having a full and open debate on the tragedy that continues to unfold in Iraq.

Yes, this is about failure of leadership in the Department of Defense from Secretary Rumsfeld and the team that was unable, after winning the war, to win the peace, a Department that cannot communicate with its own Department of State, let alone the Congress. But it is about more than the failure of the administration and the Department of Defense.

What we should be debating today is the failure of Congress. We should be having hearings dealing with these issues on armed services, international relations, appropriations, government operations.

Mr. Speaker, my Republican colleagues do themselves no favor rushing this to the floor and refusing to deal

with the responsibilities of congressional oversight. When our Republican colleagues do not permit us to do our job, it does not help them politically. What happens is that this is forcing us to rely on reporters from the New Yorker & from CNN. The avalanche of reports now coming out show the Department of Defense knew about this, even if the top brass had not bothered to read the reports. This should have been shared with members of Congress, and we should have been helping them do their job.

It is not just the brave men and women on the front lines in Iraq who are being shortchanged by failures of Congress & the Administration. We are shortchanging the American public, wasting their Treasury, putting Americans at risk, and undermining their confidence in their government doing its job and giving them straight answers.

I strongly urge the rejection of this rule and that this morning we start doing our job as Members of Congress to give the American public the information they deserve.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, this resolution is written as if the administration's war in Iraq was right from the beginning and now is basically going well, and neither is correct.

It is written as if support of the troops is an issue. It is not. We fully support our troops.

What is at issue is the appropriate response of this House to the horrendous conduct illustrated in the graphic pictures of prisoner abuse.

What is in issue is the appropriate response of this House to the American people and to this House hearing the truth on TV while it was sitting undisclosed on the desk of high administration officials.

The proper response for this House is not just to pass resolutions but to be an active force in facing up to what is happening in Iraq and its consequences for our Nation and the world.

□ 1200

When it comes to events in Iraq, the majority in this House can no longer simply rubber stamp all of the actions of this administration or pass the buck to it or the Senate.

Turn down this rule so we can add an amendment requiring this House to step up to its responsibilities.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, all of us on both sides of the aisle come to the well and to discuss the different events on this resolution.

First of all, I am very, very proud of the men and women that serve in our

armed services, and I served with in Vietnam and all the conflicts up to that point, but time has witnessed a sine wave of activities.

In business we had Enron. We have had a Member of this body sexually abuse a page. We have had a Nixon break-in and impeachment of a President. Harassment in our military academies and we look at the scandal in the Catholic church, but Mr. Speaker, there are good people in Enron, there are good Members of Congress. The harassment in our military academies, most of those men and women serve honorably, and the same thing in the Catholic church, but good people is not the question here.

The question is what happened in our interrogation facility, and I sit and I questioned myself, what are the key reasons why everybody is so upset? What factors bother us? One thing, leadership at the point of infraction, and secondly, the timeliness. Let me give my colleagues a good example.

I had an admiral that brought us, his commanding officers, together, and said if I have a single commanding officer that gets busted with a DUI or DWI, I am going to fire you, and not a single CO received a DUI or DWI. If they went to a party, they had a designated driver. Prior to that, many of the commanding officers got picked up for a DUI or DWI.

I would bet, Mr. Speaker, that no one at that prison sat those kids down and said this is the expected conduct. I just witnessed from the services all kinds of paper, all kinds of rules, people that had been there to investigate, look at the different things that go on, but I want to tell my colleagues, not a single officer sat down with those sergeants, with those people and said if this is your conduct these are the consequences, like that admiral did with us and the DUI's. The breakdown was at the point of leadership at the prison.

Secondly is the timeliness. I had a squadron and I had exceptions to the chain of command. My friend over here the gentleman from New York (Mr. RANGEL) knows about the chain of command. He was in the service, but as commanding officer, a person could walk into my office, past my chief, past my division officer, past my executive officer for several things: any known sexual abuse, because I had women in the squadron; anything racial, even verbal, because it could destroy the unit; any known drugs within the unit; the thing that I have recommended to the military, anything, any conduct that would affect the unit, negatively, the Services or United States of America, and I think those two things were overlooked in this case, that it did not go up the chain of command fast enough. There was not enough action taken, and that there was a breakdown in leadership and cutting through the chain of command.

The last thing I would recommend to our military is that when they have something so critical that is a blight

on the United States of America, that we sit down and we take care of this, but let us not forget the people that serve us are the best of the best, and yes, there are Enrons, there are Catholic churches, there are others, but the majority of our people are very good people.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I rise today to condemn the alleged abuse of prisoners in Iraq. We must take every step possible to investigate the shocking allegations, punish any perpetrators, re-examine our entire system of interrogation and confinement to prevent such occurrence from happening in the future.

I have called on Attorney General Ashcroft to begin an investigation of abuses committed by private military contractors in Iraq. I circulated this letter to all of my colleagues for review. A hundred Democrats have signed on so far. I hope all my colleagues will join me in this effort.

In the year 2000, Congress passed the Military Extra Territorial Jurisdiction Act, which allows the Justice Department to investigate and prosecute criminal action by contractors abroad that are in the employ of the United States Government. This Congress granted the Attorney General this authority for this exact case.

Attorney General Ashcroft has the ability to investigate and prosecute any criminal abuse by private contractors. I urge him to begin his investigation immediately.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I thank the gentleman for yielding me the time.

We come today together as a unified body, 435 Members of the people's House, without any question about condemning totally unacceptable behavior, and I support this rule very strongly because it is most appropriate that we come to the floor and say today our unanimous condemnation of behavior we do not accept under any circumstances.

We need to maintain a focus that says to the American people and even more importantly the rest of the world that in a free society, where men and women can come to the well of the House and express their opinion on any subject, there are many countries around the world where freedom does not exist, but in our free society, the home of the free and the land of the brave, we have the right to stand up and speak out when something goes wrong.

In the land of freedom, we have responsibility. People are accountable for their actions, and the perpetrators of these deeds will be punished. This is the issue today. So now is the time to stand up and express our joint outrage for what has happened.

We also need to make sure, and ironically, as I waited to speak, I received a message from Daniel Metzdorf, an 82nd Airborne trooper who lost a leg fighting for the freedom that we all want for Iraq, got a message, wanted to know how I am doing. He is the one that lost a leg.

We cannot lose the focus today, as we speak out against this contemptible behavior that 99.9 percent plus are wonderful men and women in uniform who are seeking to bring freedom to Iraq, to give them the opportunity to express their opinion. Yes, the rest of the world, we have made a mistake here and we all agree but we will not accept it.

Whatever steps are necessary to follow up our condemnation today of these despicable acts, we will, as Republican, Democrats, in a bipartisan manner, we will get to the bottom of it. The perpetrators will be punished. We will see that it does not happen again. Justice will be served. Freedom will be protected.

We are here to do the right thing. That is what America is about, but please do not lose sight of what is being done for us, for Iraq, the rest of the world by these men and women in uniform who are seeking to provide freedom and justice for all the world.

Mr. Speaker, again I thank the gentleman from Washington (Mr. HASTINGS) for the time.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I rise to speak against this rule. We can do better. We can do much better as a Nation and as a people.

Mr. Speaker, I rise today with a heavy heart, but my conscience is clear. I am so sick and tired of seeing so many of our young men and our young women die in Iraq. I am deeply troubled by the acts that some of our soldiers committed against the prisoners of war in Iraq.

Mr. Speaker, I say to my colleagues today, we must take a good and hard look at the leadership of this Nation, the leadership of this government, the leader of this government, the person who was in charge. I say to my colleagues today, we must hold the leadership, the President, the Secretary of Defense, the Vice President, hold them accountable for mistake after mistake we have committed in this war, and we must hold them accountable for the unjust torture of prisoners of war.

Mr. Speaker, it is not a question of who committed these unbelievable acts. It is not a question of who, but what. What led to this flagrant disregard for the humanity of our fellow human beings? Those at the highest level of this government, the President, the Vice President, the Secretary of Defense, they all have created the climate and the environment that led to these abuses. What happened to those prisoners is a reflection on our soul, on our values.

American citizens smiling as they humiliate citizens of Iraq! There must be a sense of righteous indignation in America about what happened in those prison cells, and there must be a sense of righteous indignation in this Congress against these unspeakable acts. Does it profit a great Nation to gain a whole world or win a war and lose a soul?

Mr. Speaker, I have said it in the past and I say it again today. War is messy. It is bloody. It tends not to just hide the truth, but to sacrifice the truth. Why did it take so long, so long for us to get this information? Why did not Mr. Rumsfeld, why did not the President inform the Congress? Why did officials at the highest levels of government try to hide these criminal acts against humanity? Why did they try to cover it up?

Mr. Speaker, we have made mistakes, yes, but it is not enough to issue an apology. It is not enough to say we are sorry—and we should apologize. We should say we are sorry.

The handwriting is on the wall, Mr. Speaker. It is time for us to close this very dark and sordid chapter of our history. It is time for the Secretary of Defense to go. He must leave.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule.

Last night, I stood here in the well following the speech that my friend from Georgia gave and he has delivered the same speech, and I want to say to my friend from Georgia, while addressing the Speaker according to the rules of the House, that righteous indignation is something that every single one of us, every single one of us has demonstrated by the support of this resolution. We are all outraged at the photographs that we have seen, and we believe that it is reprehensible that these kinds of actions should take place.

Dating back to 1785, the framers of our Constitution, Benjamin Franklin, Thomas Jefferson, Alexander Hamilton and others, focused at that point on the importance as we deal with conflicts of recognizing the human rights of even our adversaries, and that is why it is so important for the United States of America, which is the only Nation on the face of the earth that could do this kind of work, to step forward, and yes, liberate the people of Iraq, send a positive message for the cause of freedom throughout the entire world, but at the same time, recognize those important rights that do date back to 1785 and the founding of the United States of America.

We do, as my friend from North Carolina (Mr. HAYES) stated very eloquently, need to realize why it is that

we are in Iraq. We are there because of the global war on terrorism. We are there because this is part and parcel of the global war on terrorism.

There are 135,000 American troops who are part of this very important international coalition, and we have seen tremendous success.

□ 1215

It is important for us to support this resolution, but it is also very important for us to realize that any sign of weakness from the United States of America as we proceed with resolve in dealing with these terrorists in Iraq, any sign of weakness emboldens those terrorists. That is why, yes, we are going to ensure that anyone who is responsible for this and is convicted under the Uniform Code of Criminal Justice is in fact going to go to jail because they are criminals.

At the same time, we must realize that, as the gentleman from North Carolina (Mr. HAYES) said, there are 135,000 courageous men and women in the U.S. Armed Forces who are seeking to win this war and we need to, with this resolution that the gentleman from California (Mr. HUNTER) has put together, underscore and demonstrate the solidarity and resolve of the American people and the United States Congress behind our men and women.

Support this rule, support this resolution, and let us move forward and make sure that we do resolve this very difficult situation.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, well, it is obvious from this resolution to me that the days of the "buck stops here" are dead and gone. Oh, yes, it takes occasion to single out those individuals who do have blame for abusing in the most horrendous way our prisoners. But nowhere in here does it say that those who are in the leadership of this mission in Iraq hold any responsibility whatsoever.

I looked through this carefully, and it seems that they want to limit it to a few individuals that they will go after. And by the way, not just the right individuals. There is no mention in this of the private military contractors, individuals who for profit are in those prisons that we know are under investigation, may even have been giving orders, companies like Titan and CACI that were hired to be in those prisons that are not part of the Uniform Code of Military Justice. Where are we going to point our fingers at them and hold them accountable?

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. HUNTER), the distinguished chairman of the Committee on Armed Services and the author of this resolution.

Mr. HUNTER. Mr. Speaker, I think it is time for us to refocus. The focus should be on the fact that we have had over 300,000 Americans in uniform serv-

ing in this theater. The vast majority of them have served honorably and courageously, I would say to my colleague who just spoke who said, sure, we have some criminal acts, but why can we not convict more people up the chain of command for those acts.

The facts are in this country when somebody commits a criminal act, they are held accountable for that act. They are being held accountable. I want to remind my colleagues once again of the numbers. The numbers are 300,000 Americans serving honorably in Iraq. The numbers further at this point are that six of them have been recommended for criminal prosecution under UCMJ for these acts.

Once again, I saw in The Washington Post this morning that picture of that same lady undertaking a reprehensible act with respect to a prisoner. We have seen thousands of pictures. The ones that I have seen at least that have come forward all have the same several individuals. My point is 300,000 people serving honorably, over 3,000 Purple Hearts awarded, thousands of Bronze Stars awarded, 127 Silver Stars awarded for valor, four Distinguished Service Crosses or Navy Crosses awarded for valor in this war, and our troops in contact right now.

So while we have potentially six bad apples, and I want to set the record straight, three have been recommended to the court martial convening board for court martials. It is the convening board's decision whether or not those court martials go forward and when. So three out of the six who have been recommended for court martial under article 32 are now before the court martial convening authority. That is six people.

Sure, investigations may show more people, but they do not show thousands of people. They do not show tens of thousands of people, and what the record in Iraq does reflect is 300,000 courageous Americans serving our country.

One other thing that we put in this resolution, while all of this national media and international media is going to the six, to the six bad apples who have been identified so far, and the careers have been ended of about seven superior officers up through the chain of command up to the general who is the brigade commander, not because they knew anything about it, in fact, in some cases probably because they did not know anything about it, but because it was on their watch it happened, those careers have been ended.

We have thousands of acts of compassion and nation-building and government-building carried on by the men and women who wear the uniform of the United States. They have started city councils, repaired sewage lines, and inoculated kids so they will not get sick. They have done great things, and we put that in this resolution because they deserve a little attention, not just the six bad apples.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Washington (Mr. MCDERMOTT).

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. MCDERMOTT. Mr. Speaker, we all know what is going on out here today. We are passing a CYA resolution to limit the damage. The Christian Science Monitor carries the story of Mr. Miklaszewski from NBC News who asked the question of a Pentagon official about the soldiers involved. He said, "You mean the six morons who lost the war?"

The decision has been made in the Pentagon what they are going to do to those six, but this resolution does not go wide and deep like it ought to. This was not six young people that we are going to blame and make scapegoats and send them out in the wilderness. This has to go all of the way to Mr. Rumsfeld, the Secretary of War.

A Scottish newspaper, the Sunday Herald, said, "The pictures that lost the war. The grim images of American and British soldiers torturing Iraqi prisoners has taken the moral high ground from Blair and Bush." And the article finishes with a quote from Lieutenant Colonel Retired Bill Cowan of the United States Marines, "We went to Iraq to stop things like this from happening; and, indeed, here they are happening under our tutelage. If we do not tell this story, these kinds of things will continue and we will end up getting paid 100 or 1,000 times."

The other side can try and limit the damage here with this and say let us keep it in the Secretary of the Army, but the fact is that the world knows much more broadly.

[From the Sunday Herald, May 2, 2004]

THE PICTURES THAT LOST THE WAR

(By Neil Mackay)

It's an image that would do Saddam proud. A terrified prisoner, hooded and dressed in rags, his hands out-stretched on either side of him, electrodes attached to his fingers and genitals. He's been forced to stand on a box about one-foot square. His captors have told him that, if he falls off the box, he'll be electrocuted.

The torture victim was an Iraqi and his torturers were American soldiers. The picture captures the moment when members of the coalition forces, who styled themselves liberators, were exposed as torturers. The image of the wired and hooded Iraqi was one of a series of photographs, leaked by a horrified U.S. soldier inside Saddam's old punishment centre, Abu Ghraib—now a U.S. POW camp.

When the images were flashed around the world by America's CBS television network last Wednesday, there was a smug feeling within the U.K. that British troops would never behave like that to their prisoners. But on Friday night, the U.K. was treated to images—courtesy of the Daily Mirror—of British soldiers urinating on a blood-stained Iraqi captive, holding guns against the man's head, stamping on his face, kicking him in the mouth and beating him in the groin with a rifle butt.

The pictures of U.S. soldiers torturing their captives have the added horror of sex-

ual abuse. In five of the 14 images that the Sunday Herald has seen, a female soldier—identified as Lynndie England, a 21-year-old from a West Virginia trailer park—is playing up to the camera while her captives are tortured. In one picture, she's smiling and giving the thumbs-up. Her hand rests on the buttocks of a naked and hooded Iraqi who has been forced to sit on the shoulders of another Iraqi prisoner.

In another, she is sprawled laughing over a pyramid of naked Iraqis. A male colleague stands behind her grinning. Later, she's got a cigarette clenched between grinning lips and is pointing at the genitals of a line of naked, hooded Iraqis. A third snap shows her embracing a colleague as a naked Iraqi lies before them.

In other pictures, two naked Iraqis are forced to simulate oral sex and a group of naked men are made to clamber on to each other's backs. One dreadful picture features nothing but the bloated face of an Iraqi who has been beaten to death. His body is wrapped in plastic.

Other pictures, which the world has not seen, but which are in the hands of the U.S. military, include shots of a dog attacking a prisoner. An accused soldier says dogs are "used for intimidation factors".

There are also pictures of an apparent male rape. An Iraqi POW claims that a civilian translator, hired to work in the prison, raped a male juvenile prisoner. He said: "They covered all the doors with sheets. I heard the screaming . . . and the female soldier was taking pictures."

The British pictures show a hooded Iraqi aged between 18-20 on the floor of a military truck being brutalized. According to two squaddies who took part in the torture, but later blew the whistle, the Iraqi's ordeal lasted eight hours and he was left with a broken jaw and missing teeth. He was bleeding and vomited when his captors threw him out of a speeding truck. No one knows if he lived or died.

One of the British soldiers said: "Basically this guy was dying as he couldn't take any more. An officer came down. It was 'Get rid of him—I haven't seen him'." The other whistle-blower said he had witnessed a prisoner being beaten senseless by troops. "You could hear your mate's boots hitting this lad's spine . . . One of the lads broke his wrist off a prisoner's head. Another nearly broke his foot kicking him."

According to the British soldiers, the military police have found a video of prisoners being thrown from a bridge, and a prisoner was allegedly beaten to death in custody by men from the Queen's Lancashire Regiment. Although there is a debate about the veracity of the images, Armed Forces Minister Adam Ingram said that if the pictures were real, they were "appalling". A Downing Street spokesman said Tony Blair expected "the highest standards of conduct from our forces in Iraq". The U.K.'s most senior army officer, General Mike Jackson, said that if the allegations were true then those involved were "not fit to wear the Queen's uniform." The Defense Ministry is in crisis over the pictures as top brass know they ruin any hope of U.K. forces winning Iraqi hearts and minds.

The U.S. torture pictures were taken by members of the American 800th Military Police Brigade sometime late last year. Following an investigation, 17 soldiers were removed from duty for mistreating captives. Six face court martial. Brigadier General Janice Karpinski, who ran Abu Ghraib and three other U.S. military jails, is suspended and faces court martial. Prior to the revelations, Karpinski assured the U.S. media that Abu Ghraib was run according to "international standards".

Brigadier General Mark Kimmitt, deputy director of coalition operations in Iraq, said he was "appalled". He added: "These are our fellow soldiers. They were the same uniform as us, and they let their fellow soldiers down. Our soldiers could be taken prisoner as well—and we expect our soldiers to be treated well by the adversary, by the enemy—and if we can't hold ourselves up as an example of how to treat people with dignity and respect . . . we can't ask that other nations do that to our soldiers as well. This is wrong. This is reprehensible. But this is not representative of the 150,000 soldiers over here."

But these soldiers aren't simply mavericks. Some accused claim they acted on the orders of military intelligence and the CIA, and that some of the torture sessions were under the control of mercenaries hired by the U.S. to conduct interrogations. Two "civilian contract" organizations taking part in interrogations at Abu Ghraib are linked to the Bush administration.

California-based Titan Corporation says it is "a leading provider of solutions for services for national security". Between 2003-04, it gave nearly \$40,000 to George W. Bush's Republican Party. Titan supplied translators to the military.

CACI International Inc. describes its aim as helping "America's intelligence community in the war on terrorism". Richard Armitage, the current deputy U.S. secretary of state, sat on CACI's board.

No civilians, however, are facing charges as military law does not apply to them. Colonel Jill Morgenthaler, from CentCom, said that one civilian contractor was accused along with six soldiers of mistreating prisoners. However, it was left to the contractor to "deal with him". One civilian interrogator told army investigators that he had "unintentionally" broken several tables during interrogations as he was trying to "fear-up" detainees.

Lawyers for some accused say their clients are scapegoats for a rogue prison system, which allowed mercenaries to give orders to serving soldiers. A military report said private contractors were at times supervising the interrogations.

Kimmitt said: "I hope the investigation is including not only the people who committed the crimes, but some of the people who might have encouraged the crimes as well because they certainly share some responsibility."

Last night, CACI vice-president Jody Brown said: "The company supports the Army's investigation and acknowledges that CACI personnel in Iraq volunteered to be interviewed by army officials in connection with the investigation. The company has received no indication that any CACI employee was involved in any alleged improper conduct with Iraqi prisoners. Nonetheless, CACI has initiated an independent investigation."

However, military investigators said: "A CACI investigator's contract was terminated because he allowed and/or instructed military police officers who were not trained in interrogation techniques to facilitate interrogations which were neither authorised nor in accordance with regulations."

One of the U.S. soldiers facing court martial is reservist Staff Sergeant Chip Frederick—the equivalent of a part-time territorial army squaddie. In civvy street, he was a prison warden in Virginia. Frederick has said he will plead not guilty and blame the army for the torture at Abu Ghraib. "We had no support, no training whatsoever," he said, claiming he had never been shown the Geneva Convention. "I kept asking my chain of command for certain things like rules and regulations and it just wasn't happening."

Frederick also blamed the intelligence services for encouraging the brutality.

Among the agencies coming to the prison were "military intelligence", said Frederick, adding: "We had all kinds of other government agencies, FBI, CIA."

In letters and e-mails home, he wrote: "Military intelligence has encouraged and told us 'Great job.'" He added: "They usually don't allow others to watch them interrogate. But since they like the way I run the prison, they have made an exception . . . We help getting [the PoWs] to talk with the way we handle them . . . We've had a very high rate with our style of getting them to break. They usually end up breaking within hours."

Frederick said prisoners were made to live in cramped windowless cells with no clothes, running water or toilet for up to three days. Others were held for 60 days before interrogation. He said one prisoner with a mental health condition was "shot with non-lethal rounds". An interrogator told soldiers to "stress one prisoner out as much as possible [as] he wanted to talk to him the next day". Frederick also said one prisoner was "stressed so bad that the man passed away". Prisoners were covered in lice and some had tuberculosis. None were allowed to pray. Frederick said his commander sanctioned all this.

The former commander of Guantanamo Bay prison, Major General Geoffrey Miller, has now been made deputy commander for containment operations to overhaul the Iraqi detention centres.

Frederick, unlike mercenaries, faces jail and being thrown out of the army. His lawyer, Gary Myers said: "The elixir of power, the elixir of believing that you're helping the CIA, for God's sake, when you're from a small town in Virginia, that's intoxicating. And so, good guys sometimes do things believing that they are being of assistance and helping a just cause . . . and helping people they view as important."

Kimmitt admitted: "I'd like to sit here and say that these are the only prisoner abuse cases that we're aware of, but we know that there have been others."

This also applies to Britain. A Sunday Herald investigation has found that at least seven civilians have died in British custody in Iraq.

Describing the images of abuse as an "atrocious", Abdel Bari Atwan, editor of the newspaper Al-Quds Al-Arabi, said: "The liberators are worse than the dictators." His sentiments have been echoed around the world. It is hard to find a country or agency that hasn't condemned the torture of Iraqi prisoners. From the Red Cross to the UN and from Amnesty to the coalition's loyal "deputy in the Pacific", the Australian premier John Howard, the world is united in horror against the actions of the US and UK forces.

The awful cost of these acts of barbarism by Britain and America is summed up by ex-US Marine Lieutenant Colonel Bill Cowan: "We went to Iraq to stop things like this from happening, and indeed, here they are happening under our tutelage . . . If we don't tell this story, these kind of things will continue, and we'll end up getting paid back 100 or 1000 times over."

[From the Christian Science Monitor, May 4, 2004]

"SIX MORONS WHO LOST THE WAR"

(by Tom Regan)

Regardless of the outcome of the now multiple investigations into prisoner abuse at Baghdad's Abu Ghraib prison, politicians and media around the world say the United States' image has suffered a serious blow. Sen. Joe Biden (D) of Delaware said on Fox News Sunday that "This is the single most significant undermining act that's occurred in a decade in that region of the world in terms of our standing."

The Associated Press reports that a senior Bush administration official, speaking on condition of anonymity, said the photos (of U.S. soldiers abusing Iraqi prisoners) hurt the U.S. efforts to win over an audience that is already deeply skeptical of U.S. intentions. Arabs and Muslims, the official added, "are certain to seize upon the images as proof that the American occupiers are as brutal as ousted President Saddam Hussein's government."

Officials at the Defense Department are also said to be "livid," and well aware of the damage that has been done by the incident, according to NBC News' Pentagon reporter Jim Miklaszewski. Speaking on the Imus in the Morning radio/MSNBC program Tuesday, Mr. Miklaszewski said he asked a Pentagon contact about the soldiers alleged to be involved, to which the Pentagon official replied, "You mean the six morons who lost the war?"

The Chicago Tribune reports that other experts agree with this assessment. "The United States already had a huge perception problem in the Arab world," said Stephen Walt, a professor of international affairs at Harvard's Kennedy School of Government. "This is only going to reinforce the belief that the United States is anti-Arab and anti-Muslim, whether it's true or not."

As the Financial Times noted, even before the incidents at Abu Ghraib, opinion polls taken in Iraq and other Muslim and non-Muslim nations "indicated an almost global nadir of U.S. credibility and popularity." And the Times reports that the U.S.'s much hailed public relations campaign in the Middle East is "floundering."

The New York Times reported late last week that Margaret Tutwiler, the woman who was put in charge of the program to make changes in the U.S.'s "public diplomacy effort" announced she was leaving the job to take a position with the New York Stock Exchange. The Financial Times also reports that experts on the Middle East say public relations programs or new pro-US TV channels will not change the way people in the Arab world feel. "It is not the case that Arabs and Muslims feel antipathy towards the U.S. because they are being brainwashed by Al Jazeera or reading state-controlled media in Egypt—it's American policy," said Samer Shehata, professor of Arab politics at Georgetown University. "Regardless of how many radio stations you have that play great music, or TV stations like al-Hurra, as long as U.S. policy—whether it be in Iraq or Palestine—remains the same you are not going to win hearts and minds."

Rashid Khalidi, director of the Middle East Institute at Columbia University, echoes this view. "I think the United States is less respected at the end of these 13 months than it has ever been," he said. "Never has a country with such unlimited power been so pitifully unable to affect outcomes. Ruthless, murderous terrorists can strike at will in the United States and the U.S. can't take Fallujah?"

In the same article, by Agence-France Presse, Robert Leiber, professor of government and foreign service at Georgetown University, argues, however, in favor of keeping "things in perspective." "The photographs and, more importantly, the acts themselves are harmful to the cause of helping the Iraqis form a stable and democratic country," Leiber said, but he noted that such treatment is contrary to U.S. policy. "We must keep in mind that, although this has been an ugly business, it pales in comparison to what Saddam (Hussein) did to his own people over 30 years," he said.

Unfortunately, many others believe that the damage has already been done. The allegation of mistreatment of prisoners "makes

the U.S. and coalition forces a legitimate enemy in the eyes of more Arabs than was the case before," said Anthony Cordesman, an expert on Middle East security issues at the Center for Strategic and International Studies.

Mr. Cordesman, in another interview with Reuters, said the mistreatment of Iraqi prisoners also hurts the war on terror. "Those Americans who mistreated the prisoners may not have realized it, but they acted in the direct interests of Al Qaeda, the insurgents, and the enemies of the U.S." "These negative images validate all other negative images and interact with them," he [Cordesman] said in a statement, citing "careless U.S. rhetoric about Arabs and Islam," failures to stabilize Iraq, continued Israeli-Palestinian violence and fears the United States is out to dominate the Middle East.

The Miami Herald, in an editorial, writes that the exposure of abuse at Abu Ghraib can "seriously damage" the success of US operations, both militarily and otherwise, in Iraq. It is too bad that the response so far, from President Bush's perfunctory indignation to General Myers' blaming a few wayward soldiers, badly misses the mark. The whole premise of the US invasion of Iraq (as currently construed) is to rid the Iraqi people of a brutal dictator and create a foothold for democracy in the Middle East. The senseless humiliation and abuse of Iraqi prisoners—many of whom were civilians and have since been released without charges—is an indelible stain on that endeavor.

Yet in the end, The Christian Science Monitor reported Monday, this latest incident may not have made all that much difference to many in the Arab world because their opinion of the US had already sunk as low as it could. That is why, argues Rami Khouri, a Jordanian political analyst and editor of Lebanon's Daily Star, the only thing that will substantially change the US's image in the Muslim world, is a change of policies. "They [the US] have to be more even-handed in the Arab-Israeli issue, be less militaristic in addressing regimes they don't like, be more consistent in promoting democracy everywhere not only in a few places," Khouri says. "They can turn their image around, but only if they turn their policies into more consistently fair and reasonable ones."

Mr. MCGOVERN. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I agree that the great majority, overwhelming majority of Americans serving in Iraq, military and civilian, are honorable people who have gone to great risk. They are among the victims of these outrages. It is a shameful thing that their bravery, their good work, their integrity has been besmirched. We owe it to them to do a full investigation.

We heard reference to the six. I hope it is only six, but I am skeptical. Months ago I would have said it would not be six. Had these accusations been made months ago, I would have said, no, Americans do not act like that. We now have to acknowledge, tragically, sadly, heartsickeningly, that we do; and we owe it to everyone to have a full investigation. But we owe something more. We owe the people of this country and the people of adherence to the democratic process.

What troubles me about this resolution is the persistence of the Republican majority in a pattern of using the

rules of this House and their small majority to frustrate open democratic procedures. We have had a terrible blow to this country. We hope it was perpetrated only by a few, but the incompetence and indifference of superiors clearly contributed to it.

We owe ourselves and the American people a full investigation. We are not even allowed under the majority's rules to put forward a motion calling for such an investigation. The other side of the aisle has already decided it is only the six. We are abusing the democratic process here.

We are trying to teach the people of Iraq about democracy. One of the things we have been worried about is that a particular majority, the Shia, might not understand the importance of minority rule. We are trying to get them to understand how you do that difficult thing of reconciling majority control and majority's right to decide with full minority participation.

The majority, Mr. Speaker, are giving them exactly the wrong example of how to do that. I suppose we ought to say to the people of Iraq who watch this narrow majority, for partisan purposes refuse to allow an open debate on this extraordinary issue. Please do not try this at home. We are giving them exactly the wrong example of how to proceed. This is a chance to show democracy. Yes, some people made a mistake. Let us throw this open and do everything possible to purge ourselves of this error and not appear to be cutting it off.

So we are compounding the terrible misdeeds of that certain number of people, and we do not know how many in the prisons, by a partisan manipulation of the process. The other side of the aisle is doing a terrible thing.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, let me just answer the gentleman who has just spoken. There are three investigations going on right now. There is a CENTCOM investigation, a criminal investigation going on right now. If there are other people involved beyond these six, those people will be picked up in that investigation. There is also a Department of the Army investigation and a Department of the Navy investigation going on.

Further, let me say to my friends, the ranking member, the gentleman from Missouri (Mr. SKELTON), and I worked on this together. The Committee on Armed Services was the appropriate standing committee to do this. We worked on this until late last night, and the people who vetoed what we thought we had an agreement on were the Democrat leadership.

Let me tell Members the two paragraphs they vetoed. They wanted to kick out the two paragraphs that referred to the good works in terms of providing food, providing education, providing medical capability to the Iraqi people that were given by our

people in uniform. I thought it was appropriate since we have 300,000 people who have done right to continue to mention the fact that they have done some good things in Iraq. I think the gentleman from Missouri (Mr. SKELTON) agreed with that also.

The Democrat leadership did not want to include those good things in this particular resolution, and that is why this had to come forward not under unanimous consent agreed to by the gentleman from Missouri (Mr. SKELTON) and myself, but it had to come forward through the rules process.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I would say two things. First, the gentleman from California (Mr. HUNTER) and the cosponsor, the gentleman from Missouri (Mr. SKELTON), are entitled to their decisions; but so is the whole House. It is the House that should decide whether paragraphs go in or out. I do not understand why the majority does not allow the House to vote.

Secondly, I appreciate that some investigation is going on; but I am not a great believer in people investigating themselves and nobody else. I believe an outside investigation is necessary.

Mr. HUNTER. Mr. Speaker, reclaiming my time, I would simply say, before we knew about this, the criminal procedures were going forward. It was the United States Army soldier, not a press, not an IG who brought this forward. It was a United States Army soldier who brought this forward. Criminal investigations are going on, undertaken by the Army. The court martial process is in process.

Mr. MCGOVERN. Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, the gentleman from California (Mr. HUNTER) apparently thinks that the Army has been the exemplar of good self-investigation. Many of us do not.

But aside from that substantive issue, why is this not in a democracy a subject for full debate of the House, not a 1-hour constricted debate with no amendments allowed constructed by the majority?

Mr. HASTINGS of Washington. Mr. Speaker, I yield 15 seconds to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, let me say to my colleague that when the publicity flush is finished on what was done by who we have identified as some six individuals now, they will have received thousands and thousands, as much time and publicity as the 300,000 good Americans who have served this country, and as much attention from this Congress.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, all Americans have been horrified by the pictures and ac-

counts of inhumane treatment of detainees in Iraq. The conduct in those pictures is absolutely intolerable, and the United States must take swift and decisive action to investigation and resolve this terrible incident and make sure it never happens again.

While this resolution calls on the Secretary of the Army to conduct a full and thorough investigation into the allegations of mistreatment, take corrective action against those responsible and ensure that it never happens again, I believe Congress must also do its job and conduct its own investigation.

□ 1230

Mr. Speaker, Congress was never notified about the problems at Abu Ghraib prison, even though the Department of Defense had a report outlining the conditions there 3 months ago. As a partner in the War on Terror, Congress absolutely has not only the right, but the responsibility to investigate what went wrong up and down the chain of command.

So today, Mr. Speaker, I urge a "no" vote on the previous question. If the previous question is defeated, I will offer an amendment to the rule allowing for the consideration of an amendment offered by the gentleman from Missouri (Mr. SKELTON) affirming the need for bipartisan congressional investigations into these allegations are of abuse, including those by U.S. civilian contractor personnel or other U.S. civilians, and into the chain of command and other deficiencies that contributed to such abuse.

Let me be clear, Mr. Speaker, voting "no" on the previous question will not prevent this House from voting on the underlying resolution, it will simply allow for the consideration of the Skelton amendment and allow the House to conduct a bipartisan investigation. It will allow us to do our job, what the people we represent expect us to do.

Congress is a full partner in the war on terror. We need to do our job. We cannot call for accountability by others and then shirk our own responsibility. Let us do our part to resolve this awful situation and restore confidence and trust in our Nation and in our military.

I urge a "no" vote on the previous question.

Mr. Speaker, I include the following material for the RECORD.

[From the New York Times, May 6, 2004]

RESTORING OUR HONOR

(By Thomas L. Friedman)

We are in danger of losing something much more important than just the war in Iraq. We are in danger of losing America as an instrument of moral authority and inspiration in the world. I have never known a time in my life when America and its president were more hated around the world than today. I was just in Japan, and even young Japanese dislike us. It's no wonder that so many Americans are obsessed with the finale of the sitcom "Friends" right now. They're the only friends we have, and even they're leaving.

This administration needs to undertake a total overhaul of its Iraq policy; otherwise, it is courting a total disaster for us all.

That overhaul needs to begin with President Bush firing Secretary of Defense Donald Rumsfeld—today, not tomorrow or next month, today. What happened in Abu Ghraib prison was, at best, a fundamental breakdown in the chain of command under Mr. Rumsfeld's authority, or, at worst, part of a deliberate policy somewhere in the military-intelligence command of sexually humiliating prisoners to soften them up for interrogation, a policy that ran amok.

Either way, the secretary of defense is ultimately responsible, and if we are going to rebuild our credibility as instruments of humanitarian values, the rule of law and democratization, in Iraq or elsewhere, Mr. Bush must hold his own defense secretary accountable. Words matter, but deeds matter more. If the Pentagon leadership ran any U.S. company with the kind of abysmal planning in this war, it would have been fired by shareholders months ago.

I know that tough interrogations are vital in a war against a merciless enemy, but outright torture, or this sexual-humiliation-for-entertainment, is abhorrent. I also know the sort of abuse that went on in Abu Ghraib prison goes on in prisons all over the Arab world every day, as it did under Saddam—without the Arab League or Al Jazeera ever saying a word about it. I know they are shameful hypocrites, but I want my country to behave better—not only because it is America, but also because the war on terrorism is a war of ideas, and to have any chance of winning we must maintain the credibility of our ideas.

We were hit on 9/11 by people who believed hateful ideas—ideas too often endorsed by some of their own spiritual leaders and educators back home. We cannot win a war of ideas against such people by ourselves. Only Arabs and Muslims can. What we could do—and this was the only legitimate rationale for this war—was try to help Iraqis create a progressive context in the heart of the Arab-Muslim world where that war of ideas could be fought out.

But it is hard to partner with someone when you become so radioactive no one wants to stand next to you. We have to restore some sense of partnership with the world if we are going to successfully partner with Iraqis.

Mr. Bush needs to invite to Camp David the five permanent members of the U.N. Security Council, the heads of both NATO and the U.N., and the leaders of Egypt, Jordan, Saudi Arabia and Syria. There, he needs to eat crow, apologize for his mistakes and make clear that he is turning a new page. Second, he needs to explain that we are losing in Iraq, and if we continue to lose the U.S. public will eventually demand that we quit Iraq, and it will then become Afghanistan-on-steroids, which will threaten everyone. Third, he needs to say he will be guided by the U.N. in forming the new caretaker government in Baghdad. And fourth, he needs to explain that he is ready to listen to everyone's ideas about how to expand our force in Iraq, and have it work under a new U.N. mandate, so it will have the legitimacy it needs to crush any uprisings against the interim Iraqi government and oversee elections—and then leave when appropriate. And he needs to urge them all to join in.

Let's not lose sight of something—as bad as things look in Iraq it is not yet lost, for one big reason: America's aspirations for Iraq and those of the Iraqi silent majority, particularly Shiites and Kurds, are still aligned. We both want Iraqi self-rule and then free elections. That overlap of interests, however clouded, can still salvage something

decent from this war—if the Bush team can finally screw up the courage to admit its failures and dramatically change course.

Yes, the hour is late, but as long as there's a glimmer of hope that this Bush team will do the right thing, we must insist on it, because America's role in the world is too precious—to America and to the rest of the world—to be squandered like this.

[From the Washington Post, May 6, 2004]

WHO SHOULD HAVE KNOWN?

(By Richard Cohen)

This week the United States Army did the oddest thing in this Age of Bush: It reprimanded six soldiers in connection with the Iraqi prisoner abuse scandal—not for what they did but for not knowing what others were doing. An Army spokesman put it this way: "They should have known . . ." If that's the standard, then half the Bush administration will soon be gone.

Maybe first to get the accountability ax will be Defense Secretary Donald Rumsfeld. He certainly should have known that a scandal was brewing in Iraqi prisons, and he should have bothered to read the Pentagon report detailing what went wrong. Instead, the Pentagon tried to delay CBS's "60 Minutes II" from showing pictures of prisoner abuse and then, in an amazing public relations offensive, sent the chairman of the Joint Chiefs, Gen. Richard B. Myers, on three Sunday talk shows to announce—a little bugle call here—that he had not read the report either. It has been available since March.

As is almost always the case, the Pentagon did not tell the State Department that a wee spot of trouble was coming its way because, as we know, the Pentagon doesn't tell the State Department anything. Who cares if a billion or so people in the Islamic world have a snit? The Bushies hardly do diplomacy anyway. It's for sissies. At a certain level—a very high one—the Bush administration is as dysfunctional as it is cocky.

But if accountability is going to be the new order of the day, there's no telling where things will wind up. What will happen to CIA chief George Tenet, who assured the president that Iraq was a virtual storehouse of weapons of mass destruction? It was "a slam dunk," the spy chief said. He should have known otherwise, but he did not. No matter. Instead of a reprimand, Bush always expresses confidence in him and probably has given him a nickname, Slam Dunk George.

Or take Condoleezza Rice. Should she have known that Bush was blowing smoke when he told the Nation that Iraq had tried to buy uranium from Niger? Yes, indeed. There was no such nuclear program in Iraq, and it hadn't attempted to make that uranium purchase. The CIA knew that, yet Bush said otherwise. Once again, no reprimand. Instead, she was rewarded with more sleepovers at Camp David.

What about Dick Cheney? He was the leading hawk in the White House, so anxious to go to war with Iraq that Secretary of State Colin Powell characterized him as feverish. The vice president repeatedly insisted that Iraq had "reconstituted" its nuclear weapons program. Should he have known better? To revert to Cheney talk, you betcha.

Should Rumsfeld have known that stabilizing Iraq would require more troops than he allotted? Gen. Eric K. Shinseki had said so, but the Army chief of staff was brushed aside and treated as an eccentric.

Should Rummy and his deputy, Paul Wolfowitz, have known that U.S. troops might not be universally greeted with flowers, kisses and donations to the Bush reelection campaign? It would have been prudent planning.

Should they have known that Iraqi oil might not cover the cost of the occupation? Probably. Should they have had enough troops on the ground to prevent looting and a general breakdown of law and order? Well, some might think so—but not, apparently, the president.

You and I can argue the wisdom of going into Iraq some other time. What is not arguable, I think, is that the invasion and occupation were marked every step of the way by incompetence, smugness and repeated mistakes. Yet the only people to feel the opprobrium of the White House are those, such as Richard Clarke or Joseph Wilson, who had the nerve, the gall, the immense chutzpah to question administration policy.

The new accountability could be a wonderful thing. It comes a bit late in the game, maybe, and will almost surely be limited to expendable underlings, but a supine Congress just might get the idea and start asking some hard questions about how things went so bad in Iraq. It might begin with Rumsfeld and ask him a more pertinent version of that famous question—not what did you know and when did you know it but why, damn it, didn't you know it in the first place?

[From USA Today]

WHY WAS PATTERN OF ABUSE IGNORED FOR SO LONG?

The Bush administration swung into full damage-control mode Wednesday, trying to quell a rising furor at home and abroad over the shocking abuse of prisoners in Iraq by U.S. military personnel.

The general in charge of U.S.-run prisons in Iraq apologized to the Iraqi people. Secretary of Defense Donald Rumsfeld made the rounds of TV shows, claiming that the mistreatment of prisoners at Abu Ghraib prison was an aberration and pledging that those involved would be dealt with swiftly and firmly. President Bush gave interviews to two Arabic-language TV stations, calling the behavior depicted in the photos broadcast on TV last week "abhorrent" and counter to American values.

The question none answered: What took so long?

Documented complaints of mistreated prisoners in Iraq, Afghanistan and at Guantanamo Bay, Cuba, date back two years, including the cases of two Afghans whose deaths in 2002 were recently ruled homicides.

Unlike the Abu Ghraib mistreatment, those incidents were not caught on film. The abuse was further obscured by the still-lingering horror of the 9/11 terrorist attacks. But the nation now risks paying a mighty price for its failure to stand firmly in favor of international law and human dignity.

Otherwise-neutral Muslims are enraged, aiding terrorists and turning Iraqis against Americans. International support for the war on terrorism has been undercut. At home, support for Bush's attempt to bring peace and democracy to Iraq has eroded. A Gallup Poll today shows the public's disapproval of Bush's handling of Iraq has risen to 55%, the highest since the war began.

Ebbing support for the mission comes as the scandal keeps expanding. U.S. officials reported Wednesday that the number of prisoner deaths in Iraq and Afghanistan under investigation or already blamed on U.S. captors has risen to 14. The deaths of two Iraqi prisoners are now considered homicides, and 20 investigations are underway.

Warning signs about abuses of Iraqi detainees had been flashing for months:

The Pentagon acknowledged this week that enough concerns were raised last fall to prompt a "top-level review" of how its Iraqi detection centers were being run.

Abuses at Abu Ghraib were brought to the attention of commanders in Iraq by a tip from an unidentified soldier in January.

A damning report by a general assigned to investigate the charges has been lying around the Pentagon since March 3, apparently without getting the attention of any top decision-maker. The report documented "numerous incidents of sadistic, blatant and wanton criminal abuses."

The military brass could no longer ignore the problem last week, when photos of U.S. soldiers gloating over naked prisoners forced into degrading acts surfaced on CBS' 60 Minutes II. More details about the abuses, based on leaks from the then-secret military report, appeared in *The New Yorker* this week. Even then, the Pentagon shrugged off the story as a case of a few renegade soldiers who already had been punished. Worldwide outrage forced the Bush administration to address the matter seriously.

Some military personnel down the chain of command did the right thing, notably the troops who blew the whistle at Abu Ghraib and leaked photos to the media when superiors failed to take stern action. But top commanders seemed more concerned with keeping the scandal quiet than ensuring that those who committed abuses would be punished and the attitudes that allowed such behavior would not be tolerated.

Defenders of the military say the abuse was the work of a few sadistic prison officers and overzealous intelligence agents in Iraq, and some already are being disciplined.

Perhaps so. But their arguments do not explain a climate that resulted in abuses from Afghanistan to Guantanamo Bay.

Now that the Pentagon has finally acknowledged the problem, it needs to investigate thoroughly, punish those who committed or tolerated abuses and implement safeguards to prevent a recurrence.

Those steps could begin to repair the enormous damage the scandal has caused.

[From the Los Angeles Times, May 4, 2004]

WHEN WE'RE THE EVILDOERS IN IRAQ: WITH IMMORAL U.S. LEADERSHIP, IS IT SO SHOCKING TO FIND TORTURERS IN THE RANKS?

(By Robert Scheer)

President Bush is again refusing to take responsibility for any of the horrors happening on his watch. This time it is the abuse of Iraqi prisoners carried out by low-ranking military police working under the direct guidance of military intelligence officers and shadowy civilian mercenaries. Our president launched this war with the promise to the Iraqi people of "no more torture chambers and rape rooms. The tyrant will soon be gone." What went wrong?

The president has called the now-exposed pattern of violence an isolated crime performed by "a few people." Yet the Pentagon's own investigation of the incident shows that not only was the entire Abu Ghraib prison out of control, it was the MPs' immediate military superiors who "directly or indirectly" authorized "sadistic, blatant and wanton criminal abuses" of the prisoners as a way to break them in advance of formal interrogations.

"Military intelligence interrogators and other U.S. government agency interrogators actively requested that MP guards set physical and mental conditions for favorable interrogation of witnesses," says the report. The report, completed in March and kept secret until it was revealed on the *New Yorker* website Friday, also stated that a civilian contractor employed by a Virginia company called CACI "clearly knew his instructions" to the MPs called for physical abuse.

Furthermore, in a statement released Friday, Amnesty International reported that in its extensive investigations into human rights in post-invasion Iraq, it "has received frequent reports of torture or other ill treat-

ment by coalition forces during the past year," including during interrogations, and that "virtually none of the allegations of torture or ill treatment has been adequately investigated by the authorities."

Recall that a key excuse for the U.S. invasion was to ensure the safety of Iraqi scientists and others in the know so that they might feel free to reveal the location of weapons of mass destruction or evidence of Saddam Hussein's potential ties to Al Qaeda. Shockingly, some of those scientists are now in coalition prisons, even though the weapons clearly don't exist.

In this context, of course, it makes sense that U.S. interrogators would feel enormous pressure to use any means necessary to verify the absurd claims made so aggressively by the president and his Cabinet before the war. Far from the jurisdiction of the U.S. legal system, they apparently felt quite free to approve techniques clearly banned by war crimes statutes.

Yet, astonishingly, weeks after the Pentagon's own damning internal report on the torture at Abu Ghraib, and several days after CBS' "60 Minutes II" broke open the story worldwide by showing those horrific photos, Defense Secretary Donald H. Rumsfeld still had not been briefed on the report, a spokesman said Sunday. Similarly, the chairman of the Joint Chiefs of Staff, Gen. Richard B. Myers, admitted Sunday that he hadn't yet bothered to read the 53-page report filed by Army Maj. Gen. Antonio M. Taguba, even though he had successfully requested that CBS delay its "inflammatory" broadcast. This shows far more concern for public relations than for finding out the truth.

How could it be that the top officials responsible for the military were not themselves interested in keeping abreast of the investigation—even after the story had exploded into a global scandal?

After all, an ambitious promise to bring democracy and the rule of law to Iraq became the *ex post facto* rationale for the invasion, once it became clear that the earlier claims of weapons of mass destruction and Hussein ties to Al Qaeda were a fraud.

So it should have been a clear and high priority to make certain that Iraqi prisoners incarcerated in Hussein's most infamous prison did not receive the same brand of "justice" the dictator had been doling out for decades. That they did is now a deep and dirty stain on the reputation of this nation.

Yes, it's great that we are still worlds away from being Nazi Germany, Stalinist Russia or Hussein's Iraq.

We are a free society in which, it is hoped, truth eventually comes out, and thanks to what seems to be one brave whistle-blowing soldier and a responsible officer to whom he reported the torture, these crimes have come to light. Those are the acts of true heroes, and we should be proud of them.

Yet, before we go overboard in celebrating our virtues, let's admit that Americans too can be "evildoers," especially when we embrace, as the president consistently has done, the terribly dangerous idea that the ends justify the means.

The ultimate cost of a foreign policy based on blatant lies, and that equates military might with what is right, is that the brute in all of us will not inevitably lie dormant.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed in the CONGRESSIONAL RECORD immediately before the vote on the previous question.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

This is an important resolution, and I think it is fitting we have this debate on this. But I would remind my friends on the other side of the aisle that we have a system here where we break down this big body into committees. That is the proper way we get to the heart of some of the issues that confront us. And I just talked to the chairman of the Committee on Armed Services, and they are going to have hearings on this. There will be probably several hearings as this process goes through, and I suspect that there will be probably some other committees that will find out if they will have jurisdiction and will look at that.

So I just want to say that this is a start of a process that we need to address. Everybody is outraged by what happened over there with that small group of individuals in Iraq. That is not America, and we all know that. We all know that is not America, and that is why I think this resolution will be pass with strong bipartisan support.

And I would say this, Mr. Speaker: I thought the President, in his two interviews with the Arab TV stations, said it very well. He was very forthright. And in many respects, what we are just saying here today is a message to the Iraqis and to the Middle East that our form of government and the form of government they are struggling to have, does not condone what went on, and I think that is a very strong message.

Mr. MCGOVERN. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, I just want to point out a couple of things.

First of all, hearings are not investigations, and a lot of us feel that what we are doing here is just kind of shirking our responsibility. So a vote for the previous question means a vote against bipartisan congressional investigations. No one on the other side has yet explained to us why, in fact, a bipartisan investigation is a bad idea, why we should not be allowed to do our job. That is what we are asking for here.

Mr. HASTINGS of Washington. Mr. Speaker, reclaiming my time, I appreciate what the gentleman is asking for, and as I mentioned in my remarks, we do have a committee system. The chairman of the committee said that there are going to be those investigations, and I suspect there will be others that will look at it.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I appreciate the fact that we

have a committee system, but it is not a substitute for debate and amendment on the floor of the House, even to debate whether or not we do this and the substance. The committee system should not be something behind which you hide to avoid debate that you might find uncomfortable.

Mr. HASTINGS of Washington. Mr. Speaker, reclaiming my time, I would just remind my friend that we do not know what is going to come out of these hearings. There may be some legislation that comes out. It will go through the process, and if there is something, it will get to the floor and we will have that debate.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I would just say to the gentleman the committees are the servants of the House, not the other way around. The committees exist to do the will of the House. The full democratic House does not wait for the committees.

The material previously referred to by Mr. MCGOVERN is as follows:

In the resolution strike "and (2)" and insert the following:

"(2) the amendment specified in Section 2 of this resolution if offered by Representative Skelton of Missouri or a designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 60 minutes equally divided and controlled by the proponent and an opponent; and (3)"

At the end of the resolution add the following:

SEC. 2. The amendment referred to in the first section of the resolution is as follows:

At the end of H. Res. 627 strike "nation.", insert in lieu thereof "nation;" and add the following:

"(1) affirms the need for bipartisan Congressional investigations to be conducted immediately into these allegations of abuse, including those by U.S. civilian contractor personnel, or other U.S. civilians, and into the chain of command and other systemic deficiencies, including the command atmosphere that contributed to such abuse."

The SPEAKER pro tempore. All time for debate has expired.

The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution, and then on the motion to instruct conferees on H.R. 2443 by the gentleman from California (Mr.

FILNER), and then on the motion to suspend the rules on H.R. 402 debated yesterday.

The vote was taken by electronic device, and there were—yeas 218, nays 201, not voting 14, as follows:

[Roll No. 147]

YEAS—218

Aderholt	Gerlach	Osborne
Akin	Gibbons	Ose
Bachus	Gilchrest	Otter
Baker	Gillmor	Oxley
Ballenger	Gingrey	Paul
Barrett (SC)	Goode	Pearce
Bartlett (MD)	Goodlatte	Pence
Barton (TX)	Goss	Peterson (PA)
Bass	Granger	Petri
Beauprez	Graves	Pickering
Bereuter	Green (WI)	Pitts
Biggert	Gutknecht	Platts
Bilirakis	Hall	Pombo
Bishop (UT)	Harris	Porter
Blackburn	Hart	Portman
Blunt	Hastings (WA)	Pryce (OH)
Boehkert	Hayes	Putnam
Boehner	Hayworth	Quinn
Bonilla	Hefley	Radanovich
Bonner	Hensarling	Ramstad
Boozman	Herger	Regula
Bradley (NH)	Hobson	Rehberg
Brady (TX)	Hoekstra	Renzi
Brown (SC)	Hostettler	Reynolds
Brown-Waite,	Houghton	Rogers (AL)
Ginny	Hulshof	Rogers (KY)
Burgess	Hunter	Rogers (MI)
Burns	Hyde	Rohrabacher
Burr	Isakson	Ros-Lehtinen
Burton (IN)	Issa	Royce
Buyer	Istook	Ryan (WI)
Calvert	Johnson (CT)	Ryun (KS)
Camp	Johnson, Sam	Schrock
Cannon	Jones (NC)	Sensenbrenner
Cantor	Keller	Sessions
Capito	Kelly	Shadegg
Carter	Kennedy (MN)	Shaw
Castle	King (IA)	Shays
Chabot	King (NY)	Sherwood
Chocola	Kingston	Shimkus
Coble	Kirk	Shuster
Cole	Kline	Simmons
Collins	Knollenberg	Simpson
Cox	Kolbe	Smith (MI)
Crane	LaHood	Smith (NJ)
Crenshaw	Latham	Smith (TX)
Cubin	LaTourette	Souder
Culberson	Leach	Stearns
Cunningham	Lewis (CA)	Sullivan
Davis, Jo Ann	Linder	Sweeney
Davis, Tom	LoBiondo	Tancredo
Deal (GA)	Lucas (OK)	Taylor (NC)
DeLay	Manzullo	Terry
Diaz-Balart, L.	McCotter	Thomas
Diaz-Balart, M.	McCrary	Thornberry
Doolittle	McHugh	Tiahrt
Dreier	McInnis	Tiberi
Duncan	McKeon	Toomey
Dunn	Mica	Turner (OH)
Ehlers	Miller (FL)	Upton
Emerson	Miller (MI)	Vitter
English	Miller, Gary	Walden (OR)
Everett	Moran (KS)	Walsh
Feeney	Murphy	Wamp
Ferguson	Musgrave	Weldon (FL)
Flake	Myrick	Weldon (PA)
Foley	Nethercutt	Weller
Forbes	Neugebauer	Whitfield
Fossella	Ney	Wicker
Franks (AZ)	Northup	Wilson (NM)
Frelinghuysen	Norwood	Wolf
Gallegly	Nunes	Young (AK)
Garrett (NJ)	Nussle	Young (FL)

NAYS—201

Abercrombie	Bishop (GA)	Carson (OK)
Ackerman	Bishop (NY)	Case
Alexander	Blumenauer	Chandler
Allen	Boswell	Clay
Andrews	Boucher	Clyburn
Baird	Brady (PA)	Conyers
Baldwin	Brown (OH)	Cooper
Ballance	Brown, Corrine	Costello
Becerra	Capps	Cramer
Bell	Capuano	Crowley
Berkley	Cardin	Cummings
Berman	Cardoza	Davis (AL)
Berry	Carson (IN)	Davis (CA)

Davis (FL)	Kilpatrick	Pomeroy
Davis (IL)	Kind	Price (NC)
Davis (TN)	Kleczka	Rahall
DeFazio	Kucinich	Rangel
DeGette	Lampson	Reyes
Delahunt	Langevin	Rodriguez
DeLauro	Lantos	Ross
Deutsch	Larsen (WA)	Rothman
Dicks	Larson (CT)	Roybal-Allard
Dingell	Lee	Ruppersberger
Doggett	Levin	Rush
Dooley (CA)	Lewis (GA)	Ryan (OH)
Doyle	Lipinski	Sabo
Edwards	Lofgren	Sanchez, Linda
Emanuel	Lowe	T.
Engel	Lucas (KY)	Sanchez, Loretta
Eshoo	Lynch	Sanders
Etheridge	Majette	Sandlin
Evans	Maloney	Schakowsky
Farr	Markey	Schiff
Fattah	Marshall	Scott (GA)
Filner	Matheson	Scott (VA)
Ford	Matsui	Serrano
Frank (MA)	McCarthy (MO)	Sherman
Frost	McCarthy (NY)	Skelton
Gephardt	McCollum	Slaughter
Gonzalez	McDermott	Smith (WA)
Gordon	McGovern	Snyder
Green (TX)	McIntyre	Spratt
Grijalva	McNulty	Stark
Gutierrez	Meehan	Stenholm
Harman	Meek (FL)	Strickland
Hastings (FL)	Michaud	Stupak
Hill	Millender-	Tanner
McDonald	McDonald	Tauscher
Hinchoy	Miller (NC)	Taylor (MS)
Hinojosa	Miller, George	Thompson (CA)
Hoefel	Mollohan	Thompson (MS)
Holden	Moore	Tierney
Holt	Moran (VA)	Towns
Honda	Murtha	Turner (TX)
Hooley (OR)	Nadler	Udall (CO)
Hoyer	Inslie	Udall (NM)
Israel	Neal (MA)	Van Hollen
Jackson (IL)	Oberstar	Velázquez
Jackson-Lee	Obey	Visclosky
(TX)	Olver	Waters
Jefferson	Ortiz	Watson
John	Owens	Watt
Johnson, E. B.	Pallone	Waxman
Jones (OH)	Pascrell	Weiner
Kanjorski	Pastor	Wexler
Kaptur	Payne	Woolsey
Kennedy (RI)	Pelosi	Wu
Kildee	Peterson (MN)	Wynn

NOT VOTING—14

Baca	Jenkins	Saxton
Bono	Johnson (IL)	Solis
Boyd	Lewis (KY)	Tauzin
DeMint	Meeks (NY)	Wilson (SC)
Greenwood	Menendez	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1258

Mr. HOFFEL and Ms. ESHOO changed their vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 147 I was unavoidably detained. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

**APPOINTMENT OF CONFEREES ON H.R. 2443, COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2003**

MOTION TO INSTRUCT OFFERED BY MR. FILNER

The SPEAKER pro tempore (Mr. LINDER). The pending business is the de novo vote on the motion to instruct conferees on H.R. 2443.

The Clerk will redesignate the motion.

The Clerk redesignated the motion. The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. FILNER).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FILNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 395, nays 19, not voting 19, as follows:

[Roll No. 148]

YEAS—395

Abercrombie	Chandler	Franks (AZ)
Ackerman	Clay	Frelinghuysen
Aderholt	Clyburn	Frost
Akin	Coble	Galleghy
Alexander	Cole	Garrett (NJ)
Allen	Collins	Gephardt
Andrews	Conyers	Gerlach
Bachus	Cooper	Gibbons
Baird	Costello	Gillmor
Baker	Cox	Gingrey
Baldwin	Cramer	Gonzalez
Ballance	Crane	Goode
Barrett (SC)	Crenshaw	Goodlatte
Barton (TX)	Crowley	Gordon
Bass	Cubin	Goss
Beauprez	Culberson	Granger
Becerra	Cummings	Green (WI)
Bell	Cunningham	Grijalva
Bereuter	Davis (AL)	Gutierrez
Berkley	Davis (CA)	Gutknecht
Berman	Davis (FL)	Hall
Berry	Davis (IL)	Harman
Biggert	Davis (TN)	Harris
Bilirakis	Davis, Jo Ann	Hart
Bishop (GA)	Davis, Tom	Hastings (FL)
Bishop (NY)	Deal (GA)	Hastings (WA)
Bishop (UT)	DeFazio	Hayes
Blackburn	DeGette	Hayworth
Blumenauer	Delahunt	Hefley
Boehlert	DeLauro	Hergert
Boehner	Deutsch	Hill
Bonner	Diaz-Balart, L.	Hinchev
Boozman	Diaz-Balart, M.	Hinojosa
Boswell	Dicks	Hobson
Boucher	Dingell	Hoefel
Bradley (NH)	Doggett	Hoekstra
Brady (PA)	Dooley (CA)	Holden
Brown (OH)	Doolittle	Holt
Brown (SC)	Doyle	Honda
Brown, Corrine	Duncan	Hooley (OR)
Brown-Waite,	Dunn	Hostettler
Ginny	Edwards	Houghton
Burgess	Ehlers	Hoyer
Burns	Emanuel	Hulshof
Burr	Emerson	Hyde
Burton (IN)	Engel	Insee
Buyer	English	Isakson
Calvert	Eshoo	Israel
Camp	Etheridge	Issa
Cannon	Evans	Istook
Capito	Everett	Jackson (IL)
Capps	Farr	Jackson-Lee
Capuano	Fattah	(TX)
Cardin	Feeney	Jefferson
Cardoza	Ferguson	John
Carson (IN)	Filner	Johnson (CT)
Carson (OK)	Flake	Johnson (IL)
Carter	Foley	Johnson, E. B.
Case	Forbes	Jones (NC)
Castle	Fossella	Jones (OH)
Chabot	Frank (MA)	Kanjorski

Kaptur	Myrick	Schiff
Keller	Nadler	Schrock
Kelly	Napolitano	Scott (GA)
Kennedy (MN)	Neal (MA)	Scott (VA)
Kennedy (RI)	Nethercutt	Sensenbrenner
Kildee	Neugebauer	Serrano
Kilpatrick	Ney	Sessions
Kind	Northup	Shadegg
King (IA)	Norwood	Shaw
King (NY)	Nunes	Shays
Kirk	Nussle	Sherman
Klecicka	Oberstar	Sherwood
Kline	Obey	Shimkus
Knollenberg	Olver	Shuster
Kolbe	Ortiz	Simmons
Kucinich	Osborne	Simpson
LaHood	Ose	Skelton
Lampson	Otter	Slaughter
Langevin	Owens	Smith (MI)
Lantos	Oxley	Smith (NJ)
Larsen (WA)	Pallone	Smith (TX)
Larson (CT)	Pascarell	Smith (WA)
LaTourette	Pastor	Snyder
Leach	Paul	Souder
Lee	Payne	Spratt
Levin	Pearce	Stark
Lewis (CA)	Pelosi	Stearns
Lewis (GA)	Pence	Stenholm
Linder	Peterson (MN)	Strickland
Lipinski	Peterson (PA)	Stupak
LoBiondo	Petri	Sweeney
Lofgren	Pickering	Tanner
Lowey	Pitts	Tauscher
Lucas (KY)	Platts	Taylor (MS)
Lucas (OK)	Pombo	Terry
Lynch	Pomeroy	Thompson (CA)
Majette	Porter	Thompson (MS)
Maloney	Price (NC)	Thornberry
Manzullo	Pryce (OH)	Tiahrt
Markey	Quinn	Tierney
Marshall	Radanovich	Toomey
Matheson	Rahall	Towns
Matsui	Ramstad	Turner (OH)
McCarthy (MO)	Rangel	Turner (TX)
McCarthy (NY)	Regula	Udall (CO)
McColum	Rehberg	Udall (NM)
McCotter	Renzi	Upton
McCrary	Reyes	Van Hollen
McDermott	Reynolds	Velázquez
McGovern	Rodriguez	Visclosky
McHugh	Rogers (AL)	Vitter
McInnis	Rogers (KY)	Walden (OR)
McIntyre	Rogers (MI)	Walsh
McKeon	Rohrabacher	Wamp
McNulty	Ros-Lehtinen	Waters
Meehan	Ross	Watson
Meek (FL)	Rothman	Watt
Mica	Roybal-Allard	Waxman
Michaud	Royce	Weiner
Millender-	Ruppersberger	Weldon (FL)
McDonald	Rush	Weldon (PA)
Miller (FL)	Ryan (OH)	Weller
Miller (MI)	Ryan (WI)	Wexler
Miller (NC)	Ryun (KS)	Whitfield
Miller, Gary	Sabo	Wicker
Mollohan	Sánchez, Linda	Wilson (NM)
Moore	T.	Wolf
Moran (KS)	Sanchez, Loretta	Woolsey
Moran (VA)	Sanders	Wu
Murphy	Sandlin	Wynn
Murtha	Saxton	Young (AK)
Musgrave	Schakowsky	Young (FL)

NAYS—19

Bartlett (MD)	Gilchrest	Sullivan
Blunt	Graves	Tancredo
Bonilla	Hensarling	Taylor (NC)
Cantor	Johnson, Sam	Thomas
Chocola	Kingston	Tiberi
DeLay	Portman	
Dreier	Putnam	

NOT VOTING—19

Baca	Green (TX)	Menendez
Ballenger	Greenwood	Miller, George
Bono	Hunter	Solis
Boyd	Jenkins	Tauzin
Brady (TX)	Latham	Wilson (SC)
DeMint	Lewis (KY)	
Ford	Meeks (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LINDER) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1307

Messrs. NEY, LINDER, TIAHRT and DOOLITTLE changed their vote from “nay” to “yea.”

So the motion was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Chair will appoint conferees at a subsequent time.

Stated for:  
Ms. SOLIS. Mr. Speaker, during rollcall vote No. 148, on motion to instruct on Coast Guard authorization, I was unavoidably detained. Had I been present, I would have voted “yea.”

**EXPRESSING SENSE OF HOUSE REGARDING NEED FOR FREEDOM AND DEMOCRATIC REFORM IN LAOS**

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 402.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. BURTON) that the House suspend the rules and agree to the resolution, H. Res. 402, on which the yeas and nays are ordered.

This will be a 5-minute vote. The vote was taken by electronic device, and there were—yeas 408, nays 1, answered “present” 1, not voting 23, as follows:

[Roll No. 149]

YEAS—408

Abercrombie	Brown-Waite,	Davis (IL)
Ackerman	Ginny	Davis (TN)
Aderholt	Burgess	Davis, Jo Ann
Akin	Burns	Davis, Tom
Alexander	Burr	Deal (GA)
Allen	Burton (IN)	DeFazio
Andrews	Buyer	DeGette
Bachus	Calvert	Delahunt
Baird	Camp	DeLauro
Baker	Cannon	DeLay
Baldwin	Cantor	Deutsch
Ballance	Capito	Diaz-Balart, M.
Ballenger	Capps	Dicks
Bartlett (MD)	Capuano	Dingell
Barton (TX)	Cardin	Doggett
Bass	Cardoza	Doolittle
Beauprez	Carson (IN)	Doyle
Becerra	Carson (OK)	Dreier
Bell	Case	Duncan
Bereuter	Castle	Dunn
Berkley	Chabot	Edwards
Berman	Chandler	Ehlers
Berry	Chocola	Emanuel
Biggert	Clay	Emerson
Bilirakis	Clyburn	Engel
Bishop (GA)	Coble	English
Bishop (NY)	Cole	Eshoo
Bishop (UT)	Collins	Etheridge
Blackburn	Conyers	Evans
Blumenauer	Cooper	Everett
Blunt	Costello	Farr
Boehlert	Cox	Fattah
Boehner	Cramer	Feeney
Bonilla	Crane	Filner
Bonner	Crenshaw	Flake
Boozman	Crowley	Foley
Boswell	Cubin	Forbes
Boucher	Culberson	Ford
Bradley (NH)	Cummings	Fossella
Brady (PA)	Cunningham	Frank (MA)
Brown (OH)	Davis (AL)	Franks (AZ)
Brown (SC)	Davis (CA)	Frost
Brown, Corrine	Davis (FL)	Galleghy

Garrett (NJ) Lucas (KY)  
 Gephardt Lucas (OK)  
 Gerlach Lynch  
 Gibbons Majette  
 Gilchrest Maloney  
 Gillmor Manzullo  
 Gingrey Markey  
 Gonzalez Marshall  
 Goode Matheson  
 Goodlatte Matsui  
 Gordon McCarthy (MO)  
 Goss McCarthy (NY)  
 Granger McCollum  
 Graves McCotter  
 Green (TX) McCreery  
 Green (WI) McDermott  
 Grijalva McGovern  
 Gutierrez McHugh  
 Gutknecht McInnis  
 Hall McIntyre  
 Harman McKeon  
 Harris McNulty  
 Hart Meehan  
 Hastings (FL) Meek (FL)  
 Hastings (WA) Mica  
 Hayes Michaud  
 Hayworth Millender-  
 Hefley McDonald  
 Hensarling Miller (FL)  
 Henger Miller (MI)  
 Hill Miller (NC)  
 Hinchey Miller, Gary  
 Hinojosa Mollohan  
 Hobson Moore  
 Hoeffel Moran (KS)  
 Hoekstra Moran (VA)  
 Holden Murphy  
 Holt Murtha  
 Honda Musgrave  
 Hooley (OR) Myrick  
 Hostettler Nadler  
 Houghton Napolitano  
 Hoyer Neal (MA)  
 Hulshof Nethercutt  
 Hunter Neugebauer  
 Hyde Ney  
 Inslee Northup  
 Isakson Norwood  
 Israel Nunes  
 Issa Nussle  
 Istook Oberstar  
 Jackson (IL) Obey  
 Jackson-Lee Olver  
 (TX) Ortiz  
 Jefferson Osborne  
 John Ose  
 Johnson (IL) Otter  
 Johnson, E. B. Owens  
 Johnson, Sam Oxley  
 Jones (NC) Pallone  
 Jones (OH) Pascrell  
 Kanjorski Pastor  
 Kaptur Payne  
 Keller Pearce  
 Kelly Pelosi  
 Kennedy (MN) Pence  
 Kennedy (RI) Peterson (MN)  
 Kildee Peterson (PA)  
 Kilpatrick Petri  
 Kind Pickering  
 King (IA) Pitts  
 King (NY) Platts  
 Kingston Pombo  
 Kirk Pomeroy  
 Kleczka Porter  
 Kline Portman  
 Knollenberg Price (NC)  
 Kolbe Pryce (OH)  
 Kucinich Putnam  
 LaHood Quinn  
 Lampson Radanovich  
 Langevin Rahall  
 Lantos Ramstad  
 Larsen (WA) Rangel  
 Larson (CT) Regula  
 LaTourette Rehberg  
 Leach Renzi  
 Lee Reyes  
 Levin Reynolds  
 Lewis (CA) Rodriguez  
 Lewis (GA) Rogers (AL)  
 Linder Rogers (KY)  
 Lipinski Rohrabacher  
 LoBiondo Ros-Lehtinen  
 Lowey Ross

NAYS—1

Paul

ANSWERED "PRESENT"—1

Miller, George

NOT VOTING—23

Baca	Dooley (CA)	Lofgren
Barrett (SC)	Ferguson	Meeks (NY)
Bono	Frelinghuysen	Menendez
Boyd	Greenwood	Rogers (MI)
Brady (TX)	Jenkins	Solis
Carter	Johnson (CT)	Tauzin
DeMint	Latham	Wilson (SC)
Diaz-Balart, L.	Lewis (KY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1315

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 149 on H. Res. 402—Laos People's Democratic Republic, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. MENENDEZ. Mr. Speaker, I rise to offer a personal explanation. Earlier today, I was unavoidably detained on rollcall votes 147, 148, and 149 due to a prior obligation. Had I been present, I would have voted "no" on rollcall vote 147, "yea" on rollcall vote 148, and "yea" on rollcall vote 149.

#### DEPLORING ABUSE OF PERSONS IN UNITED STATES CUSTODY IN IRAQ

Mr. HUNTER. Mr. Speaker, pursuant to House Resolution 628, I call up the resolution (H. Res. 627) deploring the abuse of persons in United States custody in Iraq, regardless of the circumstances of their detention, urging the Secretary of the Army to bring to swift justice any member of the Armed Forces who has violated the Uniform Code of Military Justice, expressing the deep appreciation of the Nation to the courageous and honorable members of the Armed Forces who have selflessly served, or are currently serving, in Operation Iraqi Freedom, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of H. Res. 627 is as follows:

H. RES. 627

Whereas the American people and the world are dismayed by revelations of abuses inflicted upon detainees at the Abu Ghraib prison in Baghdad;

Whereas the military justice process so far has resulted in charges being brought against six individuals, three of whom have been recommended for trial by court martial;

Whereas the investigation by the United States Central Command has identified problems of leadership, chain of command, and training that contributed to the instances of abuse;

Whereas the Congress was not fully informed of the existence, or the seriousness, of those abuses or of the investigation of

those abuses until after they had been disclosed in the national media;

Whereas such abuses are offensive to the principles and values of the American people and the United States military, are incompatible with the professionalism, dedication, standards and training required of individuals who serve in the United States military, and contradict the policies, orders, and laws of the United States and the United States military and undermine the ability of the United States military to achieve its mission in Iraq;

Whereas the vast majority of members of the Armed Forces have upheld the highest possible standards of professionalism and morality in the face of illegal tactics and terrorist attacks and attempts on their lives;

Whereas members of the Armed Forces have planned and conducted, frequently at great peril and cost, military operations in a manner carefully intended to prevent or minimize injury to Iraqi civilians and property;

Whereas over 138,000 members of the United States Armed Forces serving in Iraq, a total force comprised of active, National Guard, and Reserve personnel, are executing a courageous and determined mission to rebuild and rehabilitate a proud nation after liberating it from the tyranny, oppression, and genocide of Saddam Hussein's evil regime;

Whereas the Department of Defense has awarded members of the Armed Forces serving in Operation Iraqi Freedom at least 3,767 Purple Hearts, as well as thousands of commendations for valor, including at least 4 Distinguished Service Crosses, 127 Silver Stars, and over 16,000 Bronze Stars;

Whereas members of the Armed Forces, United States citizens, over 30 Coalition partners, and patriotic Iraqis are working to finally return the government of Iraq to the Iraqi people after decades of despotism;

Whereas since the deposing of Saddam Hussein, the Iraqi people have enjoyed substantial improvements in essential services, including major water, sewage, power, infrastructure, transportation, telecommunications, and food security projects that already benefit millions more citizens than under the Ba'ath Party regime;

Whereas the quality of life for Iraqis has significantly improved in the areas of food availability, health services, and educational opportunities since the downfall of the Hussein government; and

Whereas security provided by the United States Armed Forces, the Coalition partners of the United States, and the Iraqi people has permitted the adoption by Iraq of a Transitional Administrative Law, with the promise of a sovereign Iraqi Interim Government, national elections, a constitution, and democracy: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) deplores and condemns the abuse of persons in United States custody in Iraq, regardless of the circumstances of their detention;

(2) declares that the alleged crimes of a handful of individuals should not detract from the commendable sacrifices of over 300,000 members of the United States Armed Forces who have served, or who are serving, in Operation Iraqi Freedom;

(3) reaffirms and reinforces the American principle that any and all individuals under the custody and care of the United States Armed Forces shall be afforded proper and humane treatment;

(4) urges the Secretary of the Army to conduct a full and thorough investigation into any and all allegations of mistreatment or abuse of detainees in Iraq;

(5) urges the Secretary of the Army and appropriate military authorities to undertake corrective action to address chain of command deficiencies and the systemic deficiencies identified in the incidents in question;

(6) urges the Secretary of the Army to bring to swift justice any member of the Armed Forces who has violated the Uniform Code of Military Justice to ensure that their actions are not allowed to impugn the integrity of the United States Armed Forces or undermine the United States mission in Iraq;

(7) reaffirms the need for Congress to be frequently updated on the status of efforts by the Department of Defense to address and resolve issues identified in this resolution;

(8) expresses the deep appreciation of the Nation to the courageous and honorable members of the Armed Forces who have selflessly served, or who are currently serving, in Operation Iraqi Freedom;

(9) expresses the support and thanks of the Nation to the families and friends of the soldiers, Marines, airmen, sailors, and Coast Guardsmen who have served, or who are serving, in Operation Iraqi Freedom; and

(10) expresses the continuing solidarity and support of the House of Representatives and the American people for the partnership of the United States with the Iraqi people in building a viable Iraqi government and a secure nation.

The SPEAKER pro tempore. Pursuant to House Resolution 628, the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, during the debate on the rule, I think every Member who was listening to the debate as they listened to a number of speeches being made over and over, sometimes the same things being said by different Members, they understand the subject which we are addressing today, which is the criminal acts of what has been identified so far as six individuals, with three of them having been recommended under article 32 of the UCMJ to the court martial convening authority for general court martial for abuse of prisoners, assault, and dereliction of duty.

That is one of the purposes of this resolution, for this House to condemn those activities. Understand that the criminal prosecutions have not taken place yet, the trials have not been held and that we are not passing judgment at this point on people who are being focused on as potential defendants in these cases. But I thought it was important, Mr. Speaker, to talk about the other people, because the tendency of the media and the discussion has been to forget about the 300,000 uniformed Americans who are serving our country with bravery, with compassion, with ingenuity and doing great things, not in their own communities, but in communities thousands of miles away where the only reward they may receive is from a kid that they have given a soccer ball to like hundreds of the 101 Airborne members, or for people whom they have hooked up a water

supply as people have done in all of the cities throughout central Iraq or children that have been vaccinated by American medics. The only thanks they are going to get, obviously, is not going to come from the American press at this point because the American press is fixated on what you might call the six bad apples who have been identified to date, and there may be more. We all know that.

But the 300,000 who served honorably, they are not going to get too much attention here because it is not in keeping with a good sound bite today if you want to get on television to talk about the good things that have been done in the country.

My great partner on this Committee on Armed Services, the gentleman from Missouri (Mr. SKELTON), was in full accord with this. We wanted to make sure that the good people got talked about and that this did not turn into the action of the demoralization of our fighting forces in Iraq.

So we wanted to talk about the good things they have done. And this resolution, and I would commend it to every Democrat and Republican, from the gentlewoman from California (Ms. PELOSI) and all of the others who may have had trouble or problems with this resolution, I would commend it to them to approve and to support and to vote for.

I just wanted to say, Mr. Speaker, I am looking at right now some of the untold stories; and I wanted to cite an untold story to you, a couple of them. It is true that there were abuses so far by six people who have been identified in this Abu Ghraib prison; but while that was going on, Gunnery Sergeant Jeffrey Bohr of the United States Marine Corps was awarded the Silver Star posthumously for conspicuous gallantry and intrepidity in action against the enemy while serving as Company Gunnery Sergeant, Company A, 1st Battalion, 5th Marine Regiment, Regimental Combat Team 5, 1st Marine Division.

While moving through narrow streets toward the objective, the convoy took intense small arms and rocket-propelled grenade fire. Throughout this movement, Gunnery Sergeant Bohr delivered accurate effective fires on the enemy, while encouraging his Marines and supplying critical information to his company commander. When the lead vehicles of the convoy reached a dead end and were subjected to heavy enemy fire, Gunnery Sergeant Bohr continued to boldly engage the enemy while calmly maneuvering his Marines to safety.

Upon learning of a wounded Marine in a forward vehicle, Gunnery Sergeant Bohr immediately coordinated medical treatment and evacuation. Moving to the position of the injured Marine, Gunnery Sergeant Bohr continued to lay down a high volume of suppressive fire, simultaneously guiding the medical evacuation vehicle until he was mortally wounded by enemy fire.

Yes, we had abuses by some six people. We have had apparent abuses by some six people who are now going through the criminal justice system of the U.S. Army, which I think our Members will find moves a lot faster than the domestic justice system. But at the same time, Corporal Marco Martinez was undertaking actions which led to him being awarded the second highest award that our government can give for heroism, the Navy Cross.

So I thought I might take a little bit of this time that was intended to beat up the U.S. military, to congratulate some of those 300,000 people who have served U.S. so well.

Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise with heavy heart, a heavy heart for two reasons. The first reason is that a group of American soldiers forgot that they were soldiers and they forgot that the middle name of a soldier is "honor," in doing the despicable acts that they did in that prison. That breaks my heart. I know it breaks the hearts of Americans who saw those pictures and learned of those acts which border on the unspeakable.

But the second reason my heart is broken is that the occurrences happened between October and December of last year; they were reported in January of this year. A two star general in the Army, Major General Taguba was called to investigate and his report was rendered in February. And as ranking member on this committee, I found out about it this month, in May, not by any official sources, but through the news media.

Mr. Speaker, that also breaks my heart. We in Congress under the Constitution are the first of the three parts of government listed. We are the ones that raise the money and write the rules for those who serve in the military. We are an important part of the national security, and I think that we should be informed as quickly as possible when these very, very tragic occurrences happen.

Recently in the Wall Street Journal, on April 22, an administration official in response to the expenditure of appropriations funds regarding Iraq and the Middle East stated, "If lawmakers do not ask questions, they do not get answers."

Mr. Speaker, it is incumbent upon them to keep U.S. informed because we are the genesis of their funding. We are the genesis of the rules by which they in uniform operate and the defense of our Nation are concerned.

This error has become a mistake. The late John F. Kennedy once said, "An error does not become a mistake until you refuse to correct it. Without debate, without criticism, no administration, no country can succeed and no republic can survive."

We seem, Mr. Speaker, to have forgotten that.

I support this resolution, and I think it is necessary. It is a shameful series

of acts. I support this resolution because it deplors and condemns the abuse of those in custody. And it is not just about isolated cases of abuse. This incident could very well be the tipping of the security and reconstruction of Iraq. I hope that is wrong. But if we lose the trust of the Iraqi people, if we lose their hearts and minds, we cannot bring anything else effectively to that part of the world.

We must win back the trust, the safety of our troops, and the future of these citizens of Iraq. For that reason, I support this resolution. It urges the Secretary of the Army and the appropriate military authorities to complete a thorough investigation to bring anyone who committed crimes to justice. This applies regardless of who committed the crimes, military personnel, government agencies or private contractors.

The Iraqi people must see U.S. taking swift and strong action. As a matter of fact, we here in Congress and our chairman, the gentleman from California (Mr. HUNTER), has announced that we will have a hearing on this very subject tomorrow in the hearing room 2118 at 3 o'clock with Secretary Rumsfeld. I think that is the right thing for the gentleman to have called, and I thank him for it publicly.

It is an important role for U.S. to have continuing oversight of this issue. We do need, in addition thereto, a congressional inquiry by the staff on the broader policy issues that were raised by this incident. I will underline that.

Finally, I believe this resolution appropriately points out that so many of our troops have served honorably, and the chairman is correct on that, done extraordinarily well in difficult circumstances.

Not long ago I attended a funeral over here at Arlington Cemetery of a staff sergeant from the Fourth District of Missouri, which I am privileged to represent. And these soldiers who forgot that they were soldiers caused his death, in so many respects, to have been in vain. We have to correct this and make sure that those who pay the ultimate sacrifice will be remembered and will be honored for the work that they do in Iraq to bring stability and some sort of representative government there.

We have to look at the chain of command. We have to look at the command atmosphere that allowed these occurrences to happen. So for this reason and the reason that we were not told promptly and the fact that we need not only the hearing tomorrow, which I am pleased we will have, we need a thorough investigation to go forward on this subject.

We must be successful in Iraq. We must show not just the Iraqi people, we must show the world the values of our country. We need to. And one way to do it is to proceed to investigate this and make this a very transparent, clear picture for the world to see.

Mr. Speaker, I thank you for this time. It would be well for those in au-

thority to understand the admonition that sat on the desk of the late President Harry S Truman: "The buck stops here."

Keeping that in mind, let U.S. move forward and do the right thing, for the Iraqi people, for those who served so honorably and so well, and for those who paid for the sacrifice of their service. Let this be a reflection of the decency and honesty and thoroughness of the values of America in what we do.

Mr. Speaker, I reserve the balance of my time.

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. HAYES).

□ 1330

Mr. HAYES. Mr. Speaker, let me thank the gentleman from California and chairman for yielding the time. Let me thank my friend, my colleague, the gentleman from Missouri (Mr. SKELTON) with whom I completely identify and thoroughly agree with the remarks he made in setting the stage for the purpose of this resolution.

As I hold this picture here, it is reference that what our troops are about in Iraq. When I spoke earlier supporting the resolution and the rule, I referred to a call that I had just received from an 82nd Airborne trooper, who had lost a leg in Iraq for these children, for these men and women.

I called Daniel Metzendorf back on the phone at Walter Reed Hospital, where he is back because of additional infection. I said, Daniel, what do you all think about what is going on? He said, it is wrong. Those people will be punished, and, oh, by the way, the people who put the pictures on the television to undermine our troops, they ought to be in jail, too.

God bless our troops and protect them.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL), who is the ranking member of the Committee on Ways and Means.

Mr. RANGEL. Mr. Speaker, I thank the gentleman from Missouri (Mr. SKELTON) for the time.

This is a very difficult time for me because I find it difficult to rise in opposition of this resolution, and the reason I do it is because there just does not seem to be enough outrage involved in what is being said.

We should not have to apologize for brave men and women. We should not have to apologize for what the executive branch or the Congress has or has not done. We should not be put in this position.

Several months ago, I called for the resignation of the Secretary of Defense because I thought, as a major architect of this war, that he was fighting this war with other people's children, and when he said that he did not know whether or not we were winning or losing the war, when he said that he did not know whether we were creating more terrorists than we were killing,

when he said we did not have any plan to end the war, that it was a slog. I thought, as a former combat veteran, is this the leadership that we can expect from the Secretary of Defense? I thought that America and the military deserve better than that and he should resign.

Now the information that we receive is that a climate has been created where a handful of people have committed these atrocities against human kind in an atmosphere where all of the people that are in Iraq have been demonized where it appears to American people and certainly to our military that the people in Iraq are responsible for 9/11 and causing us pain, that the Secretary of Defense did have information months ago about these atrocities; and that he kept it from the President, he kept it from the Congress and he kept it from the American people. I think that this rises to the point that it is a high crime and misdemeanor if he disappointed the President, kept information from the Congress and kept this information from the American people.

I think America and the world wants us to show the outrage, not by rhetoric, but by taking action, and if the President does not fire the Secretary, if he does not resign, I think it is the responsibility of this Congress to file articles of impeachment and force him to leave office. Then the whole world would know, not just our military, not just Americans but the whole world what we stand for.

If people can say "mission completed" when it looks like there is victory and we see atrocities like this and it happens on someone's watch, if they do not have the dignity to say I am sorry and move on, then we have the responsibility under our Constitution to remove these people from office.

He kept the information away from this Congress. We have the responsibility of oversight. I am preparing articles of impeachment today.

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today in support of this resolution, and I want to thank the gentleman from California (Chairman HUNTER) for bringing it to the floor.

First, I want to stress my unwavering support for our men and women in uniform. I am absolutely convinced that recent reports of prisoner abuses are in no way representative of the majority of those who serve in our armed services.

Our fellow Americans who are in Iraq are some of the most dedicated and honorable people in our whole country. It is a rare thing these days to find them with such strong commitment to the values that have made this Nation so great.

Our military is known throughout the entire world for upholding and fighting for human rights, and that is why the American people are so

shocked at the recent reports of prisoner abuse and torture. I, too, am shocked, and it is unfortunate that a few soldiers have harmed the reputation of our entire military.

There is no excuse for abusing and torturing any human being. We are there to restore dignity to the Iraqi people, not to demean and humiliate them.

It absolutely cannot and should not be tolerated. We would not want American POWs abused, and we should not abuse those who we hold as prisoners of war.

The United States has always held very strictly to the standards of the humane treatment of POWs that are universally accepted as international law. We should hold those standards now more than ever.

As the world's superpower, we are an example to every Nation and are viewed as the defenders of life and liberty.

One of the reasons we are in Iraq is because we wanted to liberate the Iraqi people from the torture and abuse of Saddam Hussein's regime. What kind of message do these very few soldiers send to the people of Iraq and to the entire Middle East by now abusing the people that we once rescued? There is absolutely no excuse.

The vast majority of Iraqi people have been treated with respect and dignity by our service members, and I know will continue to be treated properly. Our men and women in uniform know they have a moral and legal obligation to treat prisoners of war humanely and with decency.

These very few individuals who have not acted in this upright tradition should be quickly brought to justice.

Already, the Army has placed a new unit leadership at this facility. As of April 1, we now have one single person responsible for all the detainee activities in Iraq.

Additional training on the Geneva convention and the rules of engagement have been given to all new units going into these facilities.

A mobile training team of corrections and legal experts is on the ground working to help train soldiers to improve operations at the facilities.

I am encouraged and I applaud the quick response by our military leaders. I hope this incident, which involved just a very small group of individuals, will not overshadow the integrity of our soldiers.

The 138,000 Americans in uniform in the Iraqi theater are some of the most dedicated and honorable people, and they are doing a tremendous job. Because of the sacrifices that they are making, our Nation is more secure, and Iraq is on the path to becoming a free and prosperous Nation.

May God bless America and may God bless our men and women in uniform.

Mr. SKELTON. Mr. Speaker, may I inquire as to how much time we have remaining, please?

The SPEAKER pro tempore (Mr. OSE). The gentleman from Missouri

(Mr. SKELTON) has 19 minutes remaining.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. HARMAN), who is the ranking member on the Permanent Select Committee on Intelligence.

Ms. HARMAN. Mr. Speaker, I thank the gentleman for yielding me the time and commend him for his leadership, along with that of the Chairman of the House Committee on Armed Services, a committee on which I was privileged to serve for 6 years.

Mr. Speaker, I rise in support of this resolution, though I wish it had called for a thorough investigation by Congress of the acts described in it. Our Nation is strong, not only because of our military might, but because of our values. In peacetime, those values may seem easy to uphold, but in wartime, they are inevitably going to be tested. To keep us strong, we must reaffirm to the American people and the world that those values permeate everything we do as a Nation, at home and all over the world.

We are not naive. We know that the fog of war is thick, and we understand, certainly those of us on the House Permanent Select Committee on Intelligence understand, that interrogation is an integral part of gathering intelligence about the enemy. Good intelligence hopefully prevents and disrupts attacks. That saves lives.

Many of us on the House Permanent Select Committee on Intelligence care deeply that we get it right. I have traveled to Guantanamo three times to assess the effectiveness of our interrogations and to assure that detainees are being treated properly. While I strongly disagree with the lack of legal status for Guantanamo's detainees, I have been increasingly impressed by the tangible improvements in prisoner treatment and by the yield from interrogations.

I have been to Baghdad twice, again focused on intelligence issues. There was no hint in my second visit to Baghdad in February of this year, a month after the devastating photos were delivered to the Pentagon, that anything was amiss with respect to interrogations in Iraq.

Mr. Speaker, my colleagues and I were doing our job to make sure things were done right, but the failure to alert us to the circumstances that led to the request of General Taguba to prepare his report was a failure by the intelligence community to keep our Committee informed. It was a failure by the executive branch to keep Congress informed.

After everything this country has been through over the past 3 years, the horrors at Abu Ghraib made crystal clear the need for major intelligence reform. It is not acceptable for people to retreat into "chain of command" stovepipes. It is not credible that a few bad apples carried out what the Taguba report calls "numerous incidents of sadistic, blatant and wanton criminal

abuse" without any explicit or implicit tolerance from those who supervised them.

Tom Friedman writes today, "We are in danger of losing something much more important than just the war in Iraq. We are in danger of losing America as an instrument of moral authority and inspiration in the world."

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SIMMONS), one of our great veterans.

Mr. SIMMONS. Mr. Speaker, I thank the gentleman for the time, and I associate myself with the remarks of the chairman and of the ranking member.

I also have a heavy heart. As someone who served as a U.S. Army military intelligence officer for more than 30 years on active and reserve duty, I am appalled and disgusted by the images of U.S. soldiers mistreating prisoners in Iraq. Not only is the abuse of prisoners repugnant to our moral values as Americans, but it has little to no utility in eliciting useful intelligence from hostile elements.

Army Field Manual 34-52 clearly defines interrogation as the art of questioning and beaming a source to obtain the maximum amount of usable information. The goal of any interrogation is to obtain usable and reliable information in a lawful manner, in a lawful manner.

It goes on to say, "The use of force, mental torture, threats, insults, or exposure to unpleasant and inhumane treatment of any kind is prohibited by law and is neither authorized nor condoned by the U.S. Government. Experience indicates that the use of force is not necessary to gain the cooperation of sources for interrogation. Therefore, the use of force is a poor technique, as it yields unreliable results." This is Army Field Manual 34-52.

I am outraged to think that the stupid and insulting behavior of a very few soldiers and officers could undercut the honorable and the courageous service of so many American soldiers in Iraq. A full investigation is in order. Punishment for the guilty parties is required, and we must send a clear message to the world that the action of a very few does not represent the values of most American soldiers and most Americans.

Mr. SKELTON. Mr. Speaker, I yield to the gentleman from Maryland (Mr. CARDIN) for the purpose of making a unanimous consent request.

(Mr. CARDIN asked and was given permission to revise and extend his remarks.)

Mr. CARDIN. Mr. Speaker, the abuse of Iraqi prisoners by American soldiers and personnel constitute deplorable, despicable acts. We are all sickened by the pictures of our troops laughing and pointing at Iraqi prisoners who had been stripped naked, possibly beaten, and forced to pose in sexually explicit positions. These actions have compromised not only our mission in Iraq, but also the reputation of the American governments and its agents. Let me be clear: All but a few of our

soldiers and military personnel perform their jobs honorably on behalf of the American people, and our military is playing an important role in keeping the peace and promoting democracy around the world.

Our next step is clear: Congress must hold an open, complete and bipartisan investigation into these terrible allegations. We have a responsibility to oversee our military and intelligence services, and only through an independent investigation by Congress will we be able to regain our Nation's credibility as a champion for human rights. I am disappointed that the pending resolution does not reference an independent inquiry by Congress. The Pentagon must also take quick action to punish those involved, including holding those superiors who knew, encouraged, condoned, or should have known about those abuses. The resolution rightly points out the military must undertake corrective action to address chain of command deficiencies and systemic deficiencies in the military. We must also examine the role played by American civilian contractors in performing governmental functions such as interrogation of enemy prisoners.

Mr. Speaker, I serve as the Ranking Member of the Commission on Security and Cooperation in Europe (CSCE), commonly known as the Helsinki Commission. The United States is one of the fifty-five nations that serve as members of the Organization for Security and Cooperation in Europe (OSCE), the largest regional security organization in the world.

The United States has agreed to a number of Helsinki commitments beginning in 1989 in Vienna regarding democracy, rule of law, and human rights. We regularly criticize other governments in Europe and Central Asia when they use, condone, or fail to stop acts of torture in their prisons. Part of our commitments include: The education and training of all personnel—whether civil, medical, or military—that handle prisoners; systematic review of interrogation rules, methods, and practices; and a systematic review of arrangements for custody and treatment of detained persons, with a view to preventing any cases of torture. The OSCE publishes a "preventing torture" handbook to help Participating States eradicate torture.

As the United States seeks to wage a global war on terrorism, many questions have been raised regarding U.S. efforts to combat terrorism and whether related actions are consistent with our international obligations and commitments. Last year on June 26, on the International Day in Support of the Victims of Torture, President Bush declared that "Torture anywhere is an affront to human dignity everywhere." He observed that "Freedom from torture is an inalienable human right." The State Department has also noted that "Freedom from torture is an inalienable human right, and the prohibition of torture is a basic principle of international human rights law. This prohibition is absolute and allows no exception." Finally, as the General Counsel to the Defense Department, William Haynes wrote to Senator LEAHY that, "the United States does not permit, tolerate, or condone any such torture by its employees under any circumstances."

Mr. Speaker, last year I offered, and then withdrew, an amendment to the Department of Defense Appropriations bill for FY 04 that would prohibit the use of any funds in the bill from being used to carry out torture. I was disturbed by a December 2002 article in the

Washington Post. The article cited a number of defense and intelligence sources which allege that some detainees in Afghanistan and elsewhere may have been tortured.

The abuse of Iraqi prisoners by American soldiers not only harmed the victims, but also harmed our country. It has damaged our mission in Iraq. It has soiled our reputation in pursuit of humanitarian issues.

What happened in Baghdad's Abu Ghraib prison does not reflect U.S. values. We must speak out and take action against torture anywhere in the world, even if it occurs under our watch. We must act decisively.

Mr. SKELTON. Mr. Speaker, I reserve the balance of my time.

□ 1345

Mr. HUNTER. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. FERGUSON).

Mr. FERGUSON. Mr. Speaker, I rise in strong support of this resolution. The actions of several U.S. soldiers in Baghdad are fundamentally inconsistent with our mission in Iraq, American principles of justice, and the basic tenets of morality. They have stained our character and damaged our credibility.

I fear there are no words in the English language that can adequately describe the depth of our disillusionment over the goodwill generated by millions of Americans and billions of American dollars squandered in an instant.

But I do know this: out of this tragedy is born opportunity to show the watching world how we, a Nation founded on the rule of law, conduct ourselves in the aftermath of this tragedy. What distinguishes us from the regime that we ended is justice. While this behavior was once commonplace in Iraq, it is foreign to our national experience and to our nature, and we will deal with it not by saluting those who perpetrated those acts, as the former regime did, but by bringing the perpetrators to justice.

I was fortunate to visit a free Iraq in January. I met with our soldiers, including some from my home State, New Jersey. I say to each of our soldiers and servicemembers, do not allow the injustices done by a few to undermine your faith, for the cause which brought you to Iraq is right and just. You have freed 24 million people from the clutches of unspeakable tyranny, and your actions and character are sowing freedom in a place that has known evil. May God continue to bless all of those who serve honorably in our Nation's military, and may God continue to bless America.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO), a senior member of the Committee on Appropriations.

Ms. DELAURO. Mr. Speaker, all Americans were shocked by what we saw at the Abu Ghraib prison. The abuse of Iraqi prisoners offends our values as human beings and as Americans. I am deeply disturbed by the adminis-

tration's handling of this issue. A 3-month-old investigation has only now come to light. Some are questioning whether we may have lost control of civilian contractors who fall outside of the military chain of command.

But there is something equally as alarming about this news, the discovery that unregulated private contractors are interrogating prisoners in Iraq on behalf of the Coalition Provisional Authority.

This now becomes a question of accountability. In the fog of war, it is not only our military but also private companies deciding whom to deploy, whom to carry out operations, and how those people are vetted. There is almost no congressional oversight, civil regulation, or military law that governs them. By contracting out these critical tasks to civilian contractors who fall outside of the chain of command, there is no quality assurance, and there is questionable accountability.

The Secretary of Defense has been inattentive and perhaps negligent at great cost to our reputation and our security, and the call for the Secretary of Defense resignation is growing stronger day by day. At the very least, the Republican leadership in this House should convene bipartisan, bicameral congressional hearings to examine this urgent matter.

This reminds us that before we win the hearts and the minds of the Iraqis in this effort, we must win something else, trust, the trust of the American people.

Mr. HUNTER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I would like to address what the gentlewoman just said because she has made a mistake. She said that the 3-month-old investigation has only now come to light. I have in front of me the news release that I will give to the gentlewoman. As of January 16, which was 3 days after the soldier came forward and gave to his commanding officer the evidence that bad things were taking place at the prison, CENTCOM released a news release to every news agency in the world stating that an investigation has been initiated into reported incidents of detainee abuse.

So they announced to the world 3 days after the soldier came forward in January that an investigation had been started; and General Kimmitt announced to the combined audiences of Fox News, MSNBC and CNN, by my calculations over 20 million people, on January 16 that an investigation had been started. Outside of that, nobody was told.

Ms. DELAURO. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, I would just say to the gentleman that I think the report in terms of Members of Congress, the people's House, that we have in fact been kept in the dark. There may have been some who have known about it. I listened to General Myers.

Mr. HUNTER. Mr. Speaker, I will tell the gentlewoman the entire world was told by this news release.

Ms. DELAURO. Then it is even more poignant.

Mr. HUNTER. Mr. Speaker, reclaiming my time, I think this is a very important point. The soldier came forward on January 13 and gave this evidence to his commanding officer that prisoners were being abused. CENTCOM announced to the world through their official news release that they were investigating this 3 days later; and General Kimmert, who was before an audience of some 20 million people three days later, January 16, announced it was in fact being investigated.

So the statement that the investigation has just now come to light is not accurate.

Mr. SKELTON. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I ask that this resolution be less timid and actually ask for a commission beyond the Department of Defense.

Mr. Speaker, I was absolutely outraged last week when I, along with the rest of the world, learned that U.S. servicemembers and private American contractors in Iraq had abused and tortured Iraqi prisoners of war, and had forced them to commit heinous sexual acts.

War is devastating and terrifying, but even in war there is no place for actions such as these. The vast majority of soldiers in Iraq are performing courageously and honorably, upholding the high standards of the U.S. military. But the abuse inflicted by a few soldiers will likely be responsible for much ill will around the world. What's worse, I fear that it will embolden our enemies to commit further acts of terrorism against the United States.

We must get to the bottom of this scandal, but we must do it in the right way. H. Res. 627, which will be voted on today, does not adequately address these abuses because it doesn't go far enough. Instead of encouraging an investigation through the Department of Defense, this resolution should call for congressional investigations to investigate the roles of both servicemembers and private civilian contractors who may have played a role in the abuse of Iraqi prisoners of war.

The military should not investigate itself in this matter, because we don't yet know if the military leadership itself bears some responsibility for these atrocities.

We also owe an apology to the people of Iraq, and to all the countries around the world that look to the United States for leadership and guidance in the area of democracy. This resolution offers no apology. Instead, it absolves the Congress of blame, claiming that we weren't informed of the abuses while they were happening. But the fact that we weren't informed should not stop this body from offering our sincerest regret that military procedures failed to stop this kind of abuse from occurring. Are we so arrogant that we cannot apologize for some of the most heinous acts that member of our military have ever committed?

This resolution must be amended to get to the bottom of this terrible scandal. I urge my colleagues to vote against H. Res. 627 unless it is amended to include congressional investigations and regret for the acts of those wearing the uniform of the United States military.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. DINGELL), the ranking member of the Committee on Energy and Commerce.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, I have read this bill. I may be one of the few on the floor who has. But as a long-serving Member of this body, as a private who finished World War II as a second lieutenant, I sat on boards, courts martial, served as military prosecutor, and also as defense. I find in the legislation no word of anybody other than Members of the armed services. I find no mention of discussion of members of the CIA, of members of the civilian leadership, of the Defense Department or other government agencies. I find nothing about civilian contractors.

My question to the chairman, are we going to go into that behavior, or are we just going to sack a bunch of poor infantrymen up to the rank of sergeant or something like that and say you are going to jail, when in fact this was policy which originated much higher?

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, I would say that the investigation, there are now six investigations ongoing, the investigation that was started has identified some six individuals. Those are all people wearing uniform.

If the investigation reveals further people who are civilian contractors, those people can be punished under the laws of the United States which have been extended to theater.

Mr. DINGELL. It sounds to me like they are going to stick it to the ordinary uniformed military service under the rank of lieutenant, and let everybody else off the hook. This is a bad proposal.

Mr. HUNTER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Speaker, generally I think we can be faulted on this floor for saying the same thing over and over again in our debates; but in this case, I think it is important to say over and over again so it is heard clearly and definitively that the conduct here, including the taking and distribution of photographs, is abhorrent to our Nation and to our values; and also to say that we are proud of and grateful to the thousands and thousands of men and women who do represent and exemplify our values every day in Iraq, for every day there are countless acts of kindness and generosity and respect shown to Iraqis by

American soldiers, risking their own lives. Part of the tragedy of this episode is it gets so much attention while all of those acts get so little attention.

Yet it is important for us to continue to do the right thing, to hold those involved accountable for their actions or their neglect, and to not let up in our efforts to overcome the malicious forces of oppression, working with the Iraqi people for a free and secure and stable Iraq.

Mr. SKELTON. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support H. Res. 627 only because we need to begin the healing process, not because it offers a real solution to our troops and peace in Iraq.

Mr. Speaker, yet again we are seeing politics driving our policy in Iraq rather than logic, and compassion, and sense of duty. The resolution before us today is political damage control. This Congress has a constitutionally mandated duty of oversight over the executive branch. We and the world have seen over the past days that some horrible deeds have occurred in Iraq—deeds that truly threaten to undermine everything that we have worked toward on the international-diplomatic front for the past century. We must be thoughtful in crafting our approach to diffusing this awful situation, bringing those responsible to justice, and protecting the honor of those members of our armed-services who serve so valiantly and honorably around the world.

This resolution contains several provisions, including (1) deploring and condemning the abuse of Iraqi prisoners in U.S. custody; (2) reaffirming and reinforcing the American principle that any and all individuals under the custody and care of the U.S. armed forces shall be afforded proper and humane treatment; and (3) urging the Department of Defense to conduct an investigation into any and all allegations of mistreatment or abuse of Iraqi prisoners and bring to swift justice all members of the Armed Forces who have violated the Uniform Code of Military Justice.

I agree with all of that; however, is that all the duty of this Congress is? All this resolution does is says, "We read in the paper that mistakes were made. Somebody else, find out what happened. Somebody else, tell us what you find out. Somebody else, make this problem go away." That is a dereliction of our duty.

Members in this body have extraordinary experience and expertise in these issues. We owe it to the people we represent to immediately launch full congressional investigations into Iraqi prisoner abuse. After the Defense Department report was buried and hidden from Congress, and maybe even the President, for months, it is absurd to now trust that same department to police itself and purge itself of bad actors. We are already seeing the methods by which they will approach this—blame the six people in the pictures and maybe a couple of others, and assume that they were some sort of outliers.

We all hope that that is indeed the case, but we must make sure. Last week, I wouldn't have believed that any American soldiers were capable of such grotesque abuses. We must be objective as we delve into whether this problem goes far deeper than just a few cells at Abu Ghraib. Further missteps in the U.S. response to these atrocities could bring about a monstrous backlash in Iraq, and across the Middle East.

What message does it send to those struggling for democracy and freedom around the world, when this People's House, in the greatest democracy in the world—simply toes the majority party line?

We need bipartisan congressional investigations to be conducted immediately into these allegations of abuse, including those by U.S. civilian contractor personnel or other U.S. civilians, and into chain of command and other systemic deficiencies that contributed to such abuse.

We all know that the vast majority of U.S. troops in Iraq are performing superbly. It is tragic that the behavior of a small number of American soldiers has besmirched the reputation of U.S. troops overall. The vast majority of U.S. troops in Iraq are courageously performing their duties and are living up to the highest standards of the U.S. military. They are serving our country with honor, distinction and dedication and deserve our country's deepest gratitude.

However, the grotesque abuse of Iraqi prisoners is completely unacceptable—and is against everything our country stands for and holds dear. The abuse of Iraqi prisoners in the Abu Ghraib prison by U.S. soldiers that has been documented with photographs is abhorrent and does not represent America. The citizens of America have been appalled by what they have seen and condemn these actions as against our ethics and against our practices. These abuses are truly un-American.

Congressional investigations are critically needed in order to get to the bottom of this outrage. Among the questions that must be answered are: How widespread were these incidents of prisoner abuse? Were personnel trained adequately to do the jobs to which they were assigned? When did senior leadership of the Department of Defense learn of these allegations? Was their response timely and did it reflect the seriousness of this situation?

We owe it to the American people, to those around the world who are watching intently, and especially to our troops whose reputations have been called into question by this situation. We must put this Congress to work purging our military of those who encourage such un-American behavior, and restore the honor of our brave soldiers serving in Iraq and around the world.

I again call for Secretary Rumsfeld to appear before the full body of this House with the complete story of this travesty. Ultimately, I call for his resignation and that of Deputy Secretary Wolfowitz.

Mr. SKELTON. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member on the Committee on the Budget and also a senior member of the Committee on Armed Services.

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, there is nothing we hold in trust more sacred than the good name of America, and the good name of our great country is at stake. We have been defiled, maligned, if not damaged irreparably in some parts of the world; and we cannot diminish the consequences.

Just as the world has been fixated on those revolting photographs, the world is watching now to see what America will do, not what we will say, but how we will respond in fact. We should first of all rise up in indignation and outrage and condemn these atrocities and not diminish them. I do not care whether six soldiers or 600 were involved. We should make it unmistakably clear that this is conduct that Americans will not tolerate, we will not diminish, we will not excuse, and we will punish with severity.

But our response cannot end with just indignation or even an abject apology. We must make every effort to find out what was involved in these atrocities, who was involved in these atrocities, directly involved, and involved in a supervisory capacity up the chain of command and down the chain of command, wherever it leads; and we must punish everybody who is culpable in a way that makes clear this is despicable conduct which we will not abide in the United States of America.

That quest for facts must ask candidly, painfully whether or not these were isolated acts, these atrocities were isolated acts of poorly trained, undisciplined reservists, or whether they arise out of a culture that permitted and allowed interrogation techniques that call for hoods, sleep deprivation, and incessant questioning.

These are hard questions. We have got to ask them. Was this military intelligence, military police, or was it both? Where did the system break down?

In the committee room of the Committee on Armed Services, Mr. Speaker, we have cast in bronze a plaque with article 1 clause 8 of the Constitution which gives Congress the power to raise and support an Army, a Navy, and provide for their regulation. This was the way that the Parliament in the 17th century gained control of the government by gaining control of the military, among other things, by keeping on a short leash the law that permitted courts martial.

The Department of Defense is and ought to be conducting its own investigation; but if we are worth our salt, if we are up to the powers the Constitution vests in us, we must conduct our own investigation.

□ 1400

Woodrow Wilson once said that our greatest power is the power to investigate, to inform, to check the Commander-in-Chief, to notify, to make the American people understand what is happening in their government. So this is not a matter that we can delegate. This is not a matter that we can

trust anyone else. This is a matter where we must not take the role of outsiders looking in. We should launch our own investigation. And one of the places where this resolution stops short, I would say to my good friend, the chairman of the committee, is that it does not emphatically call for our own independent investigation to lead wherever the facts may take us. We should do it because it is our duty. We should do it because of the trust we hold. We should do it for the sake of the soldiers, the vast majority of soldiers, who have served honorably, who have served and sacrificed and secured the interests of our country.

But here, as in many places, this resolution pulls its punch. I support it. I will vote for it, but I think it should be more emphatic, more outraged, and I think it should be more of a beginning to our effort than an end, to the constitutional trust that we all hold, to find the facts, to ask why we are so late ourselves in being informed, and to see that the truth and the whole truth comes out.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

I say to my good distinguished colleague I invite him to come to our committee hearing in which we are conducting oversight in this matter at 3 o'clock tomorrow afternoon, and I also remind him that we have now carried out by those people that we have trusted in uniform in the Iraqi theater and elsewhere, six investigations now ongoing into this particular matter, six investigations.

Mr. SPRATT. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from South Carolina.

Mr. SPRATT. Mr. Speaker, I have great respect for the gentleman, and he and I served together, as he will recall, on one investigative panel that looked into what happened in Beirut in 1983. We had both been there a month before, both talked about what happened, and that was an investigation that really did unearth new facts. And it is a good illustration of why we need to have a similar investigation here where our committee has searched its constitutional authority and gets to the bottom of this matter.

Mr. HUNTER. Mr. Speaker, I would say to my colleague that we have three of the people involved in this who have been bound over to the court-martial convening authority for general courts martial, that is, for criminal prosecutorial activity, and to say to my colleague again, who has told me many times about how much he respects our people in uniform, that our people in uniform themselves, starting with the private who reported this, have six investigations ongoing. And I think part of our job is not just to have oversight, but also to trust to the honor and integrity of the people who wear the uniform, and we now have six investigations going forward.

So let us have this hearing tomorrow and see where we go from there, but

my feeling is we have good, competent, honorable people undertaking these investigations.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Oklahoma (Mr. COLE), who cares so much about America's men and women in uniform.

Mr. COLE. Mr. Speaker, I rise today in support of the resolution and to express my revulsion and disgust at the abuse of Iraqi prisoners by a few reprehensible and unrepresentative individuals in our military or operating as representatives of our government.

The very first time I spoke on this floor, it was to warn Saddam Hussein and the Iraqi army of the consequences of not treating our prisoners of war in accordance with the Geneva Conventions. I feel just as strongly about the prisoners of war that are in the custody of our military.

This is not an issue I take lightly. My own uncle was a prisoner of war during World War II. He suffered terrible personal abuse.

Now a few soldiers have brought disgrace upon themselves. And in the process, they have embarrassed our Nation, its Army, and risked the lives of our soldiers.

Mr. Speaker, these abuses must be dealt with and the perpetrators prosecuted and punished. The incident represents a failure of leadership, clear and simple. Those in the chain of command responsible for this breakdown must be identified and sanctioned in some way stronger than simple letters of reprimand.

This resolution and the actions that follow are what makes us different from other nations, Mr. Speaker. Here in America when something like this happens, we put it out in front of the world, we identify the perpetrators, prosecute, and punish them. That is what our soldiers fight for. That is what 30 soldiers from my own district have died for.

In America, we do not have gulags. We do not have concentration camps. And we do not tolerate the mistreatment of those who are incarcerated. We are a just society built upon the rule of law. But make no mistake. Our cause in Iraq is just, and we will be successful in spite of this shameful episode.

Mr. Speaker, the vast majority of our soldiers are honest and upright and willing to risk their lives to defend and advance the cause of freedom. I know. I have had the honor of visiting them, and I am quite sure that they are as disgusted and outraged by the conduct of these few individuals as we in this House are.

Mr. Speaker, I would encourage other Members to vote in support of this resolution, but also to thank the many soldiers who serve us and the Iraqi people, while we sanction the few who have violated our trust.

Mr. SKELTON. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. HOYER), who is the minority whip.

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, the fact that we are on this floor today considering a resolution condemning outrageous conduct by American soldiers and perhaps some civilians against defenseless Iraqi detainees is an unmitigated and shameful embarrassment for this Nation. This abuse, which is as criminal as it is un-American, demands full accountability. And full accountability must be demanded not just at the bottom of the military chain of command, but for the highest ranking military and civilian officials who knew or should have known about this behavior and either turned a blind eye to it or failed to immediately address it.

Let us be clear. The buck should not and it must not stop with a 20-year-old enlisted man or woman who may well have thought they were acting within the framework of a psychology that permitted them to demean and deny basic decency of treatment to detainees.

Mr. Speaker, 43 years ago, I stood in front of this Capitol building as President Kennedy told the American people in one of the most famous inaugural addresses in our history that Americans, he said, are "unwilling to witness or permit the slow undoing of those human rights to which this Nation has always been committed and to which," he said, "we are committed today at home and around the world."

Mr. Speaker, I believe we are still committed to those. That is the America that every Member of this body knows and loves; an America that stands for the rights and dignity of every human being; an American America that fights oppression, inhumanity, and intolerance wherever it rears its head.

This Congress, the elected representatives of 290 million Americans, must fulfill its constitutional duty as a co-equal branch of government and demand accountability for these criminal acts. This means that we must hold hearings so that the American people and all the world know the truth about this episode.

I am pleased to see the chairman of the committee is holding hearings. Some 4 days ago, he said they were not necessary and the leader of his party said they were not necessary. Those who perpetrated these criminal acts and those who created the environment in which such acts were thought to be acceptable should be, must be, held accountable.

Today we learn that the Secretary of Defense has known for months that prisoners in Iraq and Afghanistan have been humiliated, beaten, tortured, and even murdered. Twenty-five prisoners have died in U.S. custody. And, still, there is virtually no accountability for those deaths. No House congressional inquiry, no presidential or secretarial condemnation, and no end.

The buck must stop somewhere. Private admonishments are not sufficient. Full public accountability must be demanded. If the Secretary of Defense failed to perform his duty, he should be held responsible. If anybody below him failed to perform their responsibility, they too should be held responsible, as should those perpetrators.

Mr. Speaker, it is nothing short of tragic that this indefensible conduct threatens to overshadow the extraordinary courage and sacrifice of our brave men and women in our Armed Forces. I have supported their efforts and supported the President in removing Saddam Hussein. We have liberated 25 million Iraqis from the clutches of a ruthless dictator. How proud we are of our men and women in uniform.

The only way we can remove that dark cloud that now hangs over their noble efforts is to ensure that those who have acted outside the law are required to answer to it and those who allowed it to go unchecked and unpunished are removed from positions of responsibility.

Finally, Mr. Speaker, let me say that the damage inflicted upon our image and standing in the world is incalculable. As Tom Friedman pointed out in the New York Times this morning, it has been quoted before but let me quote it again: "We are in danger," he said, "of losing something much more important than just the war in Iraq. We are in danger of losing America as an instrument of moral authority and inspiration in the world."

I will offer a motion to recommit, which makes more clear our outrage and more pointed our demand for full investigation and responsibility. I urge my colleagues to support it.

I thank the gentleman for yielding me this time.

Mr. HUNTER. Mr. Speaker, I yield myself 15 seconds.

To address the distinguished majority whip, the distinguished majority whip, like the previous speaker, is wrong. The statement was put out by the Army on January 15 that this investigation was taking place, 2 days after the soldier came forward. And 3 days after the soldier came forward, it was given in General Kimmitt's address to the combined audiences of Fox News, MSNBC, and CNN. That is not turning a blind eye.

I will give the gentleman the notice. It was put out on January 14. He can look at it.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. COX).

Mr. COX. Mr. Speaker, I thank the chairman for yielding me this time.

Mr. Speaker, this is not merely a matter of a small number of individuals who have violated the code of military justice. This is a disgrace. This country led an international effort to end the regime of a cruel dictator who abused his people. Now men and women wearing the American uniform have abused Iraqis.

The injury they have caused does not end with the Iraqi prisoners. They have

undermined the war effort. They have risked its success as surely as if they sold military secrets to the terrorists. They have humiliated our Nation more gravely than mere terrorists ever could. They have dishonored every brave American soldier who has lost or risked his life in the war effort and to help the people of Iraq. They have wasted the effort of those brave Americans who have rehabilitated more than 1,700 schools in Iraq. They have squandered the work of a global coalition that has delivered more than 25,000 tons of pharmaceuticals and supplies to health care facilities in Iraq and vaccinated over 70 percent of children in Iraq against polio, tuberculosis, measles, and diphtheria.

If ever justice could be swift, let it be now. If ever the punishment could fit the crime, let it be now. If ever our Nation needed the prayers and support of men and women of goodwill, it is now. The success and survival of liberty depend upon it.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Speaker, first, let me say to the gentleman from California (Mr. COX) that I associate myself with his remarks and thank him for those comments. Let me say to my friend, the chairman of the Committee on Armed Services, he and I voted together probably 95 percent on issues of defense.

□ 1415

I will tell my friend, he has repeated the fact that we knew this in January at least four or five times, that I have heard. If that is the case, and I take him at his word, frankly, I did not focus on it, the chairman did not focus on it, there have been no hearings, there have been no investigations. It is a shameful reality that perhaps some knew this as early as January, and we are here today, some 4 months later, with the public getting that information and the Members of Congress being energized by it. And this resolution did not come from your committee, I say to my friend, until almost mid-May, notwithstanding the fact that you read that disclosure over and over and over again.

Mr. HUNTER. Mr. Speaker, I yield myself 10 seconds.

Mr. Speaker, let me just say to my friend, you say some knew about this. The combined audiences of Fox News, MSNBC and CNN heard this in the daily briefing in January. So your statement that the administration turned a blind eye to it is not true. They initiated an investigation, once again initiated by General Sanchez, 3 days after the soldier came forward.

Mr. SKELTON. Mr. Speaker, may I inquire how many minutes are left.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Missouri (Mr. SKELETON) has 3 minutes remaining, and the gentleman from California (Mr. HUNTER) has 8 minutes remaining.

Mr. SKELTON. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Massachusetts (Mr. OLVER).

(Mr. OLVER asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. OLVER. Mr. Speaker, I rise in opposition to this resolution.

Mr. Speaker, the whole world now knows about the abhorrent behavior of American interrogators and guards at the Abu Ghraib prison and at other facilities maintained by the U.S. military in Iraq and Afghanistan. Unaccountably, neither Secretary of Defense Rumsfeld nor Chairman of the Joint Chiefs of Staff, General Meyers, took the matter seriously enough to brief the President on the Pentagon report that there were numerous, specific instances of "sadistic, blatant, and wanton criminal abuses" by American prison guards at Abu Ghraib. The President knew since January that a general investigation into the treatment of prisoners was ongoing, but neither the Pentagon nor the White House acknowledged that investigation until this week when hundreds of extremely graphic photographs were made public.

I opposed the war in Iraq in part because I was convinced that unilateral American military action in Iraq would lead to an increase in the number of terrorists. The behavior of American prison guards at Abu Ghraib will further breed hatred for the United States and sympathy for those who do us harm. The images of American soldiers humiliating prisoners in Iraq have caused severe damage to our efforts to establish Iraq self-rule and hold free elections. Our standing in the Islamic world is now far worse than it was even last week.

I am convinced that two actions are now necessary.

First, Secretary of Defense Rumsfeld must resign. The events at Abu Ghraib prison were the inevitable result of the Secretary's policy of ignoring the Geneva Accords that govern the rights of prisoners. Despite overwhelming criticism at home and around the world, Secretary Rumsfeld insisted that the United States will no longer be bound by the Geneva Convention and decades of previous practice by the U.S. military in its handling of detainees in foreign countries will be ignored. The Secretary's insistence on handling prisoners in secret and outside the law has led to an unaccountable regime in which prisoners in both Iraq and Afghanistan have been humiliated, beaten, tortured, sexually abused and killed.

Second, there must be a comprehensive investigation by Congress into the treatment of prisoners of war. There must be an investigation independent of the Department of Defense, where the abuses occurred, that includes an examination of the role of civilian contractors and other civilians who may have played a role in the incidents of prisoner abuse. A thorough investigation by Congress would reveal the systemic deficiencies that contributed to such abuse. Among the questions that must be answered are: How widespread were these incidents of prisoner abuse? Were personnel trained adequately to do the jobs to which they were assigned? When did senior leadership of the Department of Defense learn of these allegations? Was their response timely and did it reflect the profound seriousness of this situation?

The American people must have answers to these questions. I realize that congressional investigations will take months, but Secretary Rumsfeld must resign. By ignoring international law and insisting on a policy that allowed these prisoner abuses in Iraq to occur, the Secretary has greatly damaged our country's standing in the world and compromised our national security.

America cannot win the peace in Iraq while, in America's name, some, however few, commit outrages, as part of the occupation, more akin to those attributed to Saddam Hussein.

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, like all of us in here, I am sickened by the images of our military abusing Iraqi prisoners. These actions are deplorable in and of themselves, and it is even more so when we as an American society stand for justice and the protection of human rights. The abuse tears the very fabric of the values which make America great.

This abuse not only degrades the prisoners and the Muslim culture, but ours as well. If these abuses sicken me and most Americans, think of the legitimate reaction of those in Iraq and the Middle East and the world.

It should also trouble Americans that this terrible episode is being exploited by partisans who wish to make it an election-year issue. Republicans and Democrats should stand arm in arm condemning what occurred, apologizing for these abuses, and demonstrate the decent values for which America and we all stand.

I appreciate the President going on Arab television yesterday to directly address the Arab people. It is a good first step. But more must be done to rehabilitate our benevolent reputation.

We need to thoroughly investigate and make sure that those holes that allowed this to happen are plugged. America should stand for nothing less.

Mr. SKELTON. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I might say there was a serious attempt to have a bipartisan resolution today; but let me say that on this side we were not shown a draft until almost 6:30 last evening, and we were not permitted to share a copy with our leadership until 9:45. Our leadership was not given the opportunity to make a change on the draft that was given at that time, and we were not given a copy of the final version of the bill until after it had been introduced. When the leadership could not reach unanimous consent; we were not given the opportunity to offer an alternative, an amendment or even a motion to recommit. I was hoping we could do a better job of being bipartisan, but we are here and I intend to vote for this.

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BUYER), a former member of the Committee on Armed Services, who is a colonel in the Army Reserve and was in fact a JAG officer at our POW camps in Gulf War I.

Mr. BUYER. Mr. Speaker, I thank the gentleman for yielding me time.

First of all, we are all outraged by the criminal conduct of a few. War is not simple; war is not easy. By its nature, it is chaotic. It is an effort to find humanity in a very inhumane environment. That is the reason for the creation of the Geneva Conventions and the laws of war. The United States is a signatory to the Geneva Conventions. The United States has not violated the Geneva Conventions. The United States is enforcing the Geneva Conventions and our laws under it. That is an important message for the world to know.

The United States sets the standard for the world. So we here in this body need to speak in a unified voice in the message to the world that we support the Geneva Conventions for bringing humane treatment to individuals, whether they are prisoners of war, whether they are detained civilians, whether they are detained personnel. It does not matter what status.

Sure, you get into the technicalities of the law, but what is important is that we be treated humanely. There is no justification whatsoever for these "softening up" of individuals for interrogations. What occurred was wrong.

This did not occur whatsoever in the first Gulf War. I participated in interrogations. I was at the Joint Interrogation Facility. There was never even a hint nor even a rumor with regard to the mistreatment, abuse, or maltreatment with regards to prisoners.

What occurred here is wrong, and every American should be outraged. What is important is that we recognize there was a failure of the chain of command within the 800th MP Brigade and that individuals need to be held accountable. The question is, where does it go from there, whether that accountability function is strictly just of soldiers, or does it in fact move to civilian leadership in the Pentagon?

What I do know about facts is that facts are very stubborn things and that facts will hold the test of time. So beyond the rhetoric, beyond any form of allegation, beyond the spin, facts.

Mr. Speaker, it is important for this body to speak in a unified voice; let all of the investigations come through, let the sun shine in, let the world know and the facts will determine where the accountability lies.

Mr. SKELTON. Mr. Speaker, I yield the balance of my time to the gentleman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding time and for his tremendous leadership on behalf of the national security of our country. I also thank the gentleman for his attempt to develop a bipartisan resolution that would bring us all together and take the opportunity to send a true message to the world of democratic values.

Mr. Speaker, last Thursday, Secretary Rumsfeld came to the Congress

and he briefed Members of the House of Representatives on the situation in Iraq. He neglected to tell Members of Congress that the situation in Iraq included this most unfortunate, disgraceful situation in the prison. He withheld that information from the Congress of the United States when he had full knowledge of it and apparently had full knowledge for a while.

Indeed, that very evening, "60 Minutes" broke the story, a story it had been working on for a while. So why was Congress the last to know, especially on a day when the Secretary was briefing the Congress on the situation in Iraq?

The distinguished chairman of the Committee on Armed Services has said repeatedly in the course of this debate that this information was made public in January by a public statement by General Kimmett. I do not know when that constituted keeping Congress informed; and if that is the standard, if a sentence that does not really explain the situation expressed in a press conference in Iraq meets the standard for informing Congress, then we are in a lot more trouble than we even thought.

Please do not bring that up as an example of "letting us know," because I do not think anybody, even within the administration, would have called that sufficient notification to Congress.

Since last Thursday when the Secretary of Defense withheld information from the Congress, the Senate has held robust hearings. They stopped in their tracks. They stopped the business of the Senate, which was the reauthorization of the Defense Act, and went into committee as the Committee on Armed Services because of the urgency of this matter. Yet this House had to be dragged kicking and screaming into having hearings on the subject. We should have hearings not only in the Committee on Armed Services, but in the Committee on International Relations. We should be having these hearings in the Committee on the Judiciary as well. We should be having these hearings in the Permanent Select Committee on Intelligence, it touches so many jurisdictions in this House, because we must get to the bottom of this.

So today we have this resolution that has come to the floor, missing an opportunity to send a very clear, forceful, values-based message to the world and to the American people about who we are and what we stand for and what we will not tolerate in the behavior of our people.

We all agree that our troops, our men and women in uniform, and even the civilians over there, are courageous, patriotic, and have acted with great courage. They are willing to sacrifice their lives. We owe them our deepest gratitude and respect and our prayers. This resolution acknowledges that fact, and it is right to do so.

Some U.S. personnel, military and civilian, abused Iraqi prisoners in ways that are shocking and reprehensible.

The resolution acknowledges that fact and deplors it. Unfortunately, by including a number of causes that seek to compare life in Iraq after the invasion with conditions that existed before, the resolution creates an inference that whatever post-invasion improvements exist, somehow they mitigate the abhorrent nature of the treatment of the prisoners. These "whereases" have no place in the same resolution.

The resolution should be focused tightly on the scandal and the need to find out why it occurred and who should be held accountable. Diffusing the focus conceals an important fact: this scandal increases the danger to our troops in Iraq, makes their mission more difficult to accomplish, and threatens the interests of the United States around the world. Even with a concerted effort in which a better-crafted resolution could have played an important part, it will be a very long time before the standing of the United States is restored in the eyes of the world, unless we face up to this matter.

Congressional oversight of the war in Iraq has not been aggressive enough. The administration's failure to provide accountability for its policies and an accounting of the money already provided has not been questioned adequately. Compounding that record of inaction by not investigating this matter thoroughly will be inexcusable.

This resolution could have called clearly for congressional investigations, to include a review of the role that the U.S. civilian contractors and other civilians may have played in it. That suggestion was outright rejected by the Republicans, saying we will not include the investigation and the contractors in this resolution; we will not add it. And it begs the question, Why?

Today, America has an opportunity to show the world our greatness by sending a message to the American people and to the world that we deplore this conduct, that we understand the significance of these abuses in the eyes of the Arab world, and that we will act to uncover the facts to find out who is responsible and to make sure that it will never happen again.

Every opportunity we get, we will always offer our praise and gratitude to our troops. We could have done that in a resolution that would have had bipartisan support, because it was very important that we send a message to the Arab world that we do understand the significance of these abuses to them. This is very, very, very significant; but it has been lost in the resolution before us.

Mr. Speaker, I urge my colleagues to support the motion to recommit to be offered by the gentleman from Maryland (Mr. HOYER), which delivers a message that truly reflects America's values.

□ 1430

It does so clearly and forcefully, and there is a reason for that. The gentleman from Maryland (Mr. HOYER) has

been a champion for human rights for as long as he has been in the Congress, and probably longer. His leadership on the Helsinki Commission, his bipartisan work on these issues gives him standing and authority to speak in a way, again, that clearly reflects America's values.

The Republican resolution does not do that; the Hoyer motion to recommit does.

Let us leave no doubt in the hearts and the minds of the world that we will live by the principles that we preach.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume just to reiterate the same thing that I have been stating, and that is that 2 days after the soldier in January reported to his superiors that abuses were taking place, the United States announced to the world in their press release that we were undertaking an investigation. And a few days after that, 4 days after the facts came forward, we announced to the combined audiences of Fox News, MSNBC and CNN, millions of people, that the investigations were taking place.

The investigations proceeded. We now have three individuals who are being recommended to the Court-Martial Convening Authority for court-martial for prisoner abuse, assault, dereliction of duty, and a large number of people in the chain of command have had their career ended, not because we found any connection between them and the acts, but because it was on their watch that these things took place.

I want to say just one thing about Mr. Rumsfeld before I recognize another speaker, Mr. Speaker. We have 135,000 good, hard-working, courageous uniformed men and women in theater. They are in contact in firefights on a daily basis. The job of the Secretary of Defense is to see to it that we win this war. He assigned to the legitimate, appropriate departments this investigation and told them to go forward, which they did, resulting in the criminal prosecution machine being set in motion under our court-martial authority, and he went back to trying to win this war. That is the appropriate action for the Secretary of Defense.

Mr. Speaker, I yield 2 minutes to my good friend, the gentleman from California (Mr. THOMPSON), a great member of the 173rd Airborne in the Vietnam War.

Mr. THOMPSON of California. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I would like to commend the chairman and his colleagues on that side of the aisle on their debate today and associate myself with the remarks that they have made. I agree that this debate should not be limited to the actions of those responsible for these inhumane acts.

It is also about the tens of thousands of U.S. military personnel who are performing their jobs honorably and bravely in the face of danger every sin-

gle day. It is important for us to focus on these men and women today, Mr. Speaker, because the system that broke down and the system that is responsible for these inhumanities has just placed an even larger target on each of their foreheads. For the 138,000 brave men and women, and for the countless other Americans in Iraq today, their lives have become even more perilous with every new disclosure of atrocity.

This Congress was kept in the dark for months, but now the lights have been turned on. For every minute we take to find our voice, to take a bold action, to demonstrate to the world that American democracy and humanity are more than words that we teach to schoolchildren, is another minute that our soldiers face more danger and even greater odds than they would have faced otherwise, and they exacerbate their chances of getting back home to see their families again.

If this debate is truly about them, I say to my colleagues; if this debate is truly about them, they deserve more than a few words on this floor today. They deserve accountability, and they deserve action, and they deserve it now.

Mr. HUNTER. Mr. Speaker, I yield our remaining time to the gentleman from Texas (Mr. DELAY), the majority leader.

Mr. DELAY. Mr. Speaker, I want to thank the ranking member, the gentleman from Missouri (Mr. SKELTON) and the chairman, the gentleman from California (Mr. HUNTER) for bringing this resolution to the floor.

When I spoke to the chairman of the Committee on Armed Services, I asked him what we should do about this incident. There was a lot of discussion about a lot of things, but we were talking about doing this resolution. I told him at the time that we wanted to make sure that this was bipartisan, and he expressed himself that we needed to have a resolution that condemned the actions at Abu Ghraib prison but, at the same time, we needed to talk about our troops. That is what this resolution does.

When others tried to come in and impose politics into the resolution, it was rejected.

This resolution is exactly written the way it should have been written, and I congratulate the gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. HUNTER) for doing it the right way.

The alleged abuses inside Abu Ghraib Prison in Iraq are an outrage. They are crimes by any definition of any terms in any culture, and their perpetrators must be dealt with swiftly and fully. Our government has a responsibility to find out exactly what happened, what went wrong, and make sure it never happens again. But while we meet that responsibility, we cannot allow these shameful crimes to undermine or distract the American people or ourselves from the task, the clear moral imperative at hand.

Operation Iraqi Freedom, whatever difficulty we have faced since the end of major combat, has been an absolute good for the cause of human freedom in the world. The men and women serving the United States in Iraq won the swiftest and most humane military campaign in history, and they turned from that victory in major combat to a protracted, difficult, and bloody guerrilla war against terrorist insurgents that still takes American lives every week.

We must, I say to my colleagues, we must not forget that while we have this chance to speak with one voice condemning what has happened in the Iraqi prisons, the war still rages. Attempts to politicize the abuse revelations will rightly be seen by our enemies as opportunities to recruit, to propagandize, and to incite.

The world must know that the abuses we have seen in recent days do not reflect the views, policies, or fabric of this Nation.

Our men and women in uniform are fighting today. Indeed, American blood is flowing in Iraq as we speak, and it is, therefore, incumbent on this body to offer our support for our troops and their mission all the more strongly today.

Our troops are changing the world and building a future for the people of Iraq, sacrificing more than most of us can know for the survival and success of liberty. They are the finest ambassadors, wherever they go everywhere in the world. They are the only thing that separates us from another 9-11. And in their time in Iraq, our servicemen and women have helped to rebuild schools, hospitals, food security systems, and infrastructure. They are an Army of charity. They are laying down their lives and their futures so that others might have themselves the freedom that we all take for granted.

"Greater love hath no man than this, Mr. Speaker." Our heroes must know that even in these troubling times, that love is returned.

Ms. WATSON. Mr. Speaker, I rise in opposition to H. Res. 627, a resolution condemning the abuse of persons in U.S. custody in Iraq.

Every member of this body is outraged and saddened by the recent reports of the abuse of prisoners in Iraq as well as Afghanistan. H. Res. 627, however, is a "feel good" resolution that fails to empower Congress to exercise its oversight role in the investigation of the Iraqi prisoner scandal. Moreover, the resolution before us today was crafted by a narrow Republican majority, which once again did not permit either the appropriate committees of jurisdiction or the Democratic leadership to participate in the process of crafting language for the resolution.

In effect, this resolution does absolutely nothing. It fails to put forward any policy language to address the serious issues at hand. Most egregiously, the resolution fails to offer any form of apology to the prisoners abused or the Iraqi people.

The United States stands on the precipice of a major foreign policy disaster. It is long past time to change course in Iraq. Defense

Secretary Rumsfeld and Deputy Secretary of Defense Wolfowitz are the principal architects of this failed policy. I once again call upon the President to seek their resignations. Only then will the people of Iraq and the world perhaps begin to view U.S. actions and intentions in a more favorable light.

Ms. ROYBAL-ALLARD. Mr. Speaker, I will be voting for the resolution today because I agree with its praise of our troops in Iraq, who under difficult circumstances continue to display high standards and professionalism during the occupation and rebuilding of Iraq.

However, I am very disappointed in the resolution and will vote for it with reservations. The primary purpose of the resolution should have been to deplore any abuses which have occurred while prisoners are in U.S. custody, and to demand swift prosecution of those who committed illegal or unethical acts, including those responsible in the military chain of command. Atrocities in the Abu Ghraib prison, and anywhere else they may have been committed, must be thoroughly and openly addressed through congressional investigations. These investigations must also include the conduct of American contractors who had a role in overseeing prisoners. Irresponsibly, these important points are left out of the resolution the House is considering today.

The recent abuse of prisoners in the Abu Ghraib prison is not only disgraceful, it is damaging to the interests of the United States, and ultimately it endangers our men and women in uniform not just in Iraq but around the world. We must act quickly to convince the court of world opinion that the American people do not tolerate illegal or unethical conduct by Americans and will take the necessary steps to stop it and prevent it from happening again.

Mr. MEEK of Florida. Mr. Speaker, I rise to strongly oppose H. Res. 627, the Iraqi Prisoner Resolution, because it is simply deficient as a statement expressing the outrage and revulsion that I feel, and that I believe the American people feel, about the despicable abuse and humiliation of these prisoners.

The resolution also lacks any call for bipartisan congressional investigations to be conducted immediately into these allegations of abuse, including those by U.S. civilian contractor personnel or other U.S. civilians, and into chain of command and other systemic deficiencies that contributed to this abuse, which have been called for by members of both parties.

It is impossible to exaggerate the seriousness and importance of this abusive mistreatment. It sets us back in the War on Terrorism by turning against us the very allies among moderate Muslims that we need in order to be successful. It taints the reputation of our Nation in the world community and the reputation of our men and women in uniform for years to come. It undermines U.S. credibility as the world's leader in the protection of international human rights. It hurts our efforts to protect the state of Israel and broker peace in the Middle East. And it invites similar abuse of members of our military, indeed any U.S. citizen, who may be captured by our enemies in the future. My great fear is that American lives will be lost because of the impact of this illegal, inhumane and un-American mistreatment.

The Bush administration has not gone nearly far enough or fast enough to apologize for these human rights abuses, or to hold accountable those who are responsible for them,

and neither does this resolution. I am therefore opposed to it.

Ms. ESHOO. Mr. Speaker, every American is appalled by the images and reports of the mistreatment of prisoners at the Abu Ghraib prison in Iraq, images which have now been shown around the world again and again over the past week. These criminal actions have greatly undermined America's credibility around the world, humiliated the prisoners and their families, besmirched the reputation of our Armed Services, and placed our troops and civilians at heightened risk. The good work of American troops has been diminished significantly and the Arab world is outraged.

While it's highly appropriate for Congress to condemn these criminal actions, this Resolution does not go far enough in offering a remedy. The Resolution does not call for a full Congressional investigation. Indeed, the Majority has blocked the Minority today from adding a provision that would launch such an investigation. The Resolution ignores the necessity of an investigation to examine the role that intelligence officials and private contractors may have played in these crimes. We have to pursue the truth wherever it takes us and as high up the chain of command as we must go. Finally, the Resolution does not call on the Administration to be fully accountable and to report fully to Congress and the American people about the scope of this most serious issue.

The Congress has been kept in the dark for months about the abuses in Abu Ghraib prison, yet no one from the Administration has informed Congress or offered an apology. In fact, Secretary Rumsfeld came to Capitol Hill to brief Congress on Iraq last week, but never even mentioned these serious abuses and the catastrophic fallout internationally against the United States.

Mr. Speaker, there must be consequences. Reprimands aren't enough. The people in charge should be replaced, beginning with the Secretary of Defense.

A year ago I traveled to Iraq and Kuwait and met with our troops and intelligence officers. The vast majority were doing their jobs superbly well under very trying and dangerous conditions. Their efforts have been made immeasurably more difficult by the actions of a small group.

While we express our outrage, we must do more. There must be a full accounting and there must be consequences. Unfortunately, this Resolution demands none. I vote for this Resolution with all these reservations and concerns, but it cannot be the end of the story. We could have done so much better on a bipartisan basis, and it is regrettable that we did not. Congress now has its constitutional responsibility of oversight and investigation to bring out the entire truth and then move to shape policies that will help assure this doesn't ever happen again.

Ms. DEGETTE. Mr. Speaker, while the recent reports and graphic photographs of the alleged prisoner abuse at the Abu Ghraib prison sound similar to the atrocities that occurred under the cruel dictatorship of Saddam Hussein, these unbelievable instances of brutality and inhumanity, instead, allegedly took place under American command, perpetrated by American troops. Sadly, the Abu Ghraib prison—the very prison that epitomized all that was evil under Saddam Hussein's regime to the Iraqi people—still represents evil, only under a new name.

Accordingly, Congress must send an unwavering message to the Iraqi people and to the rest of the world that the United States will not tolerate the alleged atrocities that have occurred in the Abu Ghraib prison. While I will vote for this resolution, I do not want to simply join my colleagues who want to pay lip-service to a solution without any subsequent action. Congress must ensure that the perpetrators of the alleged brutality, as well as those leaders who let such inhumanity occur under their watch, be brought to justice. Just as importantly, Congress must investigate the scope of this problem; the increasing number of revelations of alleged prisoner abuse at Abu Ghraib and other prisons in Iraq, leads me to believe that such brutality may not be isolated to six or seven individuals. We need to ensure that such abuse is not systemic within and outside of the chain of command by conducting a bipartisan Congressional investigation and by holding Congressional hearings.

Additionally, we must make sure that all people who participated in this alleged abuse are held accountable. This includes the private contractors who were allegedly involved in the brutality that took place at Abu Ghraib. While the Department of Defense has reportedly launched several investigations, none has yet to address the role that the private contractors played. In fact, several reports indicate that the private contractors who were named specifically in the classified Taguba report are still working as paid contractors in Iraq. Not only must Congress hold hearings to investigate the alleged role of the private contractors in the alleged prison abuses, the U.S. Department of Justice must also exercise its ability to investigate, and if warranted, prosecute those individuals to the fullest extent of the law.

Congress must also guarantee that this Administration is held responsible for its actions or more precisely, its inaction, and for its policies that may have allowed such atrocities to occur. The actions of Secretary Rumsfeld and the Pentagon, including the decision that the United States would no longer adhere to the Geneva Convention as well as the ruling that detainees would be held without due process, have arguably helped to create a standard for the treatment of prisoners, which allows for humiliation, torture and murder.

Even worse, Mr. Rumsfeld has not only not read the Taguba report in its entirety, he has failed on numerous instances to respond to other reports of alleged violations and abuse. There is no excuse for his woeful negligence. If Mr. Rumsfeld had responded to these reports, these abuses may not have occurred to this degree, or at all. Mr. Rumsfeld must be held responsible for his part and if doing so requires his resignation, such action must then be called for.

Mr. LANTOS. Mr. Speaker, I join my colleagues in expressing revulsion at the deeply disturbing images that have ricocheted around the world, showing abuses committed by members of the U.S. armed forces against Iraqi detainees. I have seen first-hand the abuse of civilians and others during wartime. I understand the dehumanizing humiliation that can be perpetrated against an individual. At the same time, I also know that if it were not for the bravery and heroism of the U.S. military, I probably would not be walking on this earth—and there are countless people around the world who could say the same thing.

It is important to keep in mind that the overwhelming majority of our men and women in

uniform have acted honorably in fulfilling their duty in Iraq. They have risked their lives and suffered personal hardship to fulfill their responsibilities, and we continue to respect their sacrifices. These loyal soldiers have been tainted by the appalling acts of a small number of individuals.

Mr. Speaker, among the most important values that we as Americans share are our profound respect for freedom and the rule of law, our respect for the value and worth of the individual, and our commitment to protect and respect human dignity. In this context, the images that we have seen in the past few days were simply sickening to me. They do not represent our American character. They do not represent the selfless sacrifice of more than a hundred thousand American soldiers in Iraq, trying to bring a new dawn to that country after decades of nightmare.

On a purely personal level, I find the actions of these individuals abhorrent. On behalf of all Americans, let me express my deepest regret and apologies to all those who were wrongfully mistreated at the hands of a few. There can be no excuse for these actions. Any American should know that they are wrong. Indeed, the Geneva Conventions adopted after the Second World War clearly prohibit this behavior and were accepted by virtually every nation in the world to prevent these abuses.

But Mr. Speaker, as everyone knows, these events are not merely about wrongdoing by a few foolish and misguided individuals that caused profound personal suffering. They have also damaged our credibility and crippled our efforts to pursue critical national security goals in the Middle East and around the world.

I welcome this resolution that we are considering today, Mr. Speaker, but this resolution is not enough. We must take action to be certain that such tragic and unfortunate actions do not occur again. Our standing and our goals and objectives in the Middle East require that we do more. The entire detention system in Iraq must be investigated and those responsible for perpetrating these horrendous events must be brought to justice.

Mr. Speaker, the responsibility for this episode is not only borne by the few who committed these offenses. These events represent a failure of leadership—not only in Iraq but throughout the chain of command. We must determine where and why those leadership failures occurred, and take appropriate remedial action. And we must also examine why it has taken months for this failure to be addressed. The initial reaction was slow and tepid at best. These atrocities should have generated an immediate and powerful response.

Mr. Speaker, it is not enough to say that the Iraqi people are better off today than they were under Saddam Hussein. It is not enough to say that the atrocities and human indignities that were carried out by his despicable and detested regime were more horrendous or more widespread than what we have seen in the last few days. We are—and we should be—judged by a higher standard. Because of our history and our commitment as a Nation to respect for human rights, human dignity and the rule of law, we must meet higher standards. This is who we are, and this is why we are different.

Mr. Speaker, I urge support for this resolution today, but more importantly, I urge our political and military leadership to act and to act

quickly and decisively to deal with these despicable acts and the failures that allowed them. Our credibility as a Nation committed to the rule of law and our efforts in the Middle East in the war against terrorism are at risk.

Mr. PAUL. Mr. Speaker, I rise in opposition to this resolution as written. Like so many resolutions we have seen here on the Iraq war, this one is not at all what it purports to be. Were this really a resolution condemning abuse of prisoners and other detainees, I doubt anyone here would oppose it. Clearly the abuse and humiliation of those in custody is deplorable, and the pictures we have all seen over the past week are truly horrific.

But why are we condemning a small group of low-level servicemembers when we do not yet know the full story? Why are we rushing to insert ourselves into an ongoing investigation, pretending that we already know the conclusions when we have yet to even ask all the questions? As revolting as the pictures we have seen are, they are all we have to go by, and we are reacting to these pictures alone. We do not and cannot know the full story at this point, yet we jump to condemn those who have not even yet had the benefit of a trial. We appear to be operating on the principle of guilty until proven innocent. It seems convenient and perhaps politically expedient to blame a small group of “bad apples” for what may well turn out to be something completely different—as the continuously widening investigation increasingly suggests.

Some of the soldiers in the photographs claim that their superior officers and the civilian contractors in charge of the interrogations forced them to pose this way. We cannot say with certainty what took place in Iraq's prisons based on a few photographs. We have heard that some of those soldiers put in charge of prisons in Iraq were woefully unprepared for the task at hand. We have heard that they were thrown into a terribly confusing, stressful, and dangerous situation with little training and little understanding of the rules and responsibilities. What additional stresses and psychological pressures were applied by those in charge of interrogations? We don't know. Does this excuse what appears to be reprehensible behavior? Not in the slightest, but it does suggest that we need to get all the facts before we draw conclusions. It is more than a little disturbing that this resolution does not even mention the scores of civilian contractors operating in these prisons at whom numerous fingers are being pointed as instigators of these activities. While these individuals seem to operate with impunity, this legislation before us all but convicts without trial those lowest in the chain of command.

But this resolution is only partly about the alleged abuses of detainees in Iraq. Though this is the pretext for the legislation, this resolution is really just an enthusiastic endorsement of our nation-building activities in Iraq. This resolution “expresses the continuing solidarity and support of the House of Representatives . . . with the Iraqi people in building a viable Iraqi government and a secure nation.” Also this resolution praises the “mission to rebuild and rehabilitate a proud nation after liberating it. . . .” At least the resolution is honest in admitting that our current presence in Iraq is nothing more than a nation-building exercise.

Further, this resolution explicitly endorses what is clearly a failed policy in Iraq. I wonder

whether anyone remembers that we did not go to war against Iraq to build a better nation there, or to bring about “improvements in . . . water, sewage, power, infrastructure, transportation, telecommunications, and food security . . .” as this resolution touts. Nor did those who urged this war claim at the time the goals were to “significantly improv[e] . . . food availability, health service, and educational opportunities” in Iraq, as this legislation also references. No, the war essential, they claimed, to stop a nation poised to use weapons of mass destruction to inflict unspeakable harm against the United States. Now historical revisionists are pointing out how wonderful our nation-building is going in Iraq, as if that justifies the loss of countless American and Iraqi civilian lives.

This resolution decries the fact the administration had not informed Congress of these abuses and that the administration has not kept Congress in the information loop. Yet, Congress made it clear to the administration from the very beginning that Congress wanted no responsibility for the war in Iraq. If Congress wanted to be kept in the loop it should have vigorously exercised its responsibilities from the very beginning. This means, first and foremost, that Congress should have voted on a declaration of war as required in the Constitution. Congress, after abrogating this responsibility in October 2002, now is complaining that it is in the dark. Indeed, who is to say that the legal ambiguity created by the Congressional refusal to declare war may not have contributed to the notion that detainees need not be treated in accordance with the Geneva Convention, that governs the treatment of prisoners during a time of war? Until Congress takes up its Constitutional responsibilities, complaints that the administration is not sufficiently forthcoming with information ring hollow.

This resolution calls on the administration to keep Congress better informed. But Congress has the power—and the obligation—to keep itself better informed! If Congress is truly interested in being informed, it should hold hearings—exercising its subpoena power if necessary. Depending on the administration to fulfill what is our own Constitutional responsibility is once again passing the buck. Isn't this what has gotten us into this trouble in the first place?

I urge my colleagues to oppose this resolution.

Ms. MAJETTE. Mr. Speaker, I rise today to condemn torture in all of its forms. Acts of abuse and torture must never be tolerated, and those who commit such acts must be swiftly brought to justice. It is with great sadness and anger that I viewed the pictures of frightened, humiliated, and, in some cases, injured Iraqi prisoners in Baghdad's Abu Ghraib prison. Prisoners should never be forced to endure such atrocious behavior, no matter what the cause for their detention. The acts committed on these prisoners are an injustice to the Iraqis who were victimized, the citizens of Iraq, the hundreds of thousands of U.S. soldiers who have served their country in Iraq so honorably over the past year, and all people who hope and pray for peace the world over.

Because of the rage these pictures have generated in Iraq and across the Arab world, I am concerned for the safety of our brave soldiers as they patrol the streets in Iraq, guard

police stations and hospitals and work to rebuild the infrastructure of the country. It is important that we recognize the honor with which the vast majority of our armed service members conduct themselves. In the face of tremendous danger and uncertainty, in a theater fighting combatants dressed as civilians using indiscriminate force and even killing their own countrymen, our men and women have risked their lives to protect Iraqi civilians and restore pride and honor to this war-torn country.

Moving forward, military justice must be sure and swift for those who committed these acts. It will be a long, difficult process to win back the trust and support of the Iraqi people, but we must be successful if we are to accomplish our mission in Iraq. It is essential that we do so, not just for success in Iraq, but also for the global war on terrorism. We cannot win this war alone. American soldiers' torture of Iraqi detainees is a significant setback for our country and the global war on terror.

I expect decisive action from our executive and military leaders to ensure that such abuse will never again occur, and to take the diplomatic steps necessary to salvage America's good name around the world. The American people are justifiably saddened by the waning of our moral authority since the days immediately following September 11, 2001, when the world stood with us in solidarity. If America is to continue to be a force for good in the world, we must convincingly denounce all crimes against humanity, foreign or domestic, and demonstrate to the world that we are sincere when we decry hatred, injustice and terror.

Mr. KUCINICH. Mr. Speaker, I join with my fellow Members of Congress in deploring the abuse of prisoners in Iraq by U.S. personnel. But this resolution does not go far enough.

It does not go far enough to ensure that a full and complete investigation and prosecution is undertaken. We should be opening Congressional investigations, not simply relying upon the Army to investigate itself.

It does not go far enough to demand accountability of the top military and civilian leadership of this fiasco in Iraq. We should demand the resignation of the Secretary of Defense, since we know that "rotten apples" are the fruit of a poison tree. And it's the top leadership who have grown that tree—the culture of permissiveness, disregard for the truth, and lack of accountability.

It does not go far enough to express America's regret and sorrow for the crimes committed at Abu Ghraib prison, and possibly elsewhere. We should apologize on behalf of the American people to the Iraqi people.

We have not begun to go far enough to examine the true intent and conduct of the leadership of this country. We have not gone far enough to assign responsibility and demand accountability for the misinformation and untruths that were marshaled to lead us to war. We have not gone far enough to bring an end to this unjustified war. As a result, we are seemingly surprised to discover, and then we deplore, corruption that is all too predictable from this imperial misadventure.

Mr. LANGEVIN. Mr. Speaker, as a member of the House Armed Services Committee, I rise in support of H. Res. 627. Recent reports regarding the alleged abuse of Iraqi prisoners by American soldiers are deeply disturbing and inexcusable. While I know this outrageous behavior is not characteristic of our men and

women in uniform, we must make it clear to the international community and our own citizens that such actions are not our policy or common practices in Iraq, and they will not be tolerated under any circumstances. It is unfortunate that these abuses have overshadowed the work of the many service members performing critical, and dangerous, missions to ensure a stable and safe Iraq for the newly-freed Iraqi people.

I am equally troubled by the Administration's lack of attention to such abuses in Iraq and elsewhere. There is no excuse for their failure to act swiftly to remedy this stark violation of both the Geneva Convention and basic human rights. Not only did they withhold such allegations and the subsequent investigation from Congress, but the flouting of international law continued while those responsible went unpunished.

The Administration and the Pentagon must find those responsible and hold them accountable for these heinous actions. I have joined many of my colleagues in requesting that the Military Inspector General of the Department of Defense supervise the investigation of tortured Iraqi prisoners of war, and other reported violations of the Geneva Convention at Abu Ghraib Prison. In addition, I have urged Attorney General Ashcroft to investigate the role of private contractors in these abuses. I hope that thorough and open investigations will allow us to hold the appropriate parties responsible and ensure such behavior never occurs again.

Mr. UDALL of Colorado. Mr. Speaker, I will vote for this resolution because I strongly agree with most of what it says. But I think its focus is too narrow and it does not say all that needs to be said.

The portions of the resolution calling for action are addressed solely to the Secretary of the Army. Intentionally or not, that suggests that the Army alone—not the Defense Department as a whole, and not any other part of the Administration—bears responsibility for the shocking abuses the resolution rightly condemns.

But what's involved here is not just an Army problem. It is much bigger than that. It involves not just the armed forces but civilian members of the intelligence community as well as civilians working for private companies under contract with the government.

This morning's newspapers report that President Bush has privately admonished the Secretary of Defense and that the Justice Department is examining the involvement of Central Intelligence Agency personnel as well as contract employees in suspicious deaths of detainees.

Clearly, the events at Abu Ghraib prison are only part of a bigger picture.

The resolution rightly complains about the fact that Congress was not properly informed of the abuses at that prison or the investigation of those abuses. But I am concerned that this failure to inform the Congress and the American people may not have been an isolated failure but just another instance of the Bush Administration's standard operating procedure.

In short, while this resolution is right in condemning the abuses at Abu Ghraib—and accurate in saying that they are offensive to the principles and values of the American people—passage of this resolution, by itself, is not an adequate response on the part of the House of Representatives.

We need to insist that the Administration—all of it, not just the Secretary of the Army—take strong action to change the policies and attitudes that made the abuses at Abu Ghraib possible. And we need to insist that all those responsible for those policies and attitudes be held accountable.

And that means Congress itself must do more than make speeches and pass resolutions. We must insist on finding out for ourselves; and for those we represent—the American people. They must bear the costs—in blood and treasure—for the Administration's actions in Iraq and around the world.

Those costs will be made all the greater by abuses like those cited in this resolution and the policies and attitudes that have produced them, and Congress must take an active role in making necessary changes.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to join my colleagues in support of this resolution condemning the abuse of prisoners held in United States custody. We've all seen the disturbing images of the unconscionable conduct carried out by a handful of our men and women in uniform. A swift and thorough investigation is needed, and needed now. For those responsible, justice must be swift and strong. Their conduct directly contradicts and undermines our mission in Iraq. The world is awaiting our response.

We must do everything possible to reassure the world community that all those things we take as self-evident—the honor of our military, our intentions in Iraq, our respect for human rights—remain as strong as ever. The vast majority of our troops, who perform heroically every day, are the best evidence of these tenets.

In the wake of this crisis, let us not lose sight of the fact that there are 138,000 Americans in uniform who uphold the highest standards of professionalism every day. They do so in the face of extreme danger and hardship. We should not let the egregious acts of a very small group overshadow the integrity of our soldiers nor deter our Nation from its overall objective of developing a democratic Iraq.

Mr. BEREUTER. Mr. Speaker, this Member is absolutely not satisfied with the language of H. Res. 627, as I believe it does not adequately convey how intensely this House and the American people feel about the exceptionally repugnant, insensitive, and damaging the alleged, but obviously documented, actions of the abusers of the Iraqi detainees are to all of us.

From Abu Ghraib prison, and perhaps from elsewhere, we have reports, with photographs, graphically telling and showing the outrageous abuses of Iraqi detainees by U.S. military personnel and possibly by military contractors. The international damage to the credibility and reputation of our country and our military absolutely cannot be overstated, especially in the Arab and Islamic communities. The alleged actions by at least a few members of our military, already confirmed by very recent disciplinary action, makes the job being done by our dedicated and courageous military personnel in Iraq and Afghanistan just that much harder and much more dangerous. The extraordinary gravity of this matter, the insensitivity and the degrading abuse, which has apparently been visited upon Iraqi detainees, call for swift and just accountability.

What has allegedly happened is so foreign to our country's principles and traditions and

those of our Armed Forces that these people conducting or condoning such abuse do not deserve to be called Americans. If the use of such tactics of physical abuse and sexual humiliation is not dishonorable conduct, this Member does not know what is. If supervisors of such military personnel were inappropriately unaware or unconcerned about such conduct, then this is a clear case of dereliction of duty, and this accountability should apply several levels up the chain of command. If military contractors were involved, at a minimum, the contracts with the firm which employed them should be immediately terminated.

Mr. Speaker, it is hard to imagine a more politically damaging set of actions, hopefully by just a few individuals, for American and for coalition efforts to replace the brutal regime of Saddam Hussein and to win the hearts and minds of the Iraqi people. We must have swift accountability, justice, and a demonstration that the American people repudiate such conduct and will not let it continue or happen again.

While the resolution fails to convey an important part of what needs to be said, or is at least inadequate in the aforementioned manner, it is probably impossible to vote against this resolution without seeming to denigrate the dedicated, courageous, and patriotic actions of the members of the armed forces of the United States. This Member wants our armed forces to know that their extraordinary service is greatly appreciated by this Member and the American people despite the horrendous conduct of a few service personnel, despite the failures of command and active notification procedures. Therefore, this Member will vote for the inadequate resolution as his only choice to avoid a misunderstanding by the members of our armed forces.

Mrs. DAVIS of California. Mr. Speaker, I rise in strong condemnation of the atrocious behavior of a few, who have denigrated the values of all our armed forces.

I salute the overwhelming majority of Americans who have treated prisoners with respect; their actions have gone unheralded.

Sadly, this dreadful behavior has cast a cloak of mistrust on all our brave men and women and could result in more lives being lost.

Mr. Speaker, we can't ignore the role that contractors and other government agencies have played and their complicity in these crimes.

Their actions, as well as our policies, contributed to a terrible atmosphere.

That's why I am disappointed this body failed to add a clause regarding U.S. civilian contractors personnel and other U.S. civilians.

We must shed light on their role and hold everyone accountable.

The Attorney General and Secretary Rumsfeld should publicly commit to cooperate to apply swift and firm justice.

Ms. WATERS. Mr. Speaker, I rise today to voice my outrage and disappointment in the soldiers who physically and mentally abused Iraqis at the Abu Ghraib prison.

I do not believe that these actions represent the character of our Armed Forces or of the United States. Unfortunately, however, these soldiers, through their despicable actions, have severely damaged the reputation of the United States and significantly complicated our task in the region.

Mr. Speaker, I am saddened that the President did not apologize to the Iraqi people for

these deplorable actions. An apology from the President clearly was in order.

I am also outraged, as all of us should be, that the Secretary of Defense failed to make Congress aware of these accusations in a timely manner. According to news accounts, the Department has been aware of the infamous photos, and the abuse, since at least mid-January. Yet, we only found out about them in the last week. This is outrageous and unacceptable.

Unfortunately, this is just one more example of the Administration not playing straight with the Congress or the American people. We have been misled about the weapons of mass destruction, troop levels and the length of their deployments, and the costs associated with the war—among others.

This Administration must change its way. Congress deserves better and, certainly, the American people deserve better.

Mr. MATHESON. Mr. Speaker, like many Americans, I was outraged by the images of torture and abuse of Iraqi prisoners of war at Abu Ghraib Prison in Iraq. These abuses harm U.S. interests in Iraq and the efforts of the coalition forces to foster stability in the region. It is unfortunate that the actions of a few have undermined the hard work and sacrifice of the thousands of men and women who have served in Iraq with honor and integrity.

The provisions of the Geneva Convention protect American soldiers when they are captured in battle. As a result, it is very important to ensure that we do not abuse prisoners of war in our keeping.

I believe that a prompt and thorough investigation of this matter is necessary and the individuals who were involved should be appropriately punished. I will strongly encourage both my colleagues in Congress and the President to disavow these acts and to prevent any similar transgressions in the future.

Mr. HOLT. Mr. Speaker, I rise to strongly condemn the mistreatment of prisoners and detainees in Abu Ghraib prison in Iraq. These abuses are outrageous, deplorable, un-American, and contrary to the values and ethics that our country espouses. The atmosphere that allowed this to happen shows a level of tolerance for abuse that is intolerable.

The United States has suffered a blow to its credibility and effort to bring democracy to the Iraqi people. Photographs showing the abuse that Iraqi prisoners and detainees have suffered at the hands of American personnel damage the standing of the vast majority of U.S. troops in Iraq, who are performing with honor, bravery, and professionalism.

The response of the Bush administration to reports of systemic abuse has been both problematic and disquieting. Major General Antonio M. Taguba's report detailing these abuses, prepared in late February, should have been recognized as a serious matter. Instead, it was largely ignored. I am also disappointed that the administration chose to keep Congress and the public in the dark about this situation until the national news media decided to run the story last week. The administration has a responsibility to inform Congress and act decisively when volatile situations arise.

The U.S. Congress has a critical responsibility to conduct thorough and bipartisan oversight investigations to ensure that those involved are held accountable for their actions. These investigations must address possible abuse by U.S. civilian contractor personnel or

other U.S. civilians, as well as the command structure and systemic deficiencies that contributed to such abuse.

The abuse that has occurred at Abu Ghraib is the latest in a series of very serious failures of leadership from military and civilian leaders. The President and his team were wrong about weapons of mass destruction in Iraq. They were wrong about the way American soldiers would be greeted by the Iraqi people. They were wrong about how much the war would cost and how long it would last. And they were wrong about the number of soldiers necessary to win the war and secure the peace. Now, in light of serious human rights violations, they did nothing to get to the bottom of it. This mishandling has created an international crisis that could set the Iraqi people against American efforts in the Middle East for generations. The President must recognize these consistent failures and take decisive action.

I ask unanimous consent to include in today's CONGRESSIONAL RECORD a letter that I sent to Secretary of Defense Donald Rumsfeld of February 5, along with six of my House colleagues. This letter inquires about the policy of CPA forces detaining Iraqis without due process and notification to their families. I also ask unanimous consent to include the response that we received from Thomas L. Carter, Senior Counselor to Ambassador L. Paul Bremer, III. Though the response is dated March 22, it was not received until May 3, three months after my initial inquiry. This response testifies that the processes established "afford all persons in Coalition custody all the rights and safeguards set out in applicable International Humanitarian Law."

CONGRESS OF THE UNITED STATES,

Washington, DC, February 5, 2004.

Hon. DONALD H. RUMSFELD,  
Office of the Secretary of Defense,  
The Pentagon, Washington, DC

DEAR SECRETARY RUMSFELD: I write to inquire about the policy of Coalition Provisional Authority (CPA) forces in Iraq detaining Iraqis without due process and notification of family.

Several news outlets and international advocacy organizations have criticized the CPA's treatment of Iraqi detainees. I am concerned that CPA tactics designed to secure the region are in fact compromising the long-term interests of Iraqis, other internationals, and even the CPA.

I request your response to the following concerns: What is the current procedure for communication between CPA forces and the families of detained Iraqis? Are they able to receive prompt and accurate information regarding the health and legal status of their family member; and what is the status of detainees who were to be freed under the provisional release program, and have family members of these detainees been kept abreast of developments?

I believe that CPA forces have the moral obligation to demonstrate respectful treatment of detainees and, of course, the legal responsibility to uphold the provisions of the Geneva Convention. Further, we must make sure that our treatment of detainees does not sow the seeds of resentment by Iraqis, subjecting CPA forces, other internationals, and Iraqis cooperating with the CPA, to great danger.

Seizing suspects in the middle of the night and leaving a bewildered, uninformed family behind brings to my mind the "disappeared" victims of detestable regimes around the world in the past. No American wants to see the CPA regarded as being in any way like those discredited regimes.

I understand the need to employ forceful tactics in a region that is still largely insecure and home to many insurgents and Saddam Hussein loyalists. However, I am concerned that CPA forces are not balancing the need to secure the region and arrest insurgents with their obligation to fair treatment of detainees and with the need for the cooperation of the general populace in force protection and eventual transition of political power to the people of Iraq. I look forward to your reply. If it is necessary to present your response in a classified setting, I would be willing to make such arrangements. I thank you for your cooperation with this matter.

Sincerely,

RUSH HOLT,  
*Member of Congress.*  
ROBERT WEXLER,  
*Member of Congress.*  
RAÚL GRIJALVA,  
*Member of Congress.*  
FORTNEY PETE STARK,  
*Member of Congress.*  
DENNIS KUCINICH,  
*Member of Congress.*  
BARNEY FRANK,  
*Member of Congress.*

OFFICE OF THE  
SECRETARY OF DEFENSE,  
Washington, DC, March 22, 2004.

Hon. RUSH HOLT,  
*House of Representatives,*  
Washington, DC.

DEAR MR. HOLT: Thank you for the letter from you and your colleagues to Secretary Donald Rumsfeld regarding individuals held by Coalition Forces in Iraq. I appreciate this opportunity to respond.

With regard to your question about the tactics of Coalition Forces, I would note that International Humanitarian Law obliges an occupying power to restore and ensure order as far as possible, including the detention of criminals and interning individuals for imperative reasons of security. In addition, Coalition Forces continue to retain some Enemy Prisoners of War in custody. There are therefore three classes of persons in Coalition custody: Enemy Prisoners of War, Criminal Detainees, and Security Internees. The obligations of the Coalition should be viewed in the context of the conditions that exist in Iraq. The Coalition inherited a situation whereby all the prisons had been destroyed or substantially damaged, and the entire criminal population of around 60,000 had been released onto the streets. Added to this situation is the security challenge presented by the Former Regime Elements and foreign terrorists conducting criminal outrages against the Coalition and the people of Iraq. Eliminating this violence and dealing with the criminal elements is a necessary step toward securing peace and freedom for all Iraqis. In dealing with these matters, the Coalition has established processes that afford all persons in Coalition custody all the rights and safeguards set out in applicable International Humanitarian Law.

Regarding Security Internees, the processes that have been established include review and appeal mechanisms that exceed International Humanitarian Law requirements. Moreover, steps have recently been taken to significantly increase the capacity and therefore the speed of the process. The current rate of review is about one hundred cases each day. Those who are deemed to no longer be a threat to security are being released. With regard to Criminal Detainees, a massive and expensive rehabilitation effort has resulted in the substantial transfer of the administration of criminal justice back to Iraqi authorities subject to continuing monitoring by the Coalition.

I also noted your interest in communications between Coalition Forces and the fami-

lies of individuals who are detained. Under the former Ba'ath Party regime, individuals who were taken into government custody often simply disappeared. In stark contrast, the Coalition has taken several measures to ensure that Iraqi families can learn the status and location of individuals who have been detained by Coalition Forces. The Coalition maintains a list of all the individuals in detention, and this list is available in specified locations throughout Iraq where families can make inquiries. The list is published in Arabic on the CPA website, <http://iraqcoalition.org/arabic/prisoners/index.html>. The Arabic list contains the individuals's name, Internment Serial Number (ISN), place of birth, address, and the place of detention. The list is as complete and accurate as possible subject to the willingness of the detained individuals to provide the requested information. Work is continuing with regard to the expansion of both the amount and availability of this information to make it easier for Iraqi families to find their loved ones.

Finally, you inquired about the provisional release program. The Conditional Release Program is ongoing, and efforts are underway to make it even more effective. We continually strive to improve our ability to keep families abreast of the status of detainees. Communications under the auspices of the Conditional Release Program are but one of many efforts in that regard.

Again, thank you for your letter. We appreciate your interest in the future of Iraq. Rest assured of our commitment to bring peace, security, democratic values, and respect for human rights to the Iraqi people.

We have provided a copy of this letter to your colleagues, Representatives Robert Wexler, Raul Grijalva, Fortney Pete Stark, Dennis Kucinich, and Barney Frank.

Sincerely,

THOMAS L. CARTER,  
*Senior Counselor to*  
*Ambassador L. Paul Bremer, III.*

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today in support of H. Res. 627, a resolution condemning the abuse of Iraqi prisoners, however I do so with great concern. The mistreatment of Iraqi prisoners by members of the Armed Forces and civilian U.S. contractors is shameful and inexcusable. I am outraged that these actions committed by a few reflect negatively upon our Nation and the many men and women who continue to serve our Nation with strength, honor and courage. We must investigate these allegations and take immediate and decisive action to reestablish our Nation's credibility and regain the trust of the Iraqi people and the world community.

I support provisions of this resolution that deplore and condemn these events and urge the Department of Defense to investigate every report of mistreatment of all prisoners in the custody of the U.S. military at all levels and locations including Guantanamo and Afghanistan. We have a breakdown in the chain of command at the highest level.

We must require heightened accountability of the senior leadership at the Department of Defense and determine why there was an intelligence breakdown. We need to know when Secretary Rumsfeld learned of these events, why he did not take immediate action and why he did not make this information available to Congress in a timely way. Above all, we must ensure that events like these never occur again.

Throughout our history, the United States has been a leader throughout the world and a strong voice for the principles of democracy, freedom, human rights and justice. The tragic events we are addressing today have jeopard-

ized our credibility and our relationships with the people of Iraq and the international community. In his thoughtful column in Today's New York Times, Thomas Friedman writes, "I have never known a time in my life when America and its President were more hated around the world than today." It is our responsibility to restore our Nation's credibility, and I urge my colleagues to investigate these shocking allegations. I conclude by joining with other thoughtful individuals in calling upon the Secretary of Defense to take full responsibility for these human rights atrocities and fundamental breakdown in command and to act honorably and resign.

Mr. KIND. Mr. Speaker, the acts of abuse against Iraqi prisoners by American service members are abhorrent and sad. This is not behavior reflective of American values; it is not behavior that helps our cause, and it is not behavior that will be tolerated. Thorough investigations need to root out those responsible, directly and indirectly, for this unlawful conduct no matter how high up the chain of command it goes. Those responsible must be held accountable for their actions.

Congress needs to be highly involved in investigating the actions of abuse at Abu Ghraib prison and the conditions and circumstances that led to these abuses. Reports show that the military was well aware of the situation and conducting its own investigations for months prior to the release of the photos at Abu Ghraib now circulating through the world media. The failure of the Administration to keep Congress informed of the extent and seriousness of prisoner abuse, and the photos documenting it, is unacceptable.

Further, Congress must address and investigate the role of private security forces in Iraq. These forces, which constitute the second largest army in Iraq and account for over 40 percent of all contracting costs in Iraq, are outside the U.S. chain of command. The ability to hold these individuals accountable for their actions under law is questionable.

We must not lose focus, however, that the over 300,000 U.S. military personnel who have served and are serving in Iraq are doing an honorable job under difficult and dangerous conditions. While the Department of Defense investigation into the actions and conduct of the abuses at Abu Ghraib list a number of officers and enlisted personnel who failed to perform their duties as required, it also notes a number of officers and enlisted personnel who acted honorably and reported abuses up the chain of command. When I visited Iraq in October, 2003, I met with many honorable troops, including soldiers from western Wisconsin, who were performing their mission with outstanding commitment and professionalism. The abuses at Abu Ghraib serve only to cloud the accomplishments and sacrifices of our troops and put honorable U.S. service members in greater danger.

Mr. Speaker, perception matters when trying to execute our foreign policy and especially a military mission. We are dangerously losing the hearts and minds of the Iraqi people and the rest of the Arab world, and the abuses at the Abu Ghraib prison serve only to exacerbate this unfortunate reality. We must reinforce to the international community through our words and our actions that the United States is committed to helping the Iraqi people prosper in a free society.

Mr. STARK. Mr. Speaker, I rise to vote no on this resolution. It is right to condemn the brutal and abhorrent abuse of Iraqi prisoners. But, this resolution is not strong enough. Without language authorizing a full-fledged Congressional investigation into this matter, we are failing our responsibility.

Republicans refused to allow any language to be added to this resolution providing for an investigation into these crimes. They have limited our ability to bring those responsible to account for their actions. This is wrong, especially when our ideals have been undermined and our leadership again tarnished throughout the world.

These acts of humiliation, torture and even murder are outrageous. They are a shameful affront to the Iraqi people and those throughout the Arab and Muslim World. As a Nation, we owe the victims of these acts and the Iraqi people a full apology and investigation into how these abhorrent abuses were allowed to occur.

The torture and abuse of prisoners at Abu Ghraib prison are part of a larger systemic pattern of abuse with which this administration has been complicit. We know—as the Washington Post reported in December, 2002—that prisoners captured in Afghanistan by the U.S. were transferred to other nations to be tortured for information. We already are well acquainted with the mistreatment of prisoners at Guantanamo Bay. This latest expose of torture and abuse at the Iraqi prison is just one more example of heinous treatment at the hands of our Government.

We trust in the honorable service of our troops. This does not reflect on the Americans bravely serving in Iraq. But, responsibility does lie with those at the very top of leadership and at the feet of this President.

It is time Congress launch an investigation to end these patterns of abuse. If Congress does not act to right this wrong, I do not trust this administration will. We must condemn these acts of torture and abuse. Given that this resolution completely fails to provide Congress with the tools to initiate such investigations, I am forced to vote no.

Mr. ORTIZ. Mr. Speaker, I share the revulsion of my colleagues, the House of Representatives, our friends and allies around the world—indeed of the entire human race—over the abuse of Iraqi prisoners by American soldiers . . . or in the presence of American soldiers.

We are obliged to investigate this event; it has given our great Nation a black eye around the world, particularly in the Middle East where our efforts have been to help them find democracy.

We are a humanitarian nation and a signatory to the Geneva Conventions. We depend on the protections the conventions offer to our own POWs . . . and we may have broken that assurance now. We shouldn't need to train our soldiers in basic humanity; the other 99.9 percent of our soldiers know this is inhuman behavior. If not for an American soldier burdened by conscience we might not know this today.

This is not a reflection of our professional military—it's an aberration. The action of the soldiers who have candidly come forward—even at the expense of their own careers—are the example of our professional military, and of the high standards democracy demands from those who serve in uniform. The actions

of a few have sullied the reputation of our all-volunteer fighting force, our mission in the larger Middle East, and the standing of the United States as a democratic, humanitarian Nation.

There is simply no excuse for this inhuman behavior. We are a superpower; we should be setting the example, not acting like barbarians. I hope desperately when the investigation is completed that it will expose the guilty parties, each and every one, who must be punished so the world will know that this Nation finds this behavior aberrant.

I thank Chairman HUNTER and Ranking Member SKELTON for bringing this issue before the House of Representatives today. This is very much an American issue, not a partisan issue. We must demand and expect that the people—all the people—with any responsibility for this are punished to show the world that this is not American. And we must never, ever, put this irrational, inhuman behavior on the young men and women serving honorably in the uniformed service of the United States.

Mr. BLUMENAUER. Mr. Speaker, this Resolution falls far short of the mark of adequately expressing the concerns I've heard from my Oregon constituents and that I have myself. Its failure to include a mechanism to hold Congress accountable and ensure that we do our job is unacceptable.

While concurring with the sentiment of outrage expressed against these acts and deploring those responsible, this Resolution is a very poor substitute for the oversight, fact-finding, and policy formulations that are the duties of this Congress. H. Res. 627 is window dressing, after the fact, and I refuse to support it.

Ms. KILPATRICK. Mr. Speaker, it is unfortunate that I find myself opposing this resolution. I do so because it is only a half way measure that attempts to gloss over the scope of the problem regarding the treatment of prisoners and detainees in Iraq.

First of all the resolution is limited to only the situation in Iraq when we are given to understand that the problem extends to the treatment of detainees in Afghanistan and in Guantanamo Bay.

Second, the resolution fails to call on the administration to provide assurances that it will treat all classes of detainees, prisoners and enemy combatants to the standards established by the Geneva Convention.

Third, it does not call on the leadership of this Congress to embark on an investigation of these "abhorrent" acts, as President Bush described this very sad episode that has left an indelible impression throughout the Arab world.

Fourth, the resolution seems to limit accountability to those in our Armed Services, principally the enlisted ranks of our Army, and exculpates those higher-level officers and civilian authorities within the chain of command.

Fifth, the resolution says nothing about investigating civilian, private military firms (PMFs) who are working under contract with the Coalition Provisional Authority (CPA). The CPA has relied on PMFs to perform security functions that are normally performed by U.S. military personnel, including logistical support, interrogation of prisoners, convoy security, guarding vital facilities and personnel, and more.

Sixth, the resolution fails to hold Defense Secretary Donald Rumsfeld accountable. The day the story broke about the abuses of Iraqi

prisoners at Abu Ghraib Prison Secretary Rumsfeld was briefing the Senate and made no mention of the problem. I find myself in agreement with Sen. JOHN MCCAIN of Arizona that there is a lack of communication between the administration and the Congress when it comes to the issue of Iraq. Secretary Rumsfeld is responsible for that lack of communication and this resolution is evidence enough that the leadership of this Congress is covering for him. I join with others in calling for the Secretary's resignation.

The Washington Post is right on target when it said: "The Pentagon ruled that the United States would no longer be bound by the Geneva Convention, that Army regulations on the interrogation of prisoners would not be observed; and that many detainees would be held *incommunicado* and without any independent mechanism of review."

This administration has mastered the art of deniability. No one has been held accountable. It is time we hold the Secretary of Defense to account and ask for his resignation.

For these reasons, I cast my vote in opposition to this resolution.

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate has expired.

Pursuant to House Resolution 628, the resolution is considered read for amendment, and the previous question is ordered.

MOTION TO RECOMMIT OFFERED BY MR. HOYER  
Mr. HOYER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the resolution?

Mr. HOYER. I am in its present form.  
The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:  
Mr. HOYER moves to recommit the resolution H. Res. 627 to the Committee on Armed Services with instructions to report the same back to the House forthwith with the following amendments:

POINT OF ORDER

Mr. HUNTER (during the reading). Mr. Speaker, I make a point of order that the motion contains instructions not allowed under H. Res. 628.

The SPEAKER pro tempore. Does the gentleman from Maryland wish to be heard on the point of order?

Mr. HOYER. I do.  
The SPEAKER pro tempore. The gentleman from Maryland is recognized.

Mr. HOYER. Mr. Speaker, is it the contention that the rule, as presented and as passed by the majority, prevents the minority from offering a substantive substitute under the rule so that the alternative felt to be preferable by the minority may not be heard? Is that the condition under which the rule places the minority?

The SPEAKER pro tempore. The point of order is that the motion includes instructions.

Mr. HOYER. I understand that, Mr. Speaker. My question is, does that preclude us, therefore, from offering an alternative that gives an alternative proposal to have that proposal be considered on the floor?

The SPEAKER pro tempore. Under House Resolution 628, the motion may not contain instructions.

Mr. HOYER. I thank the Speaker. He has answered my question.

I withdraw my reservation because, under the rule, we have been gagged.

The SPEAKER pro tempore. The Chair is prepared to rule.

Although the Chair ordinarily would await the reading in full before broaching a question of order, the Chair is uniquely responsible to intervene in the present circumstances.

The Chair finds that the motion includes instructions, in unambiguous contravention of House Resolution 628. Therefore, the motion is not in order as a matter of form and without regard to its content.

The point of order is sustained.

PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOYER. That means not only can it not be considered on the floor, but it cannot even be disclosed to the Members?

The SPEAKER pro tempore. The gentleman may enter the motion into the RECORD by unanimous consent.

Mr. HOYER. Mr. Speaker, I ask unanimous consent to enter the motion into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Strike the preamble and insert the following:

Whereas the American people and the world abhor the abuses inflicted upon detainees at the Abu Ghraib prison in Baghdad;

Whereas the investigation by the United States Central Command has identified problems of leadership, chain of command, and training that contributed to the instances of abuse;

Whereas the Congress was not adequately informed of the existence, or the seriousness, of those abuses or of the investigation of those abuses until after they had been disclosed in the national media;

Whereas such abuses are offensive to the principles and values of the American people and the United States military, are incompatible with the professionalism, dedication, standards and training required of individuals who serve in the United States military, and contradict the policies, orders, and laws of the United States and the United States military and undermine the ability of the United States military to achieve its mission in Iraq;

Whereas the vast majority of members of the Armed Forces have upheld the highest possible standards of professionalism and morality in the face of terrorist attacks and other attempts on their lives;

Whereas members of the Armed Forces have planned and conducted, frequently at great peril and cost, military operations in a manner carefully intended to prevent or minimize injury to Iraqi civilians and property;

Whereas over 138,000 members of the United States Armed Forces serving in Iraq, a total force comprised of active, National Guard, and Reserve personnel, are executing with courage and skill a mission to rebuild and rehabilitate Iraq and return the Government of Iraq to the Iraqi people; and

Whereas the Department of Defense has awarded members of the Armed Forces serv-

ing in Operation Iraqi Freedom at least 3,767 Purple Hearts, as well as thousands of commendations for valor, including at least 4 Distinguished Service Crosses, 127 Silver Stars, and over 16,000 Bronze Stars: Now, therefore, be it

Strike all after the resolving clause and insert the following:

That the House of Representatives—

(1) strenuously deplores and condemns the abuse of persons in United States custody in Iraq, regardless of the circumstances of their detention;

(2) reaffirms the American principle that any and all individuals under the custody and care of the United States Armed Forces shall be afforded proper and humane treatment;

(3) urges the Secretary of Defense to conduct a full and thorough investigation into any and all allegations of mistreatment or abuse of detainees in Iraq;

(4) urges the Secretary of Defense to ensure that corrective actions are taken to address chain of command deficiencies and the systemic deficiencies identified in the incidents in question;

(5) urges the Secretary of Defense to bring to swift justice any member of the Armed Forces who has violated the Uniform Code of Military Justice to ensure that their actions do not further impugn the integrity of the United States Armed Forces or further undermine the United States mission in Iraq;

(6) urges the Attorney General to bring to swift justice any United States civilian contractor or other United States civilian whose conduct in connection with the treatment of detainees in Iraq is in violation of law so to ensure that their actions do not further undermine the United States mission in Iraq;

(7) affirms the need for bipartisan congressional investigations to be conducted immediately into these allegations of abuse, including allegations of abuse by United States civilian contractor personnel or other United States civilians, and into the chain of command and other systemic deficiencies, including the command atmosphere that contributed to such abuse;

(8) reaffirms the need for Congress to be frequently updated on the status of efforts by the Department of Defense to address and resolve issues identified in this resolution;

(9) expresses the deep appreciation of the Nation to the courageous and honorable members of the Armed Forces who have selflessly served, or who are currently serving, in Operation Iraqi Freedom;

(10) declares that the alleged crimes of some individuals should not detract from the commendable sacrifices of over 300,000 members of the United States Armed Forces who have served, or who are serving, in Operation Iraqi Freedom;

(11) expresses the support and thanks of the Nation to the families and friends of the soldiers, Marines, airmen, sailors, and Coast Guardsmen who have served, or who are serving, in Operation Iraqi Freedom; and

(12) expresses the continuing solidarity and support of the House of Representatives and the American people for the efforts of the United States with the Iraqi people in building a viable Iraqi government and a secure nation.

Mr. HOYER. Mr. Speaker, I appeal the ruling of the Chair.

Mr. Speaker, I withdraw the appeal.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HUNTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of H. Res. 627 will be followed by 5-minute votes on the motions to suspend the rules and adoption of House concurrent resolutions 326 and 398.

The vote was taken by electronic device, and there were—ayes 365, noes 50, not voting 19, as follows:

[Roll No. 150]

AYES—365

Ackerman	Davis (CA)	Holden
Aderholt	Davis (FL)	Holt
Akin	Davis (IL)	Honda
Alexander	Davis (TN)	Hooley (OR)
Allen	Davis, Tom	Hostettler
Andrews	Deal (GA)	Houghton
Bachus	DeFazio	Hulshof
Baird	DeGette	Hunter
Baker	Delahunt	Hyde
Baldwin	DeLauro	Isakson
Ballance	DeLay	Israel
Ballenger	Deusch	Issa
Barrett (SC)	Diaz-Balart, L.	Istook
Bartlett (MD)	Diaz-Balart, M.	Jackson (IL)
Barton (TX)	Dicks	Jefferson
Bass	Dingell	Johnson (CT)
Beauprez	Doggett	Johnson (IL)
Becerra	Dooley (CA)	Johnson, E. B.
Bell	Doolittle	Johnson, Sam
Bereuter	Doyle	Jones (NC)
Berkley	Dreier	Kanjorski
Berman	Duncan	Keller
Berry	Dunn	Kelly
Biggert	Edwards	Kennedy (MN)
Bilirakis	Ehlers	Kennedy (RI)
Bishop (GA)	Emanuel	Kildee
Bishop (NY)	Emerson	Kind
Bishop (UT)	Engel	King (IA)
Blackburn	English	King (NY)
Boehlert	Eshoo	Kingston
Boehner	Etheridge	Kirk
Bonilla	Evans	Klecza
Bonner	Everett	Kline
Boozman	Farr	Knollenberg
Boswell	Feeney	Kolbe
Boucher	Ferguson	LaHood
Bradley (NH)	Filner	Lampson
Brady (PA)	Flake	Langevin
Brady (TX)	Foley	Lantos
Brown (SC)	Forbes	Larsen (WA)
Brown, Corrine	Ford	Larson (CT)
Brown-Waite,	Fossella	LaTourette
Ginny	Franks (AZ)	Leach
Burgess	Frelinghuysen	Levin
Burns	Frost	Lewis (CA)
Burr	Gallegly	Linder
Burton (IN)	Garrett (NJ)	Lipinski
Buyer	Gephardt	LoBiondo
Calvert	Gerlach	Lofgren
Camp	Gibbons	Lowe
Cannon	Gilchrest	Lucas (KY)
Cantor	Gillmor	Lucas (OK)
Capito	Gingrey	Lynch
Capps	Gonzalez	Majette
Capuano	Goode	Maloney
Cardin	Goodlatte	Manzullo
Cardoza	Gordon	Marshall
Carson (IN)	Goss	Matheson
Carson (OK)	Granger	Matsui
Carter	Graves	McCarthy (MO)
Case	Green (TX)	McCarthy (NY)
Castle	Green (WI)	McCotter
Chabot	Gutknecht	McInnis
Chandler	Hall	McIntyre
Chocoma	Harman	McKeon
Clay	Harris	McNulty
Coble	Hart	Meehan
Cole	Hastert	Menendez
Collins	Hastings (WA)	Mica
Cooper	Hayes	Michaud
Costello	Hayworth	Miller (FL)
Cramer	Hefley	Miller (MI)
Crane	Hensarling	Miller (NC)
Crenshaw	Hergert	Miller, Gary
Crowley	Hill	Moore
Cubin	Hinojosa	Moran (KS)
Culberson	Hobson	Moran (VA)
Cunningham	Hoefel	Murphy
Davis (AL)	Hoekstra	Murtha

Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Obey  
Ortiz  
Osborne  
Ose  
Otter  
Pascrell  
Pastor  
Pearce  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez

Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (WI)  
Ryan (KS)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Spratt  
Stearns

Stenholm  
Stupak  
Sullivan  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Toomey  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wolf  
Wu  
Wynn  
Young (AK)  
Young (FL)

NOES—50

Abercrombie  
Blumenauer  
Brown (OH)  
Clyburn  
Conyers  
Cummings  
Fattah  
Frank (MA)  
Grijalva  
Gutierrez  
Hastings (FL)  
Hinchey  
Hoyer  
Inslee  
Jackson-Lee  
(TX)  
Jones (OH)  
Kaptur

Kilpatrick  
Kucinich  
Lee  
Lewis (GA)  
Markey  
McCollum  
McDermott  
McGovern  
Meek (FL)  
Millender-  
McDonald  
Miller, George  
Mollohan  
Oberstar  
Olver  
Owens  
Pallone  
Paul

Payne  
Pelosi  
Rangel  
Ryan (OH)  
Sabo  
Schakowsky  
Serrano  
Stark  
Strickland  
Towns  
Velázquez  
Waters  
Watson  
Watt  
Waxman  
Woolsey

NOT VOTING—19

Baca  
Blunt  
Bono  
Boyd  
Cox  
Davis, Jo Ann  
DeMint

Greenwood  
Jenkins  
John  
Latham  
Lewis (KY)  
McCrery  
McHugh

Meeks (NY)  
Oxley  
Solis  
Tauzin  
Wilson (SC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1505

Messrs. GUTIERREZ, SABO and STRICKLAND changed their vote from “aye” to “no.”

Mr. ANDREWS and Mr. JACKSON of Illinois changed their vote from “no” to “aye.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 8 of rule XX, the remainder of this series of votes will be conducted as 5-minute votes.

EXPRESSING SENSE OF CONGRESS REGARDING ARBITRARY DETENTION OF DR. WANG BINGZHANG

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 326.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. BURTON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 326, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 399, nays 0, not voting 34, as follows:

[Roll No. 151]

YEAS—399

Abercrombie  
Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Andrews  
Bachus  
Baird  
Baker  
Baldwin  
Ballance  
Stark  
Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Becerra  
Bell  
Bereuter  
Berman  
Berry  
Biggart  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Boehlert  
Bonilla  
Bonner  
Boozman  
Boswell  
Boucher  
Bradley (NH)  
Brady (PA)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Burns  
Burr  
Burton (IN)  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Carter  
Case

Castle  
Chabot  
Chandler  
Chocola  
Clay  
Clyburn  
Coble  
Cole  
Collins  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
DeLauro  
DeLay  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doolittle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Feeney  
Ferguson  
Filner

Flake  
Foley  
Forbes  
Ford  
Fossella  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Frost  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)  
Grijalva  
Gutierrez  
Gutknecht  
Hall  
Harman  
Harris  
Hart  
Hastings (FL)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hill  
Hinchey  
Hinojosa  
Hobson  
Hoefel  
Hoekstra  
Holden  
Holt  
Honda  
Hooley (OR)  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inslee  
Isakson  
Israel  
Issa

Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Klecza  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Lynch  
Majette  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCotter  
McDermott  
McGovern  
McInnis  
McIntyre  
McKeon  
Meehan  
Meek (FL)  
Menendez  
Mica  
Michaud  
Millender-  
McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan

Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Musgrave  
Myrick  
Nadler  
Napolitano  
Nethercutt  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Pallone  
Pascrell  
Pastor  
Paul  
Payne  
Pearce  
Pelosi  
Pence  
Peterson (MN)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryan (KS)  
Sabo  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff

Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Stupak  
Sullivan  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tierney  
Toomey  
Turner (OH)  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Waters  
Watson  
Watt  
Waxman  
Woolsey

NOT VOTING—34

Baca  
Ballenger  
Berkley  
Blunt  
Boehner  
Bono  
Boyd  
Brady (TX)  
Burgess  
Buyer  
Davis, Jo Ann  
Delahunt

DeMint  
Doyle  
Gephardt  
Greenwood  
Hastings (WA)  
Jenkins  
John  
Latham  
Lewis (KY)  
McCollum  
McCrery  
McHugh

McNulty  
Meeks (NY)  
Neal (MA)  
Oxley  
Peterson (PA)  
Reyes  
Solis  
Tauzin  
Turner (TX)  
Wilson (SC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1513

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 151 on H. Con. Res. 326—Detention of Dr. Wang Bingzhang—PRC, I was unavoidably detained. Had I been present, I would have voted “yea.”

**EXPRESSING CONCERN OF CONGRESS OVER IRAN'S DEVELOPMENT OF MEANS TO PRODUCE NUCLEAR WEAPONS**

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 398.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. BURTON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 398, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 376, nays 3, answered “present” 14, not voting 40, as follows:

[Roll No. 152]  
YEAS—376

Abercrombie	Buyer	Dicks
Ackerman	Calvert	Dingell
Aderholt	Camp	Doggett
Akin	Cannon	Dooley (CA)
Alexander	Cantor	Doolittle
Allen	Capito	Dreier
Andrews	Capps	Duncan
Bachus	Cardin	Dunn
Baird	Cardoza	Edwards
Baker	Carson (IN)	Ehlers
Baldwin	Carson (OK)	Emanuel
Ballance	Carter	Emerson
Barrett (SC)	Case	Engel
Bartlett (MD)	Castle	English
Barton (TX)	Chabot	Eshoo
Bass	Chandler	Etheridge
Beauprez	Chocola	Evans
Becerra	Clay	Everett
Bell	Clyburn	Fattah
Bereuter	Coble	Ferguson
Berman	Collins	Flake
Berry	Cooper	Foley
Biggert	Costello	Forbes
Bilirakis	Cox	Ford
Bishop (GA)	Cramer	Fossella
Bishop (NY)	Crane	Frank (MA)
Bishop (UT)	Crenshaw	Franks (AZ)
Blackburn	Crowley	Frelinghuysen
Blumenauer	Cubin	Frost
Boehlert	Culberson	Gallegly
Bonilla	Cummings	Garrett (NJ)
Bonner	Cunningham	Gerlach
Boozman	Davis (AL)	Gibbons
Boswell	Davis (CA)	Gilchrest
Boucher	Davis (FL)	Gillmor
Bradley (NH)	Davis (IL)	Gingrey
Brady (PA)	Davis (TN)	Gonzalez
Brady (TX)	Davis, Tom	Goode
Brown (OH)	Deal (GA)	Goodlatte
Brown (SC)	DeFazio	Gordon
Brown, Corrine	DeGette	Goss
Brown-Waite,	DeLauro	Graves
Ginny	DeLay	Green (TX)
Burns	Deutsch	Green (WI)
Burr	Diaz-Balart, L.	Grijalva
Burton (IN)	Diaz-Balart, M.	Gutknecht

Hall	McCarthy (MO)	Ryan (OH)
Harman	McCarthy (NY)	Ryan (WI)
Harris	McCotter	Ryun (KS)
Hart	McGovern	Sabo
Hastings (FL)	McInnis	Sánchez, Linda
Hayes	McIntyre	T.
Hayworth	McKeon	Sanchez, Loretta
Hefley	Meehan	Sanders
Hensarling	Meek (FL)	Sandlin
Hерger	Menendez	Saxton
Hill	Mica	Schakowsky
Hinojosa	Michaud	Schiff
Hobson	Millender-	Schrock
Hoeffel	McDonald	Scott (GA)
Hoekstra	Miller (FL)	Scott (VA)
Holden	Miller (MI)	Sensenbrenner
Holt	Miller (NC)	Sessions
Honda	Miller, Gary	Shadegg
Hooley (OR)	Moore	Shaw
Hostettler	Moran (KS)	Shays
Houghton	Moran (VA)	Sherman
Hoyer	Murphy	Sherwood
Hulshof	Murtha	Shimkus
Hyde	Musgrave	Shuster
Inslee	Myrick	Simmons
Isakson	Nadler	Simpson
Israel	Napolitano	Skelton
Issa	Nethercutt	Slaughter
Istook	Neugebauer	Smith (MI)
Jackson (IL)	Ney	Smith (NJ)
Jackson-Lee	Northup	Smith (TX)
(TX)	Norwood	Smith (WA)
Jefferson	Nunes	Snyder
Johnson (CT)	Nussle	Souder
Johnson (IL)	Oberstar	Stearns
Johnson, E. B.	Obey	Stenholm
Johnson, Sam	Olver	Strickland
Jones (NC)	Ortiz	Stupak
Jones (OH)	Osborne	Sullivan
Kaptur	Ose	Sweeney
Keller	Otter	Tancredo
Kelly	Owens	Tanner
Kennedy (MN)	Pallone	Tauscher
Kennedy (RI)	Pascrell	Taylor (MS)
Kildee	Pastor	Taylor (NC)
Kilpatrick	Payne	Terry
Kind	Pearce	Thomas
King (IA)	Pelosi	Thompson (CA)
King (NY)	Pence	Thompson (MS)
Kingston	Peterson (MN)	Thornberry
Kirk	Petri	Tiahrt
Klecicka	Pickering	Tiberi
Kline	Pitts	Tierney
Knollenberg	Platts	Toomey
Kolbe	Pombo	Towns
LaHood	Pomeroy	Turner (OH)
Lampson	Porter	Udall (CO)
Langevin	Portman	Udall (NM)
Lantos	Price (NC)	Upton
Larsen (WA)	Pryce (OH)	Van Hollen
Larson (CT)	Putnam	Velázquez
LaTourette	Quinn	Visclosky
Leach	Radanovich	Vitter
Levin	Ramstad	Walden (OR)
Lewis (CA)	Rangel	Walsh
Lewis (GA)	Regula	Wamp
Linder	Rehberg	Watt
Lipinski	Renzi	Waxman
LoBiondo	Reynolds	Weiner
Lofgren	Rodriguez	Weldon (FL)
Lowe	Rogers (AL)	Weldon (PA)
Lucas (KY)	Rogers (KY)	Weller
Lucas (OK)	Rogers (MI)	Wexler
Lynch	Rohrabacher	Whitfield
Majette	Ros-Lehtinen	Wicker
Maloney	Ross	Wilson (NM)
Manzullo	Rothman	Wolf
Markey	Roybal-Allard	Wu
Marshall	Royce	Wynn
Matheson	Ruppersberger	Young (AK)
Matsui	Rush	

NAYS—3

Conyers	Kucinich	Paul
Capuano	McDermott	Stark
Filner	Miller, George	Waters
Hinche	Mollohan	Watson
Kanjorski	Rahall	Woolsey
Lee	Serrano	

ANSWERED “PRESENT”—14

NOT VOTING—40

Baca	Boyd	Doyle
Ballenger	Burgess	Farr
Berkley	Cole	Feeney
Blunt	Davis, Jo Ann	Gephardt
Boehner	Delahunt	Granger
Bono	DeMint	Greenwood

Gutierrez	McCrery	Solis
Hastings (WA)	McHugh	Spratt
Hunter	McNulty	Tauzin
Jenkins	Meeks (NY)	Turner (TX)
John	Neal (MA)	Wilson (SC)
Latham	Oxley	Young (FL)
Lewis (KY)	Peterson (PA)	
McCollum	Reyes	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1519

Mr. CONYERS changed his vote from “present” to “nay.”

Mr. MOLLOHAN changed his vote from “yea” to “present.”

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**PERSONAL EXPLANATION**

Mr. OXLEY. Mr. Speaker, during today's rollcall votes on H. Res. 627, H. Con. Res. 326, and H. Con. Res. 398, I was en route to my congressional district for official business. Had I been present, I would have voted in favor of each of these resolutions.

**LEGISLATIVE PROGRAM**

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I rise to inquire of the majority leader the schedule for next week.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, next week the House will convene on Tuesday at 12:30 p.m. for morning hour debates and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of this week. Any votes called on these measures will be rolled until 6:30 p.m. on Tuesday.

For Wednesday and the balance of the week, we plan to consider several bills that address the impact of health care costs and American job creation and economic prosperity: H.R. 7249, flexible spending accounts; H.R. 4280, medical liability reform; and H.R. 4281, association health plans.

In addition, we will also consider H.R. 4275, which would permanently extend the 10 percent individual income tax bracket.

Finally, I would like to remind all Members that we do expect to have votes next Friday, May 14.

Mr. Speaker, I would be happy to answer any questions.

Mr. HOYER. Mr. Speaker, I thank the gentleman for the information.

Mr. Leader, you have listed for next week legislation regarding the 10 percent tax bracket expansion. Is it safe to assume the bill will not be considered in the Committee on Ways and Means, but will come directly to the floor instead, just as was the case with the AMT bill last week and the marriage penalty bill the week before that?

Mr. DELAY. That is correct.

Mr. HOYER. Will we be able to offer a substitute as we have in the past?

Mr. DELAY. If the gentleman will continue to yield, I think we have demonstrated on these bills as we move along, the Committee on Rules has been very gracious in allowing substitutes, but I do not want to assume or influence the Committee on Rules as to what they may or may not do.

Mr. HOYER. I appreciate the gentleman's observation. However, I might say that we believe fair is not gracious, but fair and appropriate.

We appreciate their graciousness from time to time. I am trying to remember when that last happened. We appreciate the fact that it has been done and hope it will continue to be done.

Am I correct in assuming that the week after next the child tax credit will be on the floor?

Mr. DELAY. Mr. Speaker, I did not hear the gentleman.

Mr. HOYER. Mr. Speaker, we are going to do the 10 percent bracket next week. Would it be safe to assume the week following we will do the child tax credit?

Mr. DELAY. That is correct. It is safe to assume that.

Mr. HOYER. With respect to the associated health plans, the medical malpractice, and the flexible savings account bills, can you tell us what procedures will be employed for consideration of these three bills?

Mr. DELAY. Mr. Speaker, I just had brief consultations with the chairman of the Committee on Rules, and he is inclined to recommend to his committee that the amendments to these bills be in the nature of a substitute.

Mr. HOYER. Mr. Leader, can you tell me whether these bills will be in exactly the same form as they were when they passed the House last year.

Mr. DELAY. I am afraid I cannot answer that question. I have not read as of yet those three bills, so I cannot answer that question as compared to bills from last year.

Mr. HOYER. Mr. Leader, can you call me when you do read them.

Mr. Leader, would it be fair, and I see the chairman is on the floor, would it be fair to assume that these bills will not be considered in committee again?

Mr. DELAY. Mr. Speaker, if the gentleman would continue to yield, that is correct. I am under the impression that H.R. 4279, the flexible spending accounts bill, has been considered in committee. But medical liability and the association health plan bills are bills that we have passed in this House before.

Mr. HOYER. Mr. Speaker, reclaiming my time, although we have considered them before, you are not sure whether they are going to be in exactly the same form as when they last passed the House last year?

Mr. DELAY. If the gentleman would yield, "exactly" is too stringent a word for me to answer. Exactly, I do not know. I am advised that these two bills have passed the House floor and are substantially the same.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the gentleman for his comments. Before yielding back my time and with the leader on the floor, Mr. Leader, I have said this before, I mean it as sincerely as I can say it: this side of the aisle intends to participate to the extent we are allowed in a bipartisan way to put forth and enhance the interests of this country.

There are many of us on this side of the aisle who are supportive of our efforts in Iraq. We now have had, unfortunately, two instances, the instance we just dealt with today and the instance of support of the troops some weeks ago, in which essentially this side of the aisle was not included in those deliberations. This is not an issue about process. It is an issue about substance because substantively we want to project to the world the unanimity that you have indicated on the floor you would like to effect as well.

In light of that, Mr. Leader, I would respectfully request that as we consider issues of great importance and gravity as it relates to the prosecution of our efforts in fighting terrorism and in Iraq, efforts which we ought to be united on notwithstanding our differences in terms of implementation and success of our troops and our objectives, that you and the leaders on your side of the aisle give us the time and the opportunity to be included so that they may in fact be, notwithstanding the votes, but in actuality be bipartisan. I thank the gentleman for consideration of that.

We have been disappointed that that has not occurred. We have lamented that fact on numerous pieces of legislation. We do not believe it is in the best interest of the American public; but when we are dealing with domestic issues, that is not as important. But it is critically important in dealing with the issues of international policy of our troops abroad, their safety, security, and the support we give to them. So we would urge that those items perhaps be treated more sensitively as it relates to the interests of the minority and the role of the minority in forging those resolutions and policy statements. I appreciate the majority leader's consideration of that request.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, the gentleman sees it a little differently than I do. The gentleman says there was no consultation on this particular resolu-

tion. Nothing could be further from the truth. This leader asked the chairman of the Committee on Armed Services to write a resolution on an event that started 1 week ago, so we could not do it much sooner than this week.

At the beginning of this week, we asked the Committee on Armed Services to write a resolution and admonished the chairman to reach out to the Democrats and the ranking member in order to write that resolution. The staff and the gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. HUNTER) worked diligently together and came up with a draft yesterday that was sent to legislative counsel. That draft was given then to the leadership, to the minority leader's office, to the Speaker's office, and to my office for consultation.

The minority leader's office came back and wanted to eliminate two clauses in the resolution. I would be glad to read the gentleman the clauses they wanted to eliminate, and it was very surprising to us that the minority leader wanted to remove two clauses congratulating the good work done by our troops in Iraq, and the minority leader wanted to add an additional clause that had nothing to do with the tone or the substance of the resolution.

We rejected adding a clause that had nothing to do with the tone or substance of the resolution and offered to remove the two clauses that they had objections to. That is when they walked away from the table, asked the ranking member to remove his name from the resolution, and that is the resolution that came to the floor.

I do not know how much more bipartisan we can get than that. Unfortunately, some people's definition of bipartisan is to buy into our partisanship or we will go home and not negotiate. That is exactly what happened in this process. If the gentleman has another way of reaching out and working together where we can come to some resolution, than I am more than open to working out a way to get these very important resolutions, as the gentleman says, to the floor in a bipartisan way.

But I also point out to the gentleman that only 50 Members of this House, including the minority leader and the gentleman voted against this resolution; 365 Members voted for this resolution, and I call that bipartisan.

Mr. HOYER. Mr. Speaker, reclaiming my time, I will take a back seat to no one. You, Mr. Leader, the gentleman from California (Mr. HUNTER), or anybody else in this House on support of the troops, support of our efforts, and support of this country, period. But we do see things differently, Mr. Leader.

I think I have a reputation in this body of being able to work in a bipartisan fashion with the speaker, with the gentleman from Ohio (Mr. NEY) with whom I worked as ranking member on the Committee on House Administration, with the gentleman from Missouri (Mr. BLUNT), and with others.

□ 1530

And, yes, Mr. Leader, with you on some very issues of great importance to this institution. And I continue to be in that posture, but, yes, we do see it differently. The leader got, at 10 p.m. last night, the opportunity to review this in a meaningful way.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, that is exactly when I got it, too.

Mr. HOYER. Mr. Speaker, this was of great import. Every speaker that came to the floor expressed outrage, expressed deep concern about what this had done and the impact it would have on America and our image abroad but, more importantly than our image, on our ability to continue to lead on issues of freedom and justice and human rights throughout the world. At 10 p.m., whether it was same time he got it or not, I would suggest to the leader is not a time frame in which we can thoughtfully try to reach a bipartisan agreement.

We do not expect nor do we ask for you to accept without question our position or our changes. But we do expect to have the opportunity to discuss them. I did not have an opportunity to discuss it with you, the gentleman from Missouri (Mr. BLUNT), or the gentleman from California (Mr. HUNTER). I saw the resolution at 9 a.m. this morning. I had no ability to put input nor did others. And the gentleman from Missouri (Mr. SKELTON), I think, is on the floor and I would be glad to yield to him if he would want to make a comment.

If not, in my discussions with the gentleman from Missouri (Mr. SKELTON), he believes there was not the full opportunity that he would have liked to have considered in a bipartisan fashion. And that committee, as you well know, and that gentleman from Missouri has been one of the most bipartisan Members of the House.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I do not quite understand that because the gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. HUNTER) wrote the draft. It was done by late yesterday afternoon. It was sent to the legislative counsel. The entire draft was done, their agreed-to draft, both the Democrat ranking member, Republican chairman putting together a draft, coming together, and having done that, then it was vetted with the leadership. How much time does one need?

After they finish writing the draft, do they sit around and wait? For what? The two gentlemen that were charged with writing the resolution came together, wrote a resolution that they both put their name on and had agreed to; then it was given to the leadership

staff and the leaders, and then that is when the leader wanted to eliminate two clauses and insert another clause. We agreed to eliminate the two clauses. We did not agree to insert the third clause, and that is when negotiation and bipartisanship, which, by the way, that only 50 voted against the resolution, broke down.

Evidently 365 Members thought it was a very well-crafted bipartisan effort.

Mr. HOYER. Mr. Speaker, reclaiming my time, I have been in a position where I was one of four voting against something if I thought it was appropriate to do. So he can keep saying there were only 50 as long he wants. There should have been zero. His side believes that and our side believes that. Our side is as deeply committed to supporting the troops as is his side. That is good news of this day. Everyone has expressed that.

It does not serve our purposes further, related to staff here, they did not get a draft from their perspective until after 6 p.m. last night when, as you know, we had adjourned. I was at the Fire Service Caucus with the gentleman from Pennsylvania (Mr. WELDON), with whom I work in lockstep, and have for 13 to 14 years in a bipartisan way. We understand bipartisanship. We have a Fire Service bill on this floor totally bipartisan.

So I understand bipartisanship, Mr. Speaker. It does not serve our purpose to further discuss procedures. I agree on that. We have a different view. But what it does serve our purposes for is trying to come together not in a way that will divide the House, but in a way that will bring the House together. That, I believe, is the best interest of our country. I would hope we could do that, and I will work with the gentleman to accomplish that objective, and I presume he will work with me as well.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I would be glad to work with the gentleman because the gentleman has shown good faith in trying to work in a bipartisan way.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his comments.

ADJOURNMENT TO MONDAY, MAY 10, 2004, AND HOUR OF MEETING ON TUESDAY, MAY 11, 2004

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday, May 10, 2004; and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, May 11, for morning hour debates.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that all Members in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### GENERAL LEAVE

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 627, the resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### PRESCRIPTION DRUG PRICES

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

Mr. DEFAZIO. Mr. Speaker, yesterday, the President's Secretary of Health and Human Services, Secretary Thompson, who has previously said he will not allow the reimportation of less expensive FDA-approved drugs from Canada or any other country, deeming them unsafe, of course his assistant secretary, Mr. Hubbard, when questioned before a congressional committee, could not document one single instance of safety problems with Canadian drugs, yet can document thousands of problems with the supply chain here in the United States because of a virtually uncontrolled wholesale drug market.

So it really is not the issue of safety. It is the issue of the profitability of the pharmaceutical industry. They make their profits all in the United States, and that allows them to sell drugs very cheaply in other countries, and they say that is necessary to protect their investment in new technologies and new drugs.

I certainly want to see new drugs and new technologies developed, but why should Americans only pay for those investments? And that is the system they are attempting to perpetuate, and there is also of course the issue that it is only recently that the pharmaceutical industry has been allowed to advertise on television and now they are spending upwards of 6, \$7 billion a year on promotion, which of course drives up the cost of drugs, and I am

not quite sure of the value what the little purple pill ads or many of those other ads on television are, and I think consumers would be happy to consult with their doctors rather than 30-second ads if they could see the price of their drugs go down. Drugs are going up at about 10 times the current rate of inflation on an annual basis. They are simply not affordable for most Americans.

So yesterday Secretary Thompson announced that the Maginot Line that this administration has created to defend the profits of the pharmaceutical industry, the Maginot Line that said this was an issue of safety, Americans should not be allowed to reimport lifesaving drugs at a fraction of the cost, that they are available in this country, he predicted it will crumble. He predicted that we will see the reimportation of drugs.

Why is that? What happened to his safety concerns? I think the safety concern that has been elevated in their minds right now is the reelection of George Bush who read the polls. Eighty-five percent of the people cannot understand how it is free trade when we export American jobs, but there is no free trade issue when we prohibit the importation of less expensive pharmaceuticals from Canada, our neighbor, that our FDA approved.

And then today in a further indication that their Maginot Line, their protection of this industry, is crumbling quickly, we have two major drug chains, CVS and Walgreens, who have both come out in favor of reimportation. They do not want to see individuals reimporting. They want to protect their businesses. They want to see that they and other wholesale purchasers can go to Canada where it they can purchase drugs more cheaply from a Canadian wholesaler by far than they can purchase them directly from a pharmaceutical company here in the United States. As big as they are, as much as they buy, the price they are charged is significantly higher than the price at which these drugs are sold in Canada.

So the bottom line here is we have people in this country suffering. They cannot afford the drugs they need. Seniors in my district dividing pills in half, couples sitting down at beginning of the month and deciding who will get their pills this month and who will not, despite their jeopardy to their health, and the Bush administration says they are worried about the health and safety of Oregonians or the American public. Their health and safety is definably hurt by the fact they cannot afford lifesaving drugs. And since they cannot document a single instance of problems from Canada, then let us allow Americans to reimport drugs from Canada, and I would be happy if they could do that through their pharmacies because pharmacies are a key part of this chain and consumer information.

The other thing we could do, and of course the Bush administration is ad-

manly opposed to but who knows, maybe they will change there too, is negotiate lower drug prices on behalf of the American people like every other civilized democracy on earth does for all their citizens. There is no other country on earth that allows the pharmaceutical industry to leverage these extraordinary extortionate prices for lifesaving drugs out of their citizens. Only the Government of the United States. But, amazingly, the Bush administration got a clause inserted in the so-called Medicare prescription drug benefit that prohibits the government from negotiating lower drug prices, prohibits the government from negotiating, not mandating, negotiating lower drug prices; unlike every other civilized democracy on earth; unlike the private insurance industry which can and does negotiate discounts; unlike the Veterans Administration, which can and does get a good deal for our vets, negotiates discounts; and unlike what we mandate in Medicaid.

But they are saying, no, we cannot do that elsewhere. There would be too much market power, meaning it would bring down the price too much. And then what will happen to the industry? The industry will then have to drive a little tougher deal with all these other countries. Instead of just saying, Oh, they will not pay, you will have to pay, everybody would share the cost of the development of new drugs and Americans could have access at lower prices.

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

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

#### PRESCRIPTION DRUG DISCOUNT CARDS

The SPEAKER pro tempore (Mr. COLE). Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, this week enrollment began for the prescription drug discount cards available for the Medicare bill passed last year. For some seniors in my home State of Ohio, this could mean \$600 in prescription drug benefits. That sounds great. We want seniors to look into these cards. If they can get help, that is obviously a good thing.

However, the real story about these cards is found in the details. The discount drug cards will further complicate an altogether too confusing process for America's seniors. Instead of implementing a prescription drug benefit under one program, Medicare, which serves 39 million American beneficiaries, the administration fought to create an unnecessarily complex system that diverts money away from

benefits and gives it to drug companies and the insurance companies. The drug companies under this legislation, this new law, according to bipartisan studies, will profit \$150 billion more than they are already making, and at the same time, this bill gives a \$46 billion subsidy, a \$46 billion direct subsidy, taxpayer dollars, to the Nation's insurance industry.

□ 1545

That is not any real surprise, considering that President Bush's reelection campaign has received tens of millions of dollars from the drug industry and tens of millions of dollars from the insurance industry.

But this new program will feature 70 cards, 70 choices of private insurance prescription drug cards, by 70 different companies. It is a lot like the multiple HMO system our Republican friends are trying to foist on Medicare beneficiaries.

So here is the deal. Beginning this week, seniors will get notices at their houses. They will get visits, in Ohio, from up to 50 insurance agents, they will get mailings from up to 50 companies, and then they will get to choose these cards.

Now, what we could have is one Medicare card where seniors get a discount negotiated by the government, the way they do it in every other country in the world, as the gentleman from Oregon (Mr. DEFAZIO) said, one card with prices negotiated by the government on behalf of 40 million beneficiaries. But the Bush administration way, in part because one of his best friends and biggest contributors owns one of these card companies, but let us get back to this, the Bush administration is going to give you a choice of 50 cards.

Now, you buy one of these cards. Pick this card. This card perhaps might have a 30 percent discount or a 20 percent discount on Fosamax. This card here might have a 15 percent discount on Zoloft, or this card here might have a 12 percent discount on Celebrex.

Then you choose this card. You can only choose one card. You pay \$30 for this card that you get to choose, one of these 50 cards, as these insurance agents come to your home and these mailings come to your home and these fancy brochures come to your home. You choose one card; you pay \$30. And then this card company can actually change what drugs are covered by this card any week during those 52 weeks, during that year, or it can change the percent discount.

So you get this card, this one right here, because it has got a pretty good discount for Fosamax and Vioxx and Zoloft, three drugs you are taking, it has a 15 percent discount. But then after you pay the \$30, three weeks from now the card company can say, well, we are not going to cover Vioxx anymore, we are going to cover Celebrex, and we are not going to give you a 20 percent discount on Fosamax, we are

going to drop it to 10 percent. You have no control over that.

So it is a question of do you want to choose among 50 cards, the way that President Bush and his big contributors in the drug industry, the insurance industry and the insurance discount card industry want, or would you rather have one Medicare card, where the government has negotiated a good discount? That is the way Canada does it, and that is why my constituents in northeast Ohio, why they drive to Canada. Canadian drugs are 30 percent, 40 percent, 50 percent cheaper, same drugs, same dosage, same manufacturer. So you got one card, or you got a choice of 50 cards.

Now, there is one other part of this bill, Mr. Speaker, that is really pretty incredible. As I mentioned, in this bill we give, taxpayers give, out of our pockets, reach into our pockets, \$46 billion direct subsidy from taxpayers to insurance companies.

Think about what we could do, instead of that \$46 billion going to the insurance industry, with their huge executive bonuses and stock options and marketing costs and all that, instead of \$46 billion going to the insurance industry, if that money went to Medicare beneficiaries for their drug costs, that would be almost \$1,200 for every one of the 39.5 million Medicare beneficiaries. So we are giving \$46 billion directly to the insurance industry instead of taking care of our seniors.

Again, the question is, why would this possibly happen? How could Congress be this stupid, how could Congress be this greedy, how could Congress be this out of touch, to choose this, over this? It has got a whole lot to do with how much campaign contributions George Bush has gotten and how much campaign contributions my friends on the other side of the aisle have gotten from the drug industry and the insurance industry.

#### REMARKS ABOUT IRAQ WAR BEING UNWINNABLE ARE APPALLING AND INEXCUSABLE

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

Mr. FOLEY. Mr. Speaker, I do take some exception, and I am here to speak on another subject, but as the author of the discount card, I find it very practical, very reasonable, and very meaningful for seniors in my district, the fifth largest Medicare-eligible population in America. We will get on that at another time.

Why I am here today is obviously having read the Roll Call this morning and seen the headlines, I am furious by the remarks that were attributed to one of my colleagues that said the war in Iraq is unwinnable. "Unwinnable" was the comment made.

What is more mind-boggling is the remarks are attributed to someone who has served this Nation as a veteran

during the Vietnam War conflict, and we respect him immensely for his service to this country.

There are some, though, in this process who have recently spoken in the national media comparing this conflict to Vietnam. I find the comparison absurd. It is also deliberately partisan rhetoric.

But if there is one lesson we should have learned from Vietnam that should carry over here in this Chamber today, it is that disparaging what our soldiers are doing in Iraq is tantamount to giving comfort to the terrorists and comfort to the enemy.

Saying this conflict is unwinnable will make no difference one way or the other to what we do in Iraq, but it has a devastating effect on American men and women who are in Iraq now doing what we in this Congress have asked them to do. Congress voted on a resolution to go into Iraq. We are there. We have sent more troops there to bring peace and democracy to Iraq. We are not risking our lives as Members of Congress; they are, as will the thousands of other Americans who may follow to bring liberty to Iraq.

Whether anyone here agrees or disagrees with the reasons we went to Iraq in the first place, the simple fact is that we are there now and we have to accomplish the goals that free Iraqis are asking of us.

We are fighting terrorism at its doorstep. If someone disagrees with that, so be it. But no one should ever forget that what they say has a direct impact on the men and women who are in Iraq at our behest.

To tell them they are over there risking their life and limb for something unwinnable is just unbelievable. On a very basic level, it is like a coach telling his team of Little Leaguers that they do not have a chance of winning the game, but go out there and play anyway. Let us waste some time.

I know that is a poor analogy, because we are not talking about Little League. This is the big league. This is life and death. This is America's finest young men and women serving this country.

For that reason alone, I find it stunning that anyone in this body could say something that will have absolutely no effect, other than to undercut the morale of our troops in Iraq and cheer on the terrorists.

I went to a funeral in my district of a young man who was killed in Iraq 2 weeks before he was to return home and marry his high school sweetheart. It was a very, very tearful day for everyone in the room.

When I approached his parents, I felt remorse, obviously, because I had voted to send their child to that place. They did not look at me with bitterness. They were proud of their son. They were proud he died doing what he wanted to do since he was a little boy, and that was defend the flag that flies over this building.

I did not sacrifice anything in Iraq, but these people did. They knew that

the cause that their son perished under was just and was noble and was right. For him and all the others who have perished in this conflict, these kinds of words of "unwinnable" are simply political rhetoric designed to influence the outcome of this next election.

But I urge all of my colleagues, Democrats and Republicans and citizens alike, while there are people in harm's way from this country in that nation and everywhere on the globe, we respect that, and let us not make their burden more difficult by giving the enemy even an inkling that they may be winning. That succeeded in Spain during this recent election by bombing a train and killing people.

Those that say that they were attacked simply because the Spanish were in Iraq have not looked at the entirety of what is happening. Jordanians are being attacked, if you will. There were plans to attack their intelligence service. Saudi Arabia was the target last week of a terrorist attack. These things are happening because of terrorists, not because of Iraq, but because they want to undo the way of life that we respect.

So I take umbrage with the comments that this is unwinnable, and I ask us all to join in salute for our strong, brave men and women in the field.

#### IRAQ WAR ACCOUNTABILITY AND LACK OF OVERSIGHT IN THE HOUSE

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

Mr. PALLONE. Mr. Speaker, I listened to my colleague who previously spoke, and I really do not understand why he says what he says. There is no reason why any Member of this House of Representatives should not speak the truth. The Iraq war is unwinnable, it has been a total failure, and if we recognize that fact, then we will not continue to make the same mistakes.

Now, that is not to suggest that there is not an exit strategy or a way of leaving Iraq that will not accomplish some goals and that will not perhaps make the situation for the Iraqis better. But for us to sit around here and suggest that somehow the conduct of this war by the President or the Vice President or the Secretary of Defense is helping the cause is simply not true, and we have to speak out and say that.

Since the very beginning, with its refusal to truly internationalize the war, the Bush administration has shown nothing but arrogance towards anyone outside its inner-circle, whether that be Congress or the international community; and, unfortunately, the administration is now paying the price and our U.S. troops in Iraq are paying with their lives.

There seems to be a sense from Republicans here in Congress that anyone who questions the actions of the Bush

administration is not supporting our troops. But, Mr. Speaker, when are congressional Republicans going to realize that President Bush and Vice President CHENEY and Secretary Rumsfeld simply cannot conduct this war, they do not know how?

How many more months should we sit by silently enduring the kind of month that we had in April? How many more months can we ignore the fact that the minuscule amount of international support we once had in Iraq continues to shrink? How many more months are we supposed to sit by silently and not question the Bush administration on why it did not develop a post-Saddam plan before going to war?

It is time that someone is held accountable in this administration, and it is time for the Secretary of Defense, Donald Rumsfeld, to resign.

Mr. Speaker, on the issue of Iraq, Republicans here in the House of Representatives stand by obediently, wrapping themselves in the American flag, but refusing to ever question any action taken by the Bush administration. Now with the unveiling of these deplorable pictures of abuse from Iraq, House Republicans once again obediently followed their leader, President Bush.

Today, House Democrats called on this House to oversee the Bush administration and investigate these awful abuses. In the other Chamber, Secretary Rumsfeld is scheduled to testify tomorrow on his role in the abuses committed by a few American interrogators. I would imagine my colleagues over in the other Chamber will ask Secretary Rumsfeld why he never mentioned these pictures during a visit to Capitol Hill last week, hours before they would appear on the CBS News Magazine.

I would imagine my colleagues over in the other Chamber will ask Secretary Rumsfeld why he never bothered to read the Taguba report, even though it had been on his desk for more than a month before these outrageous instances of abuse finally came to light on CBS news.

Mr. Speaker, these are valid questions; and they should not only be asked in the U.S. Senate. It is time congressional House Republicans take their oversight responsibilities seriously and call on Secretary Rumsfeld to come over here to the House and answer these questions.

Earlier this week, when the Republican majority leader, the gentleman from Texas (Mr. DELAY), was asked whether or not he called for an investigation into the abuse of prisoners in Iraq, the gentleman responded, "A full-fledged investigation, that is like saying we need hearings on every case of police brutality, and I do not think they are warranted."

Well, Mr. Speaker, for the majority leader to minimize the abuses committed in Iraq does nothing to help our troops in Iraq. The Congress must show the Arab world that it takes this issue

seriously, so we can save the lives of American troops in the future.

Mr. Speaker, if we truly want to support our troops in combat, the U.S. House of Representatives must oversee actions of the Bush administration. Failing that, in my opinion, we are failing our troops.

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

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

#### HONORING THE GREATEST GENERATION

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

Mr. SHIMKUS. Mr. Speaker, tomorrow, I have a special honor. I get to present the World War II medals that my uncle earned in the war to him. He is what Tom Brokaw has called part of the Greatest Generation. In fact, last week we opened the World War II Memorial, with a formal ceremony coming Memorial Day weekend.

Since we are in a challenging world environment, many people are saying today that we are seeing the next Greatest Generation.

□ 1600

The services are reporting that they are meeting their recruiting goals. Imagine that. In an environment where we are at war, soldiers are dying, recruitment levels are being met. Truly, we are seeing a revival of patriotism and, very possibly, another "greatest generation."

However, that is not without cost, and today I am here to mention five individuals from my district who have lost their lives in service to their country, not all in Iraq, as we will come to see.

Each of these people gave their lives in pursuit of freedom and democracy. They should be recognized for their sacrifices.

Corporal Foster Jostes was a 21-year-old from Albion, Illinois who served as an Army Corporal in the 1st Battalion, 1st Cavalry Division from Fort Hood, Texas. He was a 2000 graduate of Edwards County High School, after which he joined the National Guard at age 17. He had only been in Iraq for about a week when military personnel say his Humvee was hit by a rocket-propelled grenade, killing Jostes and the driver, in a suburb of Baghdad.

Lance Corporal Torrey Stoffel-Gray was a 19-year-old Marine from Patoka, Illinois. Patoka is a rural town in my district with around 630 people. At 16, Lance Corporal Stoffel-Gray left Patoka to enter Lincoln Challenge, a military-style alternative school at Rantoul, Illinois. Many friends and

family say that Lincoln Challenge changed his life and helped him find his way. This young man was recently killed in action in Iraq when his convoy was struck by a rocket-propelled grenade and gunfire in the Al Anbar Province.

Gary Weston was a 52-year-old from Vienna, Illinois. He was employed by DynCorp International, serving with the United Nations as international police officers. He and other officers were fired upon by a Jordanian police officer for unknown reasons. Two fellow workers were killed in the resulting fire fight. Gary was flown to a hospital after receiving several gunshot wounds. He later died from complications from the gunshot wounds. His wife Nina Weston was there by her husband's side.

Kim Bigley was a 47-year-old who lived most of her life in southern and Southwestern Illinois. She was an employee of DynCorp International, which was serving with the United Nations as an international police officer and was a former warden at the Shawnee Correctional Center. She had just completed her first day of job orientation when she was killed. Along with Mr. Weston, Kim was fired upon by a Jordanian police officer for unknown reasons and was killed as a result of the fire fight.

Captain John Tipton was a 32-year-old who grew up in Granite City, Illinois. He died recently in an explosion during combat in the Al Anbar Province in Iraq. The province, west of Baghdad, and is one of the most hostile regions in Iraq. He was stationed at Fort Riley, Kansas with his wife, Susie Tipton of Collinsville and their two children: Austin, 4 and Kaitlyn, 2. He was commander of Headquarters Company, 1st Battalion, 16th Infantry, 1st Brigade, 1st Infantry Division out of Fort Riley, Kansas.

I cannot say enough about these men and women who are putting their lives on the line every day in the hopes of making a difference in far-away lands. They made the ultimate sacrifice and should never be taken for granted. My thoughts and prayers go out to all of the troops, their families and their loved ones.

Truly, we are seeing the next "greatest generation." May God bless our troops and may God bless America.

The SPEAKER pro tempore (Mr. COLE). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

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

#### EXCHANGE OF SPECIAL ORDER TIME

Mr. VAN HOLLEN. Mr. Speaker, I ask unanimous consent to take the time of the gentlewoman from California (Ms. WOOLSEY).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### TIME TO HOLD PENTAGON LEADERSHIP ACCOUNTABLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. VAN HOLLEN) is recognized for 5 minutes.

Mr. VAN HOLLEN. Mr. Speaker, we are at a critical juncture. The horrible photographs of abused and humiliated Iraqi prisoners being beamed around the world have seriously wounded our already tattered credibility in Iraq, the Middle East, and around the world. The damage done to our effort to win the hearts of the Iraqi people may be irreversible, but we owe it to the 130,000 American troops putting their lives on the line every day in Iraq to show the world that America will not tolerate such abuse. We must take strong action to demonstrate that we understand the severity of the problem and blunt the damage to our image and reputation around the world. Failure to send a strong signal will further strengthen the hand of al Qaeda and the terrorist groups who will use these photographs to bolster recruits and promote their cause.

It is easy to try and dismiss the abuse as the acts of a few bad apples acting alone. But the fact that a situation developed where such abuse could occur in a facility under the total control of the United States represents a failure of leadership at the highest levels of the Pentagon. It is inexcusable that the Secretary of Defense and the top civilian leadership of the Pentagon did not foresee the possibility of such abuses happening and take steps to prevent it. The fact that some are now trying to brush aside these abuses on the grounds that sometimes terrible things happen to prisoners of war only reinforces the fact that such abuses were foreseeable and could have been prevented.

Before the war began, we know that experts on Iraq warned that the toughest fight would not be the military conquest over the forces of Saddam Hussein, but the battle to win the peace. A fundamental miscalculation of our civilian leadership was their belief that removal of the hated Saddam would automatically leave the Iraqi people to embrace the United States. And the Bush administration has since made many miscalculations that have increased the number of Iraqis who view us as occupiers, including the continued detention of many Iraqis without proof of wrongdoing.

In a battle where we knew that the greatest challenge was to win the hearts and minds of the Iraqi people, political considerations are often more important than military calculations. Making sure those considerations are taken into account is the responsibility of the President and his leader-

ship team. It should have been obvious to everybody that the negative fallout from any hint of abuse of Iraqi prisoners would be a huge setback to our efforts throughout the Middle East.

Secretary Rumsfeld should have ensured that the procedures were in place to better screen the Iraqis being thrown into prison and taken extra precautions to ensure the physical well-being of those who were detained. Instead, just as the Bush administration has ignored the international concerns about prisoners held at Guantanamo Bay, it has shown a cavalier attitude when international human rights groups and Iraqis raised issues about the treatment of Iraqi prisoners.

We will be learning more about the facts in the days ahead, but the lawyers representing the American soldiers who were directly involved have already warned that these prosecutions will "open up a can of worms" that will show that these abusive practices were not only tolerated, but encouraged by some of their superiors as a useful part of interrogation.

Nothing, nothing could be more damaging to U.S. credibility in Iraq than to have Iraqis abused by Americans in the same Abu Ghraib Prison where Saddam tortured prisoners. The awful symbolism is devastating to U.S. efforts around the world, and reports that Iraqi women may have been subject to sexual abuse will further inflame the problem. It is hard to think of a more serious blow to our international reputation as we seek to promote human rights, freedom, and democracy in Iraq, Afghanistan, and the Middle East.

The tragedy, the real tragedy is that the heroic efforts of our soldiers who have performed so courageously in Iraq have now been compromised by the negligence of the Secretary of Defense and the Pentagon civilian leadership. Throughout the war, President Bush has used the rhetoric of leadership, but has failed to hold leaders in his administration accountable for bad decisions and serious omissions. Indeed, those who did raise prescient questions about the true costs and required troop levels were publicly rebuked, while those who have been consistently wrong in their predictions have received no sanction.

This is a critical moment. The world is watching. If we do not want al Qaeda and our enemies to gain an even bigger public relations victory than they already have, the President must show the world that America will not stand for such abuse. The President was right to go on Arabic-speaking television stations in the Middle East to express his outrage at the abuses that occurred and make it clear that they are unacceptable to the American people, but that is not enough to repair the severe damage that has been done. We must take additional steps and, Mr. Speaker, I will include in the RECORD five additional steps that we must take to blunt the damage that has been done as a result of this.

First, it is not enough for the President to allow a few very bad apples to shoulder the

entire blame for actions that have seriously undermined our efforts in Iraq and around the world. Leadership begins at the top and these abuses are the result of failed leadership. Even if Secretary Rumsfeld had no actual notice of prisoner abuse, Secretary Rumsfeld should have taken steps to ensure the safety of Iraqi prisoners. But Secretary Rumsfeld was on notice. He and his deputies at the Pentagon had access to numerous reports of alleged prisoner abuse and did nothing. That failure to act has now undercut the brave efforts of our men and women in Iraq; their failure to act has violated the trust of our soldiers and the trust of the American people. The President owes it to our troops and the American people to act quickly to remove those individuals who should have acted early to prevent this debacle.

Second, the Administration must stop being so contemptuous of international law and norms and immediately grant an independent third party, such as the International Committee for the Red Cross, full and unimpeded access to all the prisoners being detained in Iraq. It has become fashionable in this Administration to argue that the United States should no longer be constrained by international law and norms. Indeed, Secretary Rumsfeld overrode previous U.S. practice in the handling of detainees overseas when he ruled that the U.S. would no longer be bound by the Geneva Conventions. That decision and other statements by the Secretary sent exactly the wrong signal. At a time when both U.S. values and U.S. foreign policy interests demanded tight procedures to prevent abuse of prisoners, Secretary Rumsfeld discarded the rules that had been in place. The result was sadly predictable and avoidable. We must now work to repair our credibility by providing the appropriate international agencies total access to prisoners being held.

Third, the Congress must take its constitutional responsibilities seriously. Formal congressional oversight by the relevant committees of this House has been virtually nonexistent regarding the conduct of the war in Iraq. Congress has a constitutional responsibility to oversee the actions of the Executive Branch and to hold it accountable. Yet, unfortunately, especially when it comes to Iraq, the House leadership gets its talking points straight from the White House. It has abdicated its institutional responsibilities as a separate branch of government and become a rubber-stamp for Administration policy. It is time for this House to fulfill its duty to our troops and the American people by putting aside short term election year politics and taking its responsibilities seriously.

Fourth, we should immediately close the Abu Ghraib prison. It remains a symbol of the brutal repression under Saddam's regime. Regional experts had previously recommended against using that hated facility to hold Iraqi prisoners because of the terrible message it sent to the Iraqi people. The Administration ignored their advice. It is time to shut it down.

Fifth, the Administration and the Congress must immediately focus on the role of civilian contractors in Iraq. There are up to 20,000 private contractors operating in Iraq, carrying out military roles from logistics and local army training to guarding installations and convoys. It is stunning that the Defense Department would contract out the interrogation of prisoners of war to private firms. A number of

these contractors have been implicated in the abuses of Iraqi prisoners. The legal status of these contractors in war zones is a murky area. How do we hold these contractors accountable?

The abuse of prisoners in Iraq has severely damaged our standing in the world and undercut our efforts in Iraq, Afghanistan and the Middle East. The real tragedy is that it was avoidable. Our troops and the American people have been let down by a failure of leadership. Real leadership is now required to attempt to limit the damage that has been done.

#### ON THE NOMINATION OF JON DUDAS TO BE UNDER SECRETARY OF COMMERCE

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

Mr. HYDE. Mr. Speaker, it gives me great pride to inform my colleagues that Jon Dudas, former counsel to the Speaker, and former key member of my staff when I was Chairman of the House Judiciary Committee has been nominated by the President to the crucial post of Under Secretary of Commerce.

I include my testimony in support of his nomination before the Senate Judiciary Committee for the information of my colleagues.

STATEMENT OF THE HONORABLE HENRY J. HYDE

Mr. Chairman and Members of the Committee,

It is a pleasure to be here today to support the President's excellent choice for the crucial position of Under Secretary of Commerce, Jon Dudas.

I have known Jon for almost a decade. After he graduated from law school at the University of Chicago, he came to Capitol Hill and worked in my congressional office as a legislative counsel. When I first became Chairman of the House Judiciary Committee, Jon moved over as counsel to the Subcommittee on Courts and Intellectual Property which has jurisdiction over the complex issues of patent law. Shortly thereafter, I named him Staff Director and Deputy General Counsel of the full Judiciary Committee. During those extremely busy and trying years for the Congress and the Committee, I came to know Jon very well, and I became personally acquainted with his strong leadership, tremendous loyalty, unwavering integrity and the ability to accomplish his assigned mission under tremendous pressure.

When I first got to Congress, I learned an important lesson. If you want something done, you talk to the Member, and then you go to the "staffer who makes the Member look good." During his service on Capitol Hill, Jon was one of the people who made me look good.

In his position on the Judiciary Committee staff, Jon helped me manage the most productive committee in the Congress—more than one out of five bills considered by the House during the 105th and 106th Congresses went through the Judiciary Committee. Our Conference relied upon him to help achieve some of their most important goals during that period.

With mixed feelings, I encouraged Jon to leave the Committee staff when the Speaker asked him to serve as his chief floor manager and legal policy advisor to the House Leadership. Jon played a critical role in advancing legislation to support the war on terror.

Jon left the Hill when our former colleague, Jim Rogan, was appointed to be

Under Secretary of Commerce and Director of the United States Patent and Trademark Office. As the Assistant Secretary immediately under Jim Rogan, Jon played an integral part in implementing the President's Management agenda and in developing the 21st Century Strategic Plan—a comprehensive map to move the Patent and Trademark Office from its crisis situation to one of improved quality, quicker issuance of patents and increased efficiency. His ability to relate and work well with others and his good relationships with Members of Congress will be critical in achieving the difficult task of passing the Administration's fee bill that will implement the strategic plan. Just as important, because he has been serving as Under Secretary Rogan's right hand for the last two years and currently as Acting Under Secretary, Jon will provide continuity at the Patent and Trademark Office.

The issue of this government's position on patents is a critical one in this ever-expanding world of scientific progress. I can think of no one better qualified to lead the Patent and Trademark Office. I urge the Committee to confirm this fine public servant as Under Secretary of Commerce so that he may continue to serve the best interest of the American people.

Thank you again for this opportunity to appear before you today.

#### ORDER OF BUSINESS

Mr. BURNS. Mr. Speaker, I ask unanimous consent to take my special order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

#### HONORING THE TEACHERS OF AMERICA

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

Mr. BURNS. Mr. Speaker, I rise today to extend my appreciation to the teachers of America. As we celebrate National Teacher Appreciation Week, it is important that we recognize the good people of this Nation who hold the keys to our future and the future of our children, the unselfish, dedicated teachers who spend their days taking care of America's future.

Our teachers help our children in many ways. They are leaders. They are inspirations that provide students with the foundation that they take with them for a lifetime, and they learn to believe in themselves. When we succeed, they are guiding us to our next great accomplishments. When we fail, they are the understanding hearts that lift us back up. Teachers are truly noble professionals.

In 1944, Mattye Whyte Woodridge, an Arkansas teacher, began corresponding with political educational leaders about establishing a national observance to honor members of the teaching profession. This effort came to fruition when Congress proclaimed National Teacher Day in 1953.

I encourage those with children in school to offer their support and their

thanks for the work done by our children's teachers. As a former educator, I know that your appreciation for their efforts will be most welcome.

I want to express my gratitude and thanks to the teachers who helped me many years ago. Inez Grovenstein, who got me through first grade; Mary Brunson, who guided me through fifth grade after I lost my mother tragically at the age of 10; and Mary Catherine Counts, who solved the mysteries of high school math too many years ago.

These are teachers much like teachers around our Nation who have made a lasting impression on the minds of young America and whose lessons I greatly appreciate.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

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

#### ORDER OF BUSINESS

Mr. STUPAK. Mr. Speaker, I ask unanimous consent to take my special order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### RUMSFELD TERMINATION/ INVESTIGATION

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

Mr. STUPAK. Mr. Speaker, I rise today for two reasons: to call for President Bush to fire Secretary of Defense Donald Rumsfeld for failing to act upon reports of the disgusting photographs and inhumane treatment of Iraqi prisoners, and I also call upon the U.S. House of Representatives to hold hearings into the role private contractors may have played in these incidents.

Mr. Speaker, President Bush has repeatedly allowed the United States' reputation with the international community to be tarnished and has not held his appointees accountable for this damage. Whether it was going to war based upon inaccurate intelligence information, or White House officials exposing the identity of one of our own CIA operatives, or the most recent revelation about the inhumane treatment of prisoners at Abu Ghraib Prison in Iraq, President Bush refuses to hold his people accountable.

According to recent media reports, administration officials, including Secretary Rumsfeld, have known about these abuses for months, yet they failed to act on repeated recommendations to improve conditions for thousands of Iraqi detainees. In response,

Mr. Rumsfeld only received a private scolding from the President.

This is not a minor problem that can be fixed with just a slap on the wrist or by buying million-dollar ads to redefine history. The international community is appalled and upset at the cowboy arrogance and actions of this administration. Wild west tactics do not work anywhere, especially in the Middle East.

Mr. Speaker, I call upon the House Committee on Government Reform to hold hearings into the government-paid contractors in Iraq who may have played a role in the actions in Abu Ghraib Prison. In addition, in a letter sent to the Department of Justice earlier this week, I and 27 other Members asked the Attorney General to investigate those contractors.

We need to get to the bottom of this situation right now and show American citizens and the international community that such actions will not be tolerated. The damage inflicted upon the United States' reputation will take years, if not decades, to repair. We need to hold our government officials accountable for their actions, just as we hold other governments accountable, and it needs to start with Secretary of Defense Rumsfeld's termination.

Mr. Speaker, I would also like to submit to the RECORD today's Washington Post editorial on the leadership decisions made by Secretary Rumsfeld since the beginning of this administration. The Secretary announced that the United States would no longer be bound by the Geneva Convention, that Army regulations on interrogation of prisoners would not be observed, and that many detainees would be held incommunicado and without any independent mechanism for review.

□ 1615

As the Post stated, "Abuses will take place in any prison system, but Mr. Rumsfeld's decision helped create a lawless regime in which prisoners in both Iraq and Afghanistan have been humiliated, beaten, tortured and murdered, and which until recently, no one has been held accountable."

It was only when photographs of these incidents made it into the press that Secretary Rumsfeld paid much attention. According to media reports, he had not even read the reports on these abuses that was completed in March.

I find it very troubling that our own Secretary of Defense was so dismissive of the abuses that may have taken place under U.S. oversight in Iraq and Afghanistan.

Again, I call upon the President to fire Mr. Rumsfeld, and I call upon the House of Representatives to hold hearings about the role private contractors and the intelligence community may have played in these incidents.

#### NATIONAL DAY OF PRAYER AND THE WAR ON TERRORISM

The SPEAKER pro tempore (Mr. COLE). Under a previous order of the

House, the gentleman from New Mexico (Mr. PEARCE) is recognized for 5 minutes.

Mr. PEARCE. Mr. Speaker, I rise to address this body on the National Day of Prayer.

The Constitution—in a word—is the document that defines the values and principles of America.

Nearly 220 years ago, a few men, with extraordinary vision, used the lessons that history taught us to create this binding document that has served as the burning touch of our Nation's freedom. But over time, that flame has been dimmed, and its power has been mitigated, and before we know it, it will be a dull light that is indecipherable.

You see, over time, Mr. Speaker, we have let the Judiciary, slowly chip away the freedoms that are guaranteed to us under the constitution—chipping away so much that some of our liberties are unrecognizable.

For example, Mr. Speaker, the First Amendment to the Constitution says, "Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof . . ." It says that those of us who have faith in a Higher Power have the right to pray, express our beliefs.

Yet, our Federal Judges have ruled out prayer in schools. They have ruled that the Pledge of Allegiance, particularly, ". . . one Nation, under God . . ." is a violation of separation of state doctrine. Those who would ban our inalienable right to express our beliefs in a higher power selectively choose to cite the first part of the clause that says "Congress shall make no laws respecting an establishment of religion . . ." They leave the second part, which says ". . . or prohibiting free exercise thereof . . ."

Congress opens up every session with a prayer, the President of the United States uses a Bible when he is sworn into office by the Chief Justice of the Supreme Court. The Declaration of Independence, arguably the single most powerful political document in world history, mentions God in the first paragraph and "divine Providence" in the last.

Religion in the public sector is not prohibited by the Constitution, the Constitution is what makes our ability to freely exercise our belief possible!

The Second Amendment to the Constitution says, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." Some would argue, and unfortunately some have successfully done so, that this is not an individual right, but a collective right associated with service in a militia, or in modern terms the National Guard.

The Founders had a profound understanding that individuals and their rights were the only true check against an overzealous government. After all, they had just defeated one that sought to control access to arms.

Just a moment ago I added emphasis on the "people." I did so because right belongs to them, not the President and most assuredly not the Federal Government.

The Fifth Amendment says unequivocally that no person shall ". . . be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without due compensation."

Yet Mr. Speaker, in my district of Southern New Mexico, we can't water our crops be-

cause our water is being diverted for a minnow based on science that only a writer of fiction could love. We have people who are prevented from using their God-given resources to feed, clothe, house and provide energy for their neighbors.

The Endangered Species Act, Mr. Speaker, was noble in its intent and just in its cause. Not one of us would seek the termination of a species. Yet the law has been twisted, turned and implemented in ways that directly violate our constitutional rights. Simply stated, and directly supported by the plain wording of the 5th Amendment, Uncle Sam can't take our property without due process. He definitely can't take it without compensating for the loss. So we must ask ourselves, when does it matter to us enough to make a difference?

And the Tenth Amendment says that we have States Rights, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Yet the Federal government, at the behest of highly objectionable rulings by the courts over the last 100 years, has intruded on every aspect of our lives and ignored those rights reserved for the states and the people.

We know that we live under a constitution, but we are living in a time when the Constitution only means what the Judiciary says it means—simply stated, we can't let that happen.

The constitution has been tyrannized by people who honestly believe that we are incapable, as a free people, of living our lives in the manner that best serves us and our families. The courts have been willing accomplices and many of the core freedoms that are guaranteed to us under the constitution have been slowly but continuously taken from us.

I believe that the Constitution has been treated unjustly by the courts, and I believe we need to take a look at how our Constitution—this symbol of freedom—can be returned to its rightful place as the foundation of our freedom—instead of being just another document that tourists visit at the National Archives in Washington.

Thomas Jefferson, James Madison and the Framers of the Constitution feared tyranny from the judiciary more than from the other two branches, so they placed deliberate limitations on the judiciary.

As a result, under their plan, "the Judiciary is beyond comparison the weakest of the three departments of power . . . [and] the general liberty of the people can never be endangered from the quarter."

These are not my words, but taken directly from the Federalists Papers. Can there be any doubt that our forefathers saw a danger to our way of life and intentionally erected a wall of separation to protect us from it?

There shouldn't be a doubt, but it stares us in the face every day.

The bottom line is, Americans should not have to fear "judge-made laws" as a reality of life. We elect our legislators to make our laws, we elect the executive branch to implement those laws, and the judiciary is charged with holding people accountable to these laws and determining the constitutionality of laws.

There should be no doubt, either, that government is the greatest, if not only, threat to individual liberty. Neither the United States, nor any of the branches of the government, nor the states, is the ultimate authority of the

Constitution. The ultimate authority of the Constitution is the people of the Union, just like Thomas Jefferson said.

We need to make sure that the Constitution doesn't just stay locked up in a display case at the National Archives on Pennsylvania Avenue. We need to bring it into our homes, our schools, our businesses, and our courtrooms.

Only then can we make sure that our schools are symbols of freedom—that our families are symbols of freedom . . . that our businesses are symbols of freedom . . . that our state legislatures, and local governments are symbols of freedom.

When its all said and done, my greatest desire is for my grandchildren to look back on their grandfather and their neighbors and say, "They left us a better country than they inherited. They cared enough to protect freedom for the generations to come."

Mr. Speaker, I was in Vietnam in 1971, 1972, the early part of 1973, and the early part of 1974. I was in Vietnam flying when Jane Fonda made her visit to the north giving aid and comfort to the enemy.

Mr. Speaker, I was in Vietnam, or on my way there, when the presumptive Democrat candidate threw his ribbons across the fence into the dumpster or his friends or his medals, or some similarity of that representation, of our country.

Mr. Speaker, as I listen to the comments from the floor of the House that said that this war is not winnable, I would remind my colleagues that all wars are unwinnable in the heart; and as they seek to undermine the will of the American people, they should consider carefully what they are doing.

Mr. Speaker, we must complete the job that we started before the terrorists complete the job that they started.

Mr. Speaker, I was in France on 9-11. So I was compelled to fly to come back to this country as soon as flight service was restarted. I came through Dallas-Ft. Worth about 10 days after the attacks.

Mr. Speaker, when I came through Dallas-Ft. Worth regional airport, that bustling busy hub of much of the traffic, the air traffic in the western United States, I think that our plane was the only one deplaning. I looked up and down the corridors and walked the full distance to the baggage check without seeing one other plane deplaning. Mr. Speaker, when I went to get a cab to go to the hotel, there was not one cab available because there were no passengers to ask for cabs.

As I finally got a transport van from the hotel, arrived at the hotel to find that there were very, very few customers in the hotel. Mr. Speaker, our economy was this close to collapsing. If we first lose the airlines and the cab industries and the hotel industries and the hospitality industries, we are looking at losing banks and financial institutions and insurance companies.

Mr. Speaker, the terrorists set out to do a job a decade ago first attacking the twin towers of the World Trade Center. Mr. Speaker, they did that attack in 1993 and then again in 2001. If

we are going to sit on our heels trying a policy of appeasement to deal with the terrorists, I will tell you that the terrorists will win because we cannot sustain repeated attacks on our economy and of the civilian population of America like occurred on September 11, 2001. There are estimates that that cost alone, that one day, exceeded \$2 trillion, Mr. Speaker.

Our economy is \$11 trillion. So we took over 15 percent, close to 20 percent of our economy out in one day, not to mention the 2,000 lives.

Mr. Speaker, what I hear from the House floor and what I hear from my friends on the other side of the aisle sounds more partisan when I put it in context of the many complaints that I should have heard from them under the deployments that President Clinton had. We went into Bosnia in the early part of the 1990s, and President Clinton said we would be out by the end of that year. Instead, troops are still there today. Yet, I do not hear one comment about his deployment into Bosnia.

If the names Kosovo, Somalia, Haiti, and Macedonia do not mean anything to my colleagues, those are additional areas in which the previous President dispatched our troops to try to stabilize a very unstable region.

Mr. Speaker, Mr. Clinton launched cruise missiles into Sudan and Iraq, into Haiti with no U.N. resolution. Yet I hear no comments from the floor of this House.

So when I hear my colleagues saying that this war is unwinnable, I think that they are engaged in partisan politics which strikes at the very desire of this country to fight its war. And when I watched the aid and comfort of 1971 and 1972 by the presumptive Democrat candidate for President and Jane Fonda, I am beginning to hear a similar tone.

I will tell you, Mr. Speaker, as one of the Vietnam vets who returned to this country without one public or private official saying thank for your time, Mr. Speaker, I caution our friends to be careful of the rhetoric they use.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair admonishes Members to heed their time limits and to refrain from improper references to Presidential candidates.

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

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

#### EXCHANGE OF SPECIAL ORDER TIME

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent to

claim the time of the gentleman from Michigan (Mr. CONYERS).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### MISMANAGEMENT OF WAR IN IRAQ

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

Mr. FRANK of Massachusetts. Mr. Speaker, I was appalled at the comments that just preceded me.

JOHN KERRY is a brave man today, and he was a brave man 35 years ago when he answered his country's call and was wounded on its behalf. And to hear one say that he came close to giving aid and comfort, of course, that is part of a phrase that describes treason, is unworthy of this House. And to couple that sort of wholly unjustified attack on this brave man because he challenges the President and then to say, well, let us avoid partisan rhetoric, there are no words to describe that that would be acceptable under the rules of the House.

I do want to talk about what is going on in Iraq, and I do it with great sadness. Six months ago if someone had told me that American military personnel and civilians employed by the United States Government had engaged in the kind of outrageous dehumanizing behavior that we have recently seen public, I would have been indignant. I would have said, look, I disagree with the Iraq policy. I did not vote to go to war with Iraq, but I think it is unfair to accuse Americans of this.

And we now say that we have to acknowledge that Americans empowered by the United States Government, not specifically to do that, but they were there because of American government policy, committed these outrageous acts. But it is not enough simply to blame a handful of individuals as the majority tried to do earlier today with a resolution.

I want to stress again how absolutely wrong it was for the Republican majority in the House to bring forward today a resolution on this extraordinarily important question. I am told the President just apologized, as he should have. He should have done it earlier.

We have got a major set-back in American policy but more importantly, a revelation that Americans did things in the name of the country that should not have been contemplated, much less done. And we were only given an hour to discuss it? And the majority used its automatic submissive majority of its Members to prevent any amendment, to prevent any proposal. Many of us believe it is not enough for the military to investigate itself. They have known about this for some time.

First of all, this is the military's failing. Though the Secretary of Defense did not do this in this prison, but the

Secretary of Defense and his aids set up this prison which led this to happen, the inadequate supervision, the whole problem here, this is one which we must thoroughly investigate. And having the perpetrators not of the particular acts but of the efforts that led to these acts investigates themselves is wholly unacceptable.

We were not even allowed because of this automatic submissive majority to offer an amendment to call for that sort of an investigation. I want to stress again, what could be more bizarre than for us to tell the Iraqis that we will teach them how to be democratic, with a small D.

We in particular are telling the Shiites who are in the majority in Iraq, use your majority wisely and prudently. Yes, if you are in the majority you have a right ultimately to make the decision, but please show respect for minority rights. Please encourage openness.

I only hope, Mr. Speaker, that the Iraqis were not watching the debate today because if the Shiites were to emulate the House Republicans in terms of their approach to democracy, then we have very little chance of achieving what we want.

I only hope that people in the leadership of the Shiite movement in Iraq do not take the majority leader of this House as an exemplar of democracy. But it is not simply the inadequate way in which the military has responded to these outrages, and we might never have known if these things were not leaked. The military knew for a long time. They came up here and talked to committees. They misled people when they asked questions about contractors. They left names off lists. The way in which they have handled this was outrageous.

I wish it were an exception. I wish this terrible abuse and these cover ups and this refusal to supervise adequately, I wish it were an exception. But we also had, within the last week or two, the on-again off-again appointment of the Iraqi general in Falujah in which, first of all, we were going to have a war in Falujah. Fortunately, they decided, let us try to minimize the killing. So they appoint an Iraqi general to be in charge.

First we were told he is acceptable to everybody. Then it turned out because of his previous connections to the regime he was unacceptable and a new general comes in.

We have had error after error after error. We have a lack of coordination between the State and Defense Departments. I do not think there has been a major national security operation handled as incompetently as the way this administration has muddled in Iraq in a very long time.

Vietnam ultimately became a terrible set of mistakes, but I do not think in a comparable period Vietnam was as badly handled.

This administration has failed this country in the miserably incompetent way it has handled Iraq.

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

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

#### EXCHANGE OF SPECIAL ORDER TIME

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from California (Mr. FILNER).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### CONDEMNING TREATMENT OF IRAQI DETAINEES

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

Mr. SCHIFF. Mr. Speaker, it is with a mix of anger, sadness, and frustration that I rise in support of the resolution that the House passed earlier today.

Our words can do little to mitigate the damage that has been inflicted upon our Nation, our Armed Forces, and our hopes for better relations with the Islamic world.

Nevertheless, we must offer these words to the Iraqi victims and to the world. All of us have seen the photographs of smiling American military personnel mocking hooded, naked Iraqi prisoners. These images of those degraded are vile. The smiles of those who would degrade are grotesque.

The soldiers in the photos must not become the face of the American-lead occupation in Iraq or of the American GI.

Sixty years ago at the end of World War II, the American soldier was seen as a smiling supplier of chocolate bars. Our men and women in uniform must not become known around the world for degrading and humiliating unarmed, naked detainees.

□ 1630

I am deeply proud of our military. The vast majority of our men and women in uniform serve with bravery, compassion and honor. Sadly, the barbaric conduct at the Abu Ghraib prison reflects upon all our troops and it is up to all of us, the Congress, the executive branch, the justice system and the military itself to address this blight upon our record. I am glad that several of our senior commanders in Iraq have publicly apologized to the Iraqi people. I also believe that it was important for President Bush to express his personal regret to the Iraqi people and his commitment to a full investigation as he did during two interviews with Arabic language television yesterday.

I have been to Iraq and met with our young men and women who are serving there. The most disturbing aspect of

this reprehensible conduct at the prison is that it undermines and endangers the lives of American soldiers who are diligently working every day in the most difficult conditions. All of the countless acts of good will performed by our soldiers, the rebuilding of hospitals, the opening of schools, the reuniting of families, the building of civic institutions and the foundation of representative government, all of these are undercut by these acts.

Our campaign against terror has also been weakened. The war on terror and the war in Iraq are ultimately wars of ideas. The idea of a civil society under the rule of law, respective of human rights and individual liberties is at war with the idea of a closed society devoid of the right to speak as one chooses, without the free exercise of religion and propagated by indiscriminate and murderous violence against innocent men, women and children. The recent events at Abu Ghraib prison, a place identified with the barbarity of the Saddam Hussein regime, are a major setback in the war of ideas. A key element of this war has been our attempt to convince the Islamic world that America and the West are not out to humiliate and destroy Muslims. The damage to that effort is incalculable and the soldiers who committed these acts have betrayed the bravery, dignity and the sacrifice of their fellow troops.

This resolution is our statement to the world and particularly to Iraq and the Islamic world that the people of the United States are united in their condemnation of the stomach-turning acts of abuse that were perpetrated in our name. But this is only the beginning. We need a thorough investigation to find out both where the breakdown in the chain of command occurred and why Congress was left out of the loop, even though the military has been investigating these incidents for months and the investigation by Major General Antonio Taguba was completed in late February, 2½ months ago. We also need to determine whether the conduct at Abu Ghraib was an isolated set of incidents or whether, as some have suggested, similar acts were committed at other detention facilities in Iraq.

Nearly two centuries ago, Alexis de Toqueville is reputed to have said, "America is great because America is good; if America ceases to be good, she will cease to be great." That was true then. It is still true today. Our greatness has been built upon countless acts of goodness and not even an episode like this can undo that proud history, but it should serve as a reminder that our Nation has succeeded because Americans are strivers. We are always looking to better ourselves, our communities, our country and the community of nations. We now face a great challenge to that perception of goodness and we must all rise to meet that challenge.

## WAR IN IRAQ

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am grateful for the tone that has been exhibited on the floor of the House. We must be mindful of what we say and what we do, because our children are listening. I am gratified that Members have come to the floor to indicate both their disgust and their rejection of the actions of some in the military in Iraq. But allow me to lay out my reasoning for opposing the resolution on the floor of the House that was supposed to be today a call by this Congress, a bipartisan call by this Congress to investigate those incidences.

First of all, let me say that I follow in the tradition of Hubert Humphrey that says, in paraphrase, that we are the agitators to create a more perfect union. We are always seeking to make America better. We are always seeking to allow America to live up to its very special ideals of democracy and the Declaration of Independence that indicates that we all are created equal with certain inalienable rights of life and liberty and the pursuit of happiness.

Those actions in Iraq were not necessarily only those of the perpetrators and actors, but it showed the face of America and the face of our military and it was an unjust face. Martin Luther King reminded us that an injustice anywhere is an injustice everywhere. So why do I come to the floor of the House announcing my opposition to the resolution that was on the floor and my "no" vote? Because it was the failure of the Republican leadership that I challenged, failure in betraying the trust of the American people. Those crimes in Iraq were not partisan. They were not Democratic; they were not Republican. They were all of us being shocked and outraged, and collaboratively we should have stood here on the floor of the House in a bipartisan way and laid out a road map for the American people on many instances.

The first one is that it should be a bipartisan, complete and comprehensive investigation. We should investigate whether or not there was a violation of the Geneva Convention for the Committee on International Relations. We should investigate whether JAG officers and others who were interrogating these individuals followed certain rules and certain parameters that would be respectful of the human dignity. I know someone is saying now, look at the tragedies that happened to our civilian hostages and others who we saw glaring across the television screens just a couple of weeks ago. Let me say that we all protested that in outrage. But is it for us to follow suit to those whom we consider uncivilized and to be murderous terrorists? Is that the model that we are to follow? I think not.

And so for this Republican leadership to put on the floor of the House a singular resolution that says that the Secretary of the Army is supposed to investigate this, no Judiciary Committee, no International Relations Committee, no Intelligence Committee, no Government Reform Committee, no committees of jurisdiction, no Homeland Security Committee, when the very fact that the individuals who will face the wrath and the ire of the world will be Americans who are traveling around the world, we must investigate this comprehensively.

Mr. President, I disagree with you. I hope that your apology was forthright in the last hours that I have not been before the television screen. I hope you said something that we could understand. I clearly think that you are to be applauded for going before those in the Arab world. But I think the American people have to understand what happened. I have no apologies for not condemning in totality those men and women who were the perpetrators of, yes, criminal acts and they should be brought to justice. But they did not act alone. The hierarchy, the brass, the individuals who knew about this in November of 2003, who shared it with no one and absolutely no one in America, not even this United States Congress, not the Intelligence Committee.

Where else does the blame lie? Directly at the feet of Secretary Donald Rumsfeld, the man who orchestrated this war and suggested to us that weapons of mass destruction were the cause of going to war in Iraq. He misrepresented and misled the American people then and he has hidden the truth from us now. He does not deserve to hold this office. Neither does Deputy Secretary Paul Wolfowitz.

And so I would ask them in a tone that I hope will be respectful, in order to clean the slate and allow America to go forward and to truly have the kind of dignity and respect the United States military deserves, so that we can build again, so that the American people can be known for what they are, compassionate and loving and believers of democracy, so that our children would understand that we too are fighters for democracy, then it is appropriate, Mr. President, that you ask for Secretary Rumsfeld's resignation, along with Paul Wolfowitz'.

This is not a time for loyalty. This is not a time for partisan politics. Mr. Rumsfeld failed you. He was derelict in his duty. He was aware of this and did not share this with the Congress. He knew it on Thursday of last week when "60 Minutes" showed it on television. What an insult. We could have avoided the controversy and the sadness that has permeated our leadership. The American people have put all of us in the same boat, Democrats, Republicans, Congress Members, House Members, Senate Members, administration.

It is interesting. When they were ready to rise up against William Jefferson Clinton in the impeachment over

discretions in his personal life, everybody was speaking about it in the United States. Everybody was outraged. Where is the outrage now? What a shame and a travesty.

And to the American people, I would say you too have a responsibility to ask the hard questions. In these letters to the President, Secretary Rumsfeld and to the Speaker of the House, I have asked for Secretary Rumsfeld's resignation. That is the honorable thing to do. Or be terminated. And I have asked the Speaker to convene a full body before he leaves to tell us the honest truth.

Mr. Speaker, I ask in a tone of simplicity and humbleness, where are the American people? Where are our voices? It is time now to stand for truth and to stand for those troops who are fighting for us all over the world.

HOUSE OF REPRESENTATIVES,

Washington, DC, May 6, 2004.

Hon. J. DENNIS HASTERT,

Speaker of the House,  
Washington, DC.

DEAR SPEAKER HASTERT: It has become evident that due to the recent abuses of Iraqi soldiers by members of the U.S. military, that the Congress should get involved in calling for an immediate investigation of these atrocities. An investigation led by Major General Antonio Taguba, reported widespread abuses in the detention of Iraqi prisoners including incidents in which detainees were threatened with a pistol and with military dogs, prisoners were being sodomized with a chemical light and broomstick and soldiers were forcing naked prisoners into compromising positions. Members of Congress were never told the true extent of the abuses taking place; instead we were left to find out the truth when it was revealed to the general public. It is inconceivable that Secretary Rumsfeld would leave both the Executive and Legislative branches of our government in the dark regarding a critical foreign policy issue. His actions clearly go against the dictates and procedures of his position as Secretary of Defense.

Secretary Rumsfeld's failures in managing the war in Iraq go beyond the abuses of Iraqi prisoners. It has become clear that he has no control over the thousands of private contractors and private security companies in Iraq. In fact, the Pentagon has no records as to the number of private individuals who are in Iraq working on behalf of the United States Government. In addition to the extreme danger many of these individuals are being placed in, there are numerous reports that many of these individuals are taking part in highly illegal activities. Indeed, privately contracted individuals are suspected as being involved with the abuses that took place in the Abu Ghraib prison. Another disturbing issue that is just now coming to light is that there are currently fourteen different investigations into prisoner deaths that took place in Iraq and Afghanistan. Yet another indication that Secretary Rumsfeld has known about the severe mistreatment of prisoners and has failed to act.

The severity of Secretary Rumsfeld's actions pose grave consequences for our Nation. Let me be clear, I have always supported the men and women of our Armed Forces. It is my belief that the abuse of prisoners in Iraq has been the work of a small number of disgraceful American soldiers. However, as the Secretary of Defense, he bears the burden of the actions of the Armed Forces that he was sworn to oversee. The grotesque images of U.S. soldiers abusing

Iraqi prisoners are being shown around the world and no amount of words can change the effect of those images. In the short term our soldiers abroad now face even greater danger in fighting this war. In the long term our Nation now must address the outlook for our war in Iraq that only seems to become more difficult by the day. As the Secretary of Defense, your leadership should help guide our Armed Forces to victory, instead your tenure as Secretary has brought disrepute and a greater burden upon our Nation.

In conclusion, it is absolutely essential that the entire United States Congress get involved in the investigation of these atrocities because it affects each and every one of us as we represent constituents who currently serve in Iraq.

Sincerely,

SHEILA JACKSON-LEE,  
*Member of Congress.*

HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 6, 2004.*

Hon. DONALD RUMSFELD,  
*Secretary of Defense,*  
*Washington, DC.*

DEAR SECRETARY RUMSFELD: I am writing to you today to ask that you resign as Secretary of Defense in light of your actions regarding the abuse of prisoners in Iraq. It has become clear to me and many of my colleagues in Congress that your continued leadership and management of the war in Iraq is no longer in the best interest of our Nation. In my qualified opinion there has been a dereliction of duty on your part as Secretary of Defense and I believe you have an obligation to the American people to resign your office.

As the Secretary of Defense it is your sworn duty and responsibility to oversee and direct the actions of our Nation's Armed Forces. It has become evident that not only have you failed to prevent the abuse of Iraqi prisoners, but in fact you have made a concerted effort to cover up the extent of the abuses taking place. You knew as far back as November 2003 that Iraqi prisoners were being treated in a way that was inhumane and illegal by any standard. Only now more than 6 months later is the truth finally being revealed. An investigation led by Major General Antonio Taguba, reported widespread abuses in the detention of Iraqi prisoners including incidents in which detainees were threatened with a pistol and with military dogs, prisoners were being sodomized with a chemical light and broomstick and soldiers were forcing naked prisoners into compromising positions. This information was known to you long ago and yet the first time that anyone ever heard of these incidents was in the release of the horrific photos taken in the Abu Ghraib prison. Members of Congress were never told the true extent of the abuses taking place; instead we were left to find out the truth when it was revealed to the general public. The most galling indication of this cover up was the fact that even President Bush, our Nation's Commander-in-Chief, first found out about the abuse of Iraqi prisoners while watching national television. This incident shows that you have failed the Commander-in-chief as Secretary of Defense and should relieve yourself of the responsibilities of your office. It is inconceivable that you would leave both the Executive and Legislative branches of our government in the dark regarding a critical foreign policy issue. Your actions clearly go against the dictates and procedures of your position as Secretary of Defense.

Your failures in managing the war in Iraq go beyond the abuses of Iraqi prisoners. It has become clear that you have no control over the thousands of private contractors and private security companies in Iraq. In

fact, the Pentagon has no records as to the number of private individuals who are in Iraq working on behalf of the United States Government. In addition to the extreme danger many of these individuals are being placed in, there are numerous reports that many of these individuals are taking part in highly illegal activities. Indeed, privately contracted individuals are suspected as being involved with the abuses that took place in the Abu Ghraib prison. Another disturbing issue that is just now coming to light is that there are currently fourteen different investigations into prisoner deaths that took place in Iraq and Afghanistan. Yet another indication that you have known about the severe mistreatment of prisoners and have failed to act.

I sincerely hope you realize the severity of your actions and the consequences they pose for our Nation. Let me be clear, I have always supported the men and women of our Armed Forces. It is my belief that the abuse of prisoners in Iraq has been the work of a small number of disgraceful American soldiers. However, as the Secretary of Defense you bear the burden of the actions of the Armed Forces that you were sworn to oversee. The grotesque images of U.S. soldiers abusing Iraqi prisoners are being shown around the world and no amount of words can change the effect of those images. In the short term our soldiers abroad now face even greater danger in fighting this war. In the long term our Nation now must address the outlook for our war in Iraq that only seems to become more difficult by the day. As the Secretary of Defense your leadership should help guide our Armed Forces to victory, instead your tenure as Secretary has brought disrepute and a greater burden upon our Nation.

I am asking that for the sake of our Nation you resign immediately as the Secretary of Defense. The men and women of our Armed Forces, our Nation, and indeed the world deserve to know that there is accountability for failure and reckless conduct from America's leaders. I hope you will take my words to heart and resign your office for the good of our Nation.

Sincerely,

SHEILA JACKSON-LEE,  
*Member of Congress.*

HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 6, 2004.*

President GEORGE W. BUSH,  
*1600 Pennsylvania Avenue, NW,*  
*Washington, DC.*

DEAR PRESIDENT BUSH: I am writing to you today to ask that you call for the resignation or terminate Donald Rumsfeld as Secretary of Defense in light of his actions regarding the abuse of prisoners in Iraq. It has become clear to me and many of my colleagues in Congress that his continued leadership and management of the war in Iraq is no longer in the best interest of our nation. In my qualified opinion there has been a dereliction of duty on the part of Secretary Rumsfeld and as Commander-in-Chief I believe you have an obligation to the American people to remove him from office.

As the Secretary of Defense it is Secretary Rumsfeld's sworn duty and responsibility to oversee and direct the actions of our nation's Armed Forces. It has become evident that not only has he failed to prevent the abuse of Iraqi prisoners, but in fact he has made a concerted effort to cover up the extent of the abuses taking place. He knew as far back as November of 2003 that Iraqi prisoners were being treated in a way that was inhumane and illegal by any standard. Only now more than six months later is the truth finally being revealed. An investigation led by Major General Antonio Taguba, reported

widespread abuses in the detention of Iraqi prisoners including incidents in which detainees were threatened with a pistol and with military dogs, prisoners were being sodomized with a chemical light and broomstick and soldiers were forcing naked prisoners into compromising positions. This information was known to Secretary Rumsfeld long ago and yet the first time that anyone ever heard of these incidents was in the release of the horrific photos taken in the Abu Ghraib prison. Members of Congress were never told the true extent of the abuses taking place; instead we were left to find out the truth when it was revealed to the general public. The most galling indication of this cover up was the fact that you yourself, our nation's Commander-in-Chief, first found out about the abuse of Iraqi prisoners while watching national television. It is clear that the Secretary of Defense has failed the Commander-in-Chief and now decisive action must be taken to remove him from his office. It is inconceivable that Secretary Rumsfeld would leave both the Executive and Legislative branches of our government in the dark regarding a critical foreign policy issue. His actions clearly go against the dictates and procedures of his position as Secretary of Defense.

Secretary Rumsfeld's failures in managing the war in Iraq go beyond the abuses of Iraqi prisoners. It has become clear that he has no control over the thousands of private contractors and private security companies in Iraq. In fact, the Pentagon has no records as to the number of private individuals who are in Iraq working on behalf of the United States Government. In addition to the extreme danger many of these individuals are being placed in, there are numerous reports that many of these individuals as taking part in highly illegal activities. Indeed, privately contracted individuals are suspected as being involved with the abuses that took place in the Abu Ghraib prison. Another disturbing issue that is just now coming to light is that there are currently fourteen different investigations into prisoner deaths that took place in Iraq and Afghanistan. Yet another indication that Secretary Rumsfeld has known about the severe mistreatment of prisoners and has failed to act.

The severity of Secretary Rumsfeld's actions pose grave consequences for our nation. Let me be clear, I have always supported the men and women of our Armed Forces. It is my belief that the abuse of prisoners in Iraq has been the work of a small number of disgraceful American soldiers. However, as the Secretary of Defense he bears the burden of the actions of the Armed Forces that he was sworn to oversee. The grotesque images of U.S. soldiers abusing Iraqi prisoners are being shown around the world and no amount of words can change the effect of those images. In the short term our soldiers abroad now face even greater danger in fighting this war. In the long term our nation now must address the outlook for our war in Iraq that only seems to become more difficult by the day. As the Secretary of Defense his leadership should help guide our Armed Forces to victory, instead his tenure as Secretary has brought disrepute and a greater burden upon our nation.

I am asking that for the sake of our nation you ask for the resignation or terminate immediately Secretary Rumsfeld as the Secretary of Defense. The men and women of our Armed Forces, our nation, and indeed the world deserve to know that there is accountability for failure and reckless conduct from America's leaders. I hope you will take my words to heart and remove Secretary

Rumsfeld from office for the good of our nation.

Sincerely,

SHEILA JACKSON-LEE,  
Member of Congress.

#### HAPPY MOTHER'S DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

Ms. CORRINE BROWN of Florida. Mr. Speaker, with Mother's Day quickly approaching, I want to first thank all of the mothers and wish them a happy Mother's Day and thank them for what they do to make America the great place that it is. I want to thank in particular the American gold star mothers for their sacrifice and for the sacrifice of their children by answering the call of duty to their country.

Let me be clear: I support our troops 100 percent. I would like to honor our brave troops, all the military families and all that they do and have sacrificed for our Nation. I want to emphasize that I do not want our troops to be the scapegoats for this administration's failed policies. What is going on in Iraq right now is just another example of this failed administration policy.

And where is the leadership on this? Where is the President? This administration is once again missing in action. MIA. At this exact moment, with all of the uprising in Iraq, our troops are being placed in the most dangerous position. And although I pledge to do everything within my power as an elected official to ensure that our servicemen and women have the equipment and resources they need to carry out their mission, I find it disturbing, in fact, misleading that President Bush continues to hide the truth about Iraq from the American people.

In fact, up until yesterday, the administration was saying that another supplemental appropriation request would be unnecessary until after, by the way, November elections. To me, however, it seemed more than likely that this administration knew all along that they were going to need additional funding. Unfortunately, this new request of \$25 billion in supplemental spending for Iraq is just another example of the administration's pattern of covering up the facts and refusing to share information with the American people. Although the American public demands to know the truth about the cost of the war, time and time again the administration has denied them the opportunity to get the full story. Moreover, the Republican leadership in Congress refuses to fulfill its constitutional obligation to act as a check and balance on the executive branch.

With this \$25 billion, our country's taxpayers will be forced to spend over \$200 billion for this war. How much more will we need in the future? No one knows because the administration does not tell us anything. I would like

to say contrary to the administration's talk about how they pass measures like this to provide for the troops, in the last \$87 billion supplemental, the Bush administration never even requested sufficient funds for body armor, Humvees, and dozens of other badly needed supplies that the troops need over there for their survival. These items were only included in the package because it was stuck in in this Congress. Not this administration. The Congress put those supplies in for the troops.

In closing, we need to be included in the strategy. The President is asking for another \$25 billion. What I am requesting from them is some transparency. I am requesting a broader, inclusive strategy. We are three branches of government, not a dictatorship. America needs a plan for Iraq, Mr. President, one that does not involve hundreds more American troops going home in body bags.

In November, the American people will have their say. Do not forget the 2000 election because it does matter who is in charge.

Ms. JACKSON-LEE of Texas. Mr. Speaker, will the gentlewoman yield?

Ms. CORRINE BROWN of Florida. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank the gentlewoman for what she has said. I want to join her in her salute to mothers with a happy Mother's Day, but also let me say that my heart goes out to mothers who have lost children in the war in Iraq and Afghanistan. I thank the gentlewoman for acknowledging them. I acknowledge my mom, Ivalita Jackson, at this time. I thank the gentlewoman so much and happy Mother's Day to her.

Ms. CORRINE BROWN of Florida. Happy Mother's Day to all of the mothers.

□ 1645

#### CALLING FOR RESIGNATION OF SECRETARY RUMSFELD

The SPEAKER pro tempore (Mr. COLE). Under the Speaker's announced policy of January 7, 2003, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEEK of Florida. Mr. Speaker, it is a pleasure to address the U.S. House of Representatives this evening and also the American people.

This hour every week the Congressional Black Caucus comes together to speak to the people of the United States about issues that are facing our country, how we can play offense in certain areas to make sure that we stay a vital and sovereign country. But today I must say it is a very difficult day to stand here in this House of Representatives and be able to share with the American people that we have grave issues with the leadership of the Bush administration as it relates to the handling of what has happened to Iraqi prisoners in our custody.

It is appropriate to say there will be investigations that will be conducted. It is appropriate to say that there are future courts martial that will take place and individuals will pay on the front line; but it is very difficult for us to continue, and when I say us, I would mainly want to say the majority party of this House, and for the majority leaders of this House to look in the face of something very wrong, very much mishandled in this country as it relates to the abuse of these prisoners.

I will say this is a very emotional thing for me due to the fact that I have had more than four people in my district die in Iraq. Yes, I commend the troops for their service. Yes, every day on the Committee on Armed Services I make sure that we do what we have to do to make sure that they have the equipment that they need to protect themselves, to make sure that Reservists that signed up to defend their country if need be, that they are able to make ends meet.

We commend our troops every day. We appreciate their patriotism. We have over 120,000 troops in the Middle East, not even counting the individuals that are providing civilian services and contract services throughout the world.

But I must say that Secretary Rumsfeld, with him having the number one job at the Pentagon and being the Secretary, should resign from the Department of Defense. The reason we are calling for his resignation is not because he happens to be a part of the Republican administration or we disagree with Secretary Rumsfeld with his strategy towards the war. It is to save American lives. It is just that simple.

American troops will be terrorized even more now in the Middle East than they have been over recent weeks and days due to the fact of the humiliation of Iraqis and pictures that we will never live down. The Iraqi people will never live it down, the Arab world will never live it down because their pictures are all over the Internet, The Washington Post, CNN, any network Web site. You can definitely pick them up by just picking up the New York Times. The Washington Post today has a picture of one of our soldiers with an Iraqi prisoner on a dog chain.

We all condemn these acts. There is nothing wrong with condemning them, but there is something fundamentally wrong for the President of the United States not to be able to say, I am sorry or someone in my administration, or I was wrong. I will share with you as a Member of Congress and somebody who has been elected for 10 years, there are days I have to admit that I am wrong. There are days that publicly I have to say that I made a mistake. There are certainly days I have to say I am sorry, to not even my constituents when I make a mistake, but also to the American people.

But I will say, this is not the time to shield the administration, the majority

party in this Congress, to shield the President because this is an election year, or to shield Secretary Rumsfeld because he is going to be before the Senate and before the Committee on Armed Services at 3 by putting forth a resolution saying we commend the troops' service in Iraq.

We commend them. We appreciate them. We love them. Members of the minority party here on the Democratic side, we are fighting for up-arming Humvees. We fought to make sure that individuals had Kevlar vests. We are working to make sure that the Reservists called up on a 12-month call, that they can get home in 24 months or even shorter because their families are going through a lot.

But for this administration, and as it relates to the economy and other issues that have taken place in this country, where the President has hunkered down and said they are my friends, we are in this together, and we are going down together, he cannot do that this time. I do not want the President to have to fire Secretary Rumsfeld, but that may have to happen. I am hoping that Secretary Rumsfeld understands on behalf of the country and on behalf of protecting American troops abroad and also on behalf of protecting Americans and shielding us against additional terrorist attacks in this country, that not only should the world see it, but America sees it.

This is a huge mistake. This is a mistake that is going to cost Americans their lives. I hope that he would be leader enough to say, you know, Mr. President, I did the best I could, but I know the circumstances that we are living under now, and I know the pressure being put on the United States and I know this endangers our troops even more. Personally, even though I did not have my hands on these individuals, I resign. Not to say by him resigning this issue goes away, but it at least shows Americans and the world that we have some level of account and balance.

I think it is very, very important for us to understand that, one, we have over 120,000 American troops in uniform overseas; two, we have Americans that live here in the United States that need protection and we need the Arab world to be with us, or some of our allies in the Arab world to be with us in our efforts against terrorism. As a member of the Select Committee on Homeland Security, terrorism is alive and well in the world; and we need as many friends as we can get.

So chastising Mr. Rumsfeld in the Oval Office, as is referenced in the New York Times today, is not enough to let individuals know that we are sorry and that we are working towards corrective action to make sure that does not happen again. Going on television, going around on Arab television and saying this is not how Americans see the war, this is not how we look to fight against terrorism, we denounce the acts of the pictures, that is not saying anything.

Pictures, the President said today in his press conference we are sorry that these pictures have given an image of Americans that we are insensitive. I am sorry about the pictures. Sorry about the pictures and the act are two different things.

We need to make sure, Mr. President, and to the majority party here in this Congress, we need to protect our troops in harm's way. We need to make sure we do that. If we do not remove Secretary Rumsfeld from the position of Secretary of Defense, we are letting the world know that we are not really sorry. We are letting the American people know that we are not really sorry. We are not doing that. I will share with you that we cannot fall short of that.

This is not the first mistake, this is not the first blunder, but this is a serious, serious issue. I do not think the American people, and definitely some Members of this Congress, understand the gravity of this situation. This is a very, very difficult situation dealing with some very, very dangerous individuals that will use these pictures to fuel more terrorism, show them to young Arab children and say, this is what America thinks of you. We have to be able to push back by saying that is not true, we removed the individuals that were in control. It was not just front line individuals that were held responsible; and it is very, very important that we do that.

Before I yield to the chairman of the Congressional Black Caucus, I just want to make sure that the American people understand that this is not a partisan issue. When our troops are taken hostage or a civilian employee is taken hostage, I guarantee Members that we, although preferably not, will see something similar to this if we do not respond to it in a very strong way.

Mr. Speaker, I would also say that the President has spoken out and has done the right thing for less. I will say that this situation is not a time to say that we are not going to allow certain Members of Congress to ask for the Secretary to step down. American lives are at stake.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. CUMMINGS), chairman of the Congressional Black Caucus.

Mr. CUMMINGS. Mr. Speaker, I thank the gentleman for his leadership and service. I want to very briefly discuss some points. This afternoon there was a vote on a resolution to condemn those folks, military and otherwise, who did these despicable acts to prisoners in Iraq. As soon as I got back to my office, Mr. Speaker, I was asked by several papers and news outlets why is it that you voted against the resolution, joining some 50 other Members in doing so.

I guess the thing that I would have to say is timing. Here we are, we had a resolution which basically said, and let me quote it, it says, "Resolved, That the House of Representatives (1) de-

plores and condemns abuse of persons in the United States custody in Iraq regardless of the circumstances." And then it goes on to talk about a handful. It says "declares the alleged crimes of a handful of individuals should not detract from the commendable sacrifices of over 300,000 members of the United States Armed Forces who have served," and it goes on.

I think in and of itself the word "handful" is very, very upsetting to me. We do not have a clue at this juncture as to how extensive this abuse is. We have a situation where we know that there are officers, military officers, who are in the various pictures. We know about the report that was written by the military, a very extensive report that Secretary Rumsfeld just recently said he had not read; but the fact is that this is a situation that certainly calls for us not early on limiting this to a "handful" of military personnel, or a "handful" of individuals, but it is one where we should be simply asking the question what happened here in Iraq at the Abu Ghraib prison. Do we have similar circumstances in Afghanistan? Do we have similar circumstances at Guantanamo Bay?

I think when all is said and done, the resolution that we passed today that I voted against will be inaccurate in declaring that there were only a handful of individuals.

□ 1700

One of the other concerns that I had about this document was that it talked about the military investigating this matter as if the Congress consisted of a bunch of potted plants sitting in a window doing nothing. This is a Congress that voted with regard to the Iraq War. This is a Congress that has stood up over and over again talking about its love for our military. This is a great Congress. But the fact is that when we stand to the side and say to our military to go and investigate themselves and then send us a report from time to time, I think it sends a horrible message not only to the military, and I will explain that in a moment, but it also sends a horrible message to the Muslim community and to the world.

Why do I say that? It would appear that there has already been substantial finger pointing within the military itself. The people who are caught in the picture, some of them have said that they have got orders from higher-ups. The person who was in charge of all the prisoners there said that she did not even have much of any authority on this particular cell block.

So then there is finger pointing in the military in and of itself. There are also allegations that civilians were involved in all of this. So the question becomes not whether the military can effectively do a good job of investigating itself, the question becomes is how will the investigation appear to the world when we have already gotten finger pointing within the military itself?

Just the other night, I was at the Howard County Muslim Council at a dinner in my district. And as I listened and I talked to members of the Muslim community, some of them with tears in their eyes talked about how offensive these pictures were and how offensive the allegations were to the Muslim people, not only because of who they are, not only because of their culture, but also because of their religion. And one of the things that they talked about was whether they could now trust the United States to do a fair job in providing a transparent and thorough investigation of these types of acts. And one of the things that they asked me to do is just ask the question why not a tribunal? Why not a worldwide investigative agency look into this so that when the message is sent back to the world, the world will be satisfied that we have done all that we could to investigate every single human being, be they military or civilian, that had anything to do with these kinds of despicable acts no matter where they may fall in the line of command?

So what they want is an investigation which is thorough and one that is transparent and one where they can feel comfortable that all of those involved will be brought to justice and that they will be punished accordingly. So that is so very important that we do that.

The other thing that concerned me here was that we talk about investigating a handful of people and we talk about wanting to make sure that these investigations take place, but as I said a little bit earlier, what is the Congress's role in all of this? We have a duty. We have a duty to look into these matters. We have a duty as a Senate and the House to look carefully at every aspect of all of this because one of the things that we do that no other organization on this level does in this country is we set policy not only for this country, but quite often policy that affects the world.

And if we are not gathering information ourselves to make sure that we have a complete understanding of how these kinds of acts could take place and whether there were people asleep at the switch or whether there were folks who simply did not care or whether there were people who just failed to read reports, and then to claim that they had no knowledge of the information, or whether those who had an obligation to let the Congress know and the President know of these atrocities and did not, we need to have that information so that we can set policy to make sure that it never happens again and so that we can send a powerful message, a very powerful message, to the world that we have done all that we could do.

The other audience that we send a message to is our military. Early on in this process, we would read reports where the President and others and military brass said we will reprimand

certain folks that may have been in the chain of command. And as soon as I heard that, I said it is too early. It is too early to be reprimanding anybody because I do not see how they can reprimand when they do not know the full extent of the alleged offense.

It does not make sense. So when our friends in the Muslim community and when our friends in the world hear that, the question is, is this a slap on the wrist to reprimand someone for being a part of a process that caused other people to go through indignities and to be offended to such a great extent? I just think that that sends a wrong message to the military when they hear that there is going to be a slap on the wrist early on before a true investigation by the military or by the Congress or by an international tribunal-type organization is done.

It sends a terrible message. And the message that it sends is that, although millions of people have been offended by these acts, that they do not measure up to the kind of investigation and the type of justice that they should be subjected to. And that is a major problem because we do not want anyone believing, whether they are in the military or whether they are civilian, that this kind of conduct is all right.

Finally, the other audience is the American people and our soldiers. The American people have stood up over and over again, as has the Congressional Black Caucus, for our troops. They believe in our troops, for they are our sons, our daughters, our mothers, our fathers, our aunts, our friends. They are the ones who live in our neighborhoods. They are the ones who coach the Little League baseball team. They are the police officers when they, as National Guard, would go away on weekends and now they are serving for more than a year, but they are our neighbors; so we all care about them.

We also are in prayer for them for we realize that they are in harm's way. It pains us tremendously when we go to Walter Reed Hospital and see our young men and young women with amputations of the leg and of the arms. It pains us tremendously when we see pictures on the front page of The Washington Post and The New York Times of caskets, rows and rows of caskets, of our young people coming back in these steel caskets. It hurts and it pains us. But the fact still remains that, as the gentleman from Florida (Mr. MEEK) said a few moments ago, if we send a message to the world, and that message is that they get a slap on the wrist when the world has seen these kinds of pictures, the question becomes what happens when our military folk or when our civilians are captured? Does it become a tit for tat: If you did it to me, I will do it to you?

One of the things we in the Congressional Black Caucus has said over and over again is that we stand up for the moral authority of this country. Not the military authority, the moral authority. And the question certainly be-

comes have we violated that moral authority when we do not address these problems?

Finally, let me say this: that no one will stand behind one of these podiums and even begin to suggest that we have a lot of our military that could fall in the category of the folks who did these kinds of despicable acts. No, we will never do that because we do not believe it. I believe in my heart that 99.9 percent of our military would never engage in this kind of activity and would find it despicable just as the Congressional Black Caucus finds it despicable. But the fact is that we must get to the bottom of this so we also protect their reputations, so that we pull out those who would do these kinds of things so that the others can say, okay, fine, now we have now rid ourselves of those who have no respect for human dignity, who have no respect for the beliefs of others, who have no respect for the culture of others, who have no respect for human life.

And I end on that point in that there have been even allegations that there have been deaths, and again, when we give a slap on the wrist, we never get to the question of did people die at the hands of our military? Are those deaths being hidden? And that is why I could not, for the life of me, understand why we would restrict this to a handful of folks, a handful, and I think that does a disservice to our military, I think it does a disservice to our country, I think it does a disservice to the world.

Mr. MEEK of Florida. Mr. Speaker, I am so glad that the chairman shared with the American people and Members of the House on how dangerous this situation is for our troops in Iraq. And, Mr. Speaker, I am going to enter for the RECORD a statement of why I voted against a resolution today and I will hand it to the Clerk.

But I think it is important for discussion points to the fact that the Pentagon knew to contact 60 Minutes II 2 weeks ago, when they wanted to run the story of these pictures and what has happened to these prisoners and they were guaranteed once, if other news organizations were moving forth, if they were to just stand by and allow the Pentagon to take another look at this that they would be given an exclusive interview.

Those kinds of things, when a news organization, 60 Minutes II, or 60 Minutes period, when they call, I mean it is kind of difficult for me to even just comprehend or understand that the Secretary of Defense had no knowledge of what was going on in this prison. That is one fact.

The second fact is the issue on January 13 of 2004.

□ 1715

A soldier gave a disk of pictures to a brass commander to let him know what was going on. The Ryder report never made it up the chain of command, that is what someone has said. But I will

tell you, we are going to continue to have problems, and even more problems, if we slow-walk this thing, if we politic this thing in a way of trying to shield the administration and the President. I can care less about shielding someone. I do care about protecting American lives. I am glad the gentleman addressed that.

Mr. CUMMINGS. Mr. Speaker, if the gentleman will yield further, I just think the gentleman is absolutely right. We have to stand up for what is right. I heard the gentleman say a little bit earlier that you do have to leave the politics at the door.

When I saw the picture, and the gentleman showed it today a little bit earlier, I know he showed it at a news conference and it has been on the front page of so many papers, where a lady soldier has what appears to be something similar to a dog chain, dog leash, around the neck of a naked Iraqi prisoner, and he is on the ground naked, and it looks as if she is trying to pull him around.

I tell you, when I think about any person, sometimes I think that we need to pause and try to put ourselves in the position of people who may be suffering through something, and I think if we imagine our son or imagine our father or imagine our daughter being dragged around on a leash like a dog, I think it would cause you to say, wait a minute, hold it.

I want to get to the very bottom of this. There have been diaries, at least one diary I know of, that has been featured in the Baltimore Sun, in my newspaper, as to how a gentleman in the military described and talked about how deep this thing went. In other words, it was not a little handful of people. They are talking about commands coming from people beyond the prison cells. In other words, loosen them up, they were told, or put them in a position so they will confess to certain things and provide certain information.

I just think that we in the United States, as I said before, we have done well because of moral authority. Just the words "moral authority" are so powerful.

I would hate to think that countries all around the world would begin to say, Wait a minute, hold it. You are telling us about moral authority? You are telling us about how to treat inmates? You are telling us about how to address issues in a humane fashion? And then they just would throw out the pictures and say, well, it is a problem. We are not going to do that. If that is the way you do it, you cannot suggest to us what to do when we see what you are doing.

That is what we have to be concerned about. That is part of the reason why it is not just a political issue. It is not a political issue. It is a humane issue, how human beings should be treated.

Mr. MEEK of Florida. Mr. Speaker, reclaiming my time, what is about to happen is due to the lack of top-end re-

sponse from this administration, that you are going to have the true American spirit break through many of the troops that know different. They are going to blow the whistle on them. Not blowing the whistle on them because they are an Independent or member of the Green Party or the Democratic Party or the Republican Party that disagrees with the President. They are going to blow the whistle to save lives of Americans, because they know the tension and how Americans are treated abroad now.

You have people that are living overseas that they would not wear a flag, or you have some ambassadors that are not flying the American flags on their cars due to the fact of terrorism, of them being a target.

If we are going to be the leader of the free world, then we have to be the leader. We have to be able to lead in a way that lives up to that title.

I will tell you, today earlier when we had a press conference about Secretary Rumsfeld, if you have a basketball team and they are not doing well, sometimes you have to remove the coach.

I will tell you right now, I am not one to stand up on a daily basis or I do not remember a time in my career that I have asked for someone to step down. I really have not. It is not something in my nature. I feel it is something that someone will say, well, I am not performing the job in a way that I should perform it on behalf of especially the lives of troops that are overseas, that are fighting right now as we are here on this floor, fighting on behalf of Americans and fighting on behalf of making sure that we are able to make advances in the Arab world, fighting on behalf of creating and trying to maintain democracies, that their lives are at stake and we want them to come home. We want them to come home. We want to make sure they get home to their families.

I just want to share a few things. 135,000 soldiers are in Iraq right now; 767 and counting have died since the war. Nearly 40 troops have died since these pictures were released last week.

I will tell you that I am just getting goose bumps by just mentioning those numbers. But I also feel for those individuals from the Middle East that are Americans, that are fighting in the armed services, that are paying taxes every day, that hate and despise and pray against future terrorism, that they are wearing the flag on their shoulder, they are carrying that M-5 machine gun. They are taking the bullets; they are losing limbs. And to have people of the same hue, people that live in the Middle East, being treated like these pictures depict that they are treated, or depicting how they have been treated, I will tell you, from what I have seen thus far and what has been reported thus far, we have not even broken the ice on this issue.

I am very, very concerned about the future of our security here in the

United States. I am very, very concerned about the increased attempts and achievements of terrorism, of terrorists achieving their goal of killing American troops. I am concerned about the diplomatic community, about the CIA agents that we have working within terrorist organizations to try to weed out terrorism before it happens. I am concerned about those individuals that are contract company workers that are civilians that are there trying to fight with us in this war on terrorism. I am concerned about their safety.

I do not have a lot of patience for the President to call the Secretary of Defense into the office and chastise him. That is what you do to a teenager when they stay out too late. This is the security of the world. This is the security of the United States. This is our future, how our children will live, how our grandchildren will live.

No one is going to stop a troop and say, wait a minute, are you a Republican, before I kill and torture you. They are not going to do that. They are not going to ask you if you are black or Hispanic. Well, who do you support? They are going to kill you and torture you because you are an American, because we are not responding in the way we should respond.

I implore the administration and Mr. Rumsfeld, please do not try to low-ball and low-roll this thing, to say we are going after some low-level individuals, and it does not rise to the level of the Pentagon. The Pentagon did know. I am pretty sure they did know. We will have very good evidence in the very near future. But why do we have to lose additional American lives, and then make sure that the world knows that we mean business about this?

Passing resolutions to clear our conscience so we can go home and spend the weekend and say we passed a resolution condemning and commending our troops is not enough.

Mr. CUMMINGS. Mr. Speaker, if the gentleman will yield further, I do believe, to pick up on the very last statement that the gentleman made, so often it is easy to pass a resolution clearing one's conscience; but I do believe also that, as a reporter asked me, she said, why did you want to vote against this resolution? Now you got to spend all this time with me explaining it.

What I said to her was that perhaps my explaining it and explaining why I wanted an extensive congressional investigation, why I wanted an investigation to go beyond the military investigating itself, why I wanted to send a strong message to the world, the Muslim world, American world, all over the world, about how serious we consider this matter to be, perhaps that might very well save some lives, not just today, but for many years to come.

Just yesterday, Secretary Powell came before the Congressional Black Caucus for an hour and 15 minutes, and I shall never forget the expression on

his face when he said he had read the report, and when he said that he found the acts to be terrible and horrific. But he also said something else. He said, "I promise you we will get to the bottom of this." That was yesterday, and here we are today saying a handful of individuals committed some acts that were so despicable.

The thing that is so amazing is that I do not even see how we could even have words like that in the resolution, because it does in fact say to all those people that may have been involved, say there are similar acts in Afghanistan, Guantanamo Bay, other cell blocks in Iraq, well, it looks like we got off pretty easy this time. It looks like we will be okay. We got a little reprimand going on, and we will be fine.

So I want to thank the gentleman for his vigilance, for standing up for people that do not even know, perhaps, that we are standing up for them. They may not even know that those statements that we make today may very well save lives tomorrow.

Someone asked the question, they said to the Congressional Black Caucus, why is it that you stand up over and over and over again? Why is it that you stand up and so often you do not win? You may not win this battle.

But our response has been one of clarity, and it simply says that we may not win, but we will set the trend. We may not win, but we will stand up for what we believe in and know that somebody is listening. We may not always win, but we do know that by being silent it is far worse, because it appears that we go along with things as they are, and silence basically is giving consent.

So I want to thank the gentleman for yielding and want to thank him for his leadership.

Mr. MEEK of Florida. Mr. Speaker, I thank the chairman. I am glad he is here, and we appreciate his service.

We are going to continue to stand up on behalf of the American people, need it be defense, need it be education, need it be this issue dealing with Iraq. I thank the gentleman for being here tonight, and I thank the Black Caucus for continuing to do what they are doing.

Mr. Speaker, as I close, I just want to say that we must have the annals of this House and the annals of history here in the United States to reflect that pictures that continue to come out about the abuses of what took place in Iraq or what is taking place in other parts of the world, that we condemn them, and we salute our troops; but at the same time our response is imperative and needed to be able to continue this effort against terrorism and have friends in the world that are willing to be with us.

#### APPOINTMENT OF CONFEREES ON H.R. 2443, COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2003

The SPEAKER pro tempore (Mr. COLE). Without objection, the Chair appoints the following conferees:

From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendments, and modifications committed to conference:

Messrs. YOUNG of Alaska, COBLE, DUNCAN, HOEKSTRA, LOBIONDO, SIMMONS, MARIO DIAZ-BALART of Florida, OBERSTAR, FILNER, BISHOP of New York and LAMPSON.

For consideration of the House bill and Senate amendments, and modifications committed to conference:

Mr. COX and Mr. THOMPSON of Mississippi.

There was no objection.

□ 1730

#### TUTORIAL ON FEDERAL GOVERNMENT FINANCES

The SPEAKER pro tempore (Mr. COLE). Under the Speaker's announced policy of January 7, 2003, the gentleman from Michigan (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SMITH of Michigan. Mr. Speaker, this afternoon I am going to give sort of a tutorial on Federal Government finances. This is the 195th birthday of Abraham Lincoln and, in his famous Gettysburg Address, he sort of indicated, can a Nation of the people and by the people and for the people long endure? Of course, the challenge of the Civil War was a huge challenge. But I would suggest, Mr. Speaker, that a challenge even greater than the wars might be the willingness of the United States, the House and the Senate and the President, to deal with real financial problems and, of course, the financial challenge before us is overspending and overpromising.

This is a pie chart of how we spend Federal Government money. We see at the bottom piece of the pie is the 21 percent that is spent on Social Security right now. Then, as we go around, Medicare is 12 percent. However, it is interesting that Medicare is expected to be a greater piece of the Federal pie, if you will, a greater percentage of total Federal spending than Social Security within the next 25 years, because it is growing very quickly. Medicaid is 6 percent, also growing, and that is growing with the increasing number of seniors that are spending all of their savings, as they have spent \$40,000 or \$50,000 or \$60,000 per year on nursing home care, and then after all of their finances have been depleted, then they go on Medicaid and the Federal Government starts paying nursing home care.

Other entitlement programs, 10 percent. Entitlement means if you reach a certain age, if you reach a certain level

of poverty, you are eligible for additional help. If you are a business or an industry or a worker, you are entitled if you work, but do not make very much money, you are entitled to an income tax credit. If you are a farmer and the prices of the products you sell are low, you are entitled to a supplement to build it up, that income, a little more for those farmers to keep the farmers in business. This Congress and the United States has been very generous with other people's money. In fact, so generous that we are now facing the dilemma of a huge debt and huge promises that I call entitlements, unfunded liabilities.

The domestic discretionary spending that goes in the appropriation bills, along with defense, is 16 percent. Defense is 20 percent. With the Iraq and Afghanistan war, it has gone from about 19 percent up to 20 percent, and then interest, interest on this increasing debt.

The interest cost for this country is now about \$300 billion a year to pay interest at a rate that is the lowest, almost the lowest in history, but a very low interest rate. Alan Greenspan, the chairman of the Federal Reserve, has now suggested that there is no question that eventually interest rates are going to go back up again, and that, compounded by the fact that we are increasing the amount of debt that we have to pay interest on, it is anticipated that within the next 20 years, interest on the debt will be one of the largest pieces of pie.

What does that mean to future generations? What does that mean for our kids and our grandkids. I am a farmer from Michigan, and the tradition on the farm has been you pay off some of that farm mortgage to try to give your kids a little better chance at a better life than you might have had. But in this Congress, what we are doing is going the other way. We are building up a debt, we are building up obligations because, somehow, we think the problems we have today are so great that it justifies us borrowing money from our kids and our grandkids and making them pay for the overspending that we are pushing on them today in this Congress.

Right now, we are in the midst of a budget decision in conference committee with the House and the Senate, trying to figure out a budget of what we are planning on spending for the 05 budget, that means the 05 fiscal year starting September 30, October 1 of 04, and going for 12 months until October 1 of 05, that is called the 05 fiscal year budget, and that is what we are working on, that is what we are arguing about.

This year, the good news is it is probably the most lean budget that we have had since 1996. But still, it is growing at between two and three times the rate of inflation in terms of the increased expansion of that spending, the increased size of government, taking money away from the people that have

it and coming up with new programs and new entitlements and new discretionary spending. That means that this year, we can anticipate in 04 we are looking at a debt that is going to be close to \$600 billion. Next year the debt is going to be approximately \$530 billion. We are spending more than what is coming in, and this just adds on to how much interest we are going to be paying in the future.

Mr. Speaker, we are a country that is about, let us see, where are we, 228 years old. In the first 200 years of this country, we were very frugal and we have gradually accumulated a debt in that first 200 years of \$500 billion. Now we are going deeper into debt, over \$500 billion a year.

Now, how do we get the discipline? How do we get the intestinal fortitude to say, look, we are going to quit playing politics and start doing what is right for our kids and our grandkids in terms of the overspending and the overpromising.

Let me just mention what happens to a Member of Congress when they go home to their district. If they take home pork barrel projects, and pork barrel projects, as far as the line items for pork barrel projects that individuals take home: new libraries or new jogging trails or new whatever, or new promises of new programs, or keeping some historic monument in their hometown open, their chances of getting reelected are greater, because they get on the front page of the newspaper, maybe cutting the ribbon and they get on television.

So in pleasing a lot of the American population that is, in effect, saying, give me more government, because it helps get some of these Members elected, we end up with a lot of Members that tend to want to make more promises, to solve more problems. But it is just so important that we remember where government gets its money is two ways: We either tax people that are now working and now earning money and take the money away from them to start these new programs, or we borrow the money and say, well, somehow, sometime, future generations are going to have to pay it back. It is a challenge that somehow we must face up to. That is one of the problems of overspending.

Now I want to discuss for a moment overpromising. Here is our main overpromising programs, our entitlement programs. Medicare Part A, which is the Medicare program that is mostly for hospitals. Medicare Part B, the program that is mostly for doctors. Medicare Part A is an unfunded liability of \$21.8 trillion, Medicare Part B, \$23.2 trillion. The Medicare drug program that we passed last November is estimated, and this is from Tom Savings, these figures, an actuary for both Medicare and Social Security; he is estimating that Medicare Part D, the prescription drug program, has an unfunded liability of \$16.6 trillion.

It is hard to conceive how much \$1 trillion is. But compare that to what

we are spending in this Congress, and right now we are looking at a budget that is going to spend \$2.4 trillion. But if we add Social Security, about \$12 trillion to the unfunded liability, it adds up to \$23.5 trillion unfunded liability. That means that we would have to come up with \$73.5 trillion and put it in a savings account today that is going to earn in interest at least equal to inflation and what is called the time value of money, pretty much the interest rates, to accommodate the increased money that is going to be needed over and above what people are paying in on their taxes to accommodate what we promised in Social Security, what we promised in Medicaid and Medicare to keep those promises. A huge challenge.

Why do we not pay attention to the obligation that we are passing on to our kids and our grandkids? I think, number 1, it is such a huge problem that it is easy to overlook it. It is easy for some people to say well, if the economy would get better, maybe we could solve these problems.

But let me just talk about Social Security for a minute. Our retirement benefits are based on how much you are earning. So if you are earning a lot now, that means eventually when you retire at 65, you are going to get a lot more in Social Security benefits. So an expanded economy, the way we have written the Social Security law, does not fix the problem of Social Security.

The unfunded liabilities, and I am going to show my colleagues unfunded liabilities, Mr. Speaker, in a different way, and that is at what percentage of our total general fund budget is going to have to be used to pay the difference between what is coming in in the payroll tax, the FICA tax, compared to what is going to be needed to keep promises.

In just 16 years, in 2020, it is going to use 28 percent. We are going to need 28 percent of the general fund budget to accommodate the unfunded liabilities, what we need to pay in addition to the FICA tax, the payroll tax for Medicare, Medicaid and Social Security. By 2030, we are going to have to come up with over 50 percent. About 53 percent of the general fund budget is going to have to be used to accommodate keeping the promises for those three promises, a huge challenge.

Let me say why I think it is so serious. That is because ultimately, this overspending and overpromising is going to mean tax increases some time in the future.

The equivalent payroll tax in France right now to accommodate their senior benefit programs is over 50 percent. Now, what does that mean to a business in France? It means they are either going to have to increase the price of their product to accommodate that kind of payment, or they are going to have to reduce the wages that they pay those employees. I mean that is probably one of the major reasons why it is difficult right now for France to com-

pete in a world market on much of their production. It is probably one of the reasons why there is a lot of demonstrations in the street with farmers and workers saying, I have to have more money, because you are taking too much out of my paycheck.

In Germany right now, the payroll tax to accommodate senior citizens has just gone over the 40 percent mark. That means it is going to be tougher if we do not deal with these programs in the United States, if we put the solution off, number 1, the longer we put off the solution, the more drastic the solution is going to be; and number 2, if we have to start taxing our businesses, it is going to put them at a competitive disadvantage that much more than what it already is with other countries.

Now I am going to talk about Social Security. The Social Security program was started in 1934 by Franklin Delano Roosevelt, after the Great Depression, when people, old people were going to the poor house. The President said, look, let us start a program where we have a law, a requirement that while you are working you put some of that money aside to make sure that you will be more socially secure when you retire. So we passed the Social Security Act in 1934. It started in 1935.

Here is how Social Security works. Benefits are highly progressive and based on earnings. So the more you earn, the more you will get out in benefits when you retire. At retirement, all of a worker's wages up to the tax ceiling are indexed to present value using wage inflation.

□ 1745

Well, what that means is we have continued to raise the ceiling on how much we charge the 12.4 percent Social Security tax on and currently that is \$89,000. So when I say up to the ceiling, that is \$89,000. And when I say indexed at present value, that means that we have a wage inflation factor. So what you have earned over the last 35 years, what you were earning, for example, 15 years ago, and if wage inflation doubles every 15 years, that \$20,000 job 15 years ago would be added on in terms of determining what your benefits are on, that \$20,000 would be up to \$40,000, what that job is paying today.

That is how we figure Social Security benefits. The best 35 years of earnings are averaged. If you only work 30 years, there are 5 years that are thrown in at zero.

The annual benefit for those retiring in 2004, here is how it is progressive. Ninety percent of earnings up to the \$7,344. So if you are a very low-income wage earner, you get 90 percent of what you were making back in Social Security benefits if that was your average for 35 years. Over the 7,300 you get 32 percent of the earnings between the 7,300 and the 44,268. And over the 44,000, you get 15 percent of everything over that 44,000 level.

So that is progressive in benefits to the extent that if you are a very high-

income worker, you will be getting back maybe 15 or 16 percent of what you paid in; and if you are a very low-income worker, you will get 90 percent of what you pay in.

Early retirees receive adjusted benefits. If you decide to retire at age 62, the actuaries have figured out on average how long you are going to live. So if you are very healthy and you think you are going to live longer, then you are better off to wait until you are 65 to retire. If you do not think you will live very long, it will probably be better to retire early at 62.

I added this last blip because, as I have given speeches across Michigan and across the United States, a lot of people say, well, there is a lot of cheating going on with supplemental security income paid out by the Social Security Administration. Well, it is paid out by the Social Security Administration, but it does not come out of the Social Security trust fund. It comes out of the general fund. It is a program for low-income people with some kind of disabling problems that becomes a program to help low-incomes with problems, like a welfare program, but it does not come out of Social Security.

I am going to go rapidly through some of these charts. This chart demonstrates why we are in a problem now with the PAYGO program. I chaired the bipartisan Social Security Task Force in Congress made up of Democrats and Republicans. And after almost a year of hearing testimony, we all agreed that something has to be done, and the sooner the better, to correct Social Security. Otherwise, we are going to be in huge problems of insolvency in the near future.

This represents the problem of a Social Security program that was developed in 1934, saying that current workers pay in their taxes that are immediately sent out to current retirees. So it is a challenge of having enough workers to pay in a FICA tax, a payroll tax, to accommodate the number of seniors. And of course what is happening is the birth rate has been going down and the length of years that a person lives has been going up. In fact, in 1945 we had about 34 people working paying in their taxes for Social Security for every one retiree. By the year 2000, it got down to three people working. This is because people are living longer because the birth rate is going down.

By 2000 we had three people working paying in their increased tax now, because that is what we do every time we run into problems: we increase the taxes. Now three people are working for every retiree. The estimate by the actuaries is by 2025 there will only be two people working, paying in their increased tax for retirees. There are 78 million so-called baby boomers, the babies that were born right after World War II from 1946 to 1966. Seventy-nine million of what are the high-income workers now, mostly paying in the

maximum Social Security tax, are going to be retiring and drawing out the maximum Social Security benefits. And that is why the insolvency is coming very quickly.

The insolvency on Social Security will be here some time between 2016 and 2018 according to the actuaries' report. Insolvency is certain. We know how many people there are, and we know when they will retire. We know when people will live longer in retirement, and we know how much they will pay in and how much they will take out. So we know that Social Security is insolvent. We know that it is going to take \$12 trillion in today's dollars, put into a savings account to accommodate what we need to pay out, promised benefits, over and above what is coming in in the payroll tax.

So do we start using the income tax to pay Social Security benefits? Do we change Social Security into a welfare program where we say that, oh, if you have been lucky enough to be successful in America, then we will not pay you Social Security even though we have made you take money out to save for retirement? The general feeling is that there would be some danger in a lack of support. In fact, the unions have suggested that we do not make it into a welfare program because America is a place where we started with our forefathers writing a Constitution sort of designing our economic system, in effect saying that those that study and learn and use it, those that work hard and save end up better than those that do not.

Now, we have been in sort of a system of dividing the wealth and saying pay in according to your ability and the government will provide services according to your need. There has got to be, for lack of a better word, maybe a golden mean to still have that kind of incentive, to do what has made America great in the first place, and that is to work hard.

A young couple that decides to work two shifts or both mom and dad work so they can earn more money to have a better life for their kids, we now not only say, well, if you are going to earn more money, we are going to tax you more. But if you earn more money, we will even tax you at a higher rate than if you just worked as a single parent or just worked on one 8-hour shift instead of doing two 8-hour shifts.

Social Security benefits are indexed to wage growth. So when the economy grows, workers pay more in taxes but they earn less in benefits when they retire. Growth makes the numbers look better now, but leaves a larger hole to fill later on. And that is why when I introduced my first Social Security bill in 1994, it was much easier to achieve solvency than it is today. And the estimate in 1994 was Social Security was going broke in 2012. Now the new estimate is that Social Security probably is going to last until 2018, 2017 or 2018, because there is more money coming in, but eventually there is going to be more money going out.

Social Security has a total unfunded liability of over \$12 trillion. The Social Security trust fund contains nothing but IOUs. And to keep paying promised Social Security benefits, the payroll tax will have to be increased by nearly 50 percent or benefits will have to be cut by 30 percent.

Social Security is not a good investment. And so one way to fix Social Security is getting a better return on the money made in. And that is why many people, including President Clinton, including President Bush, including myself and other Members have suggested let us look for a better way to get a better return on the money that people pay in on their payroll taxes. The average return is 1.7 percent for retirees on Social Security. If you are a minority, because black young men have an average age of death at approximately 63 years old so many of them do not collect benefits, but if you compare the average retiree return at 1.7 percent for the average Social Security recipients, compare that to what has happened for equity investments, and even the Wilshire 5,000 actually earned 11.86 percent after inflation over the last 10 years ending January 31, 2004. And that is even through some downer years after the bubble broke on the stock markets.

So even with those downer years, you have an average equity return on those 5,000 stocks of over 11 percent, and that compares to the 1.7 percent on Social Security. Is there some way to accommodate both sides so that there is some concern that we do not want to have private investments so wild that individuals can invest in things where they might go broke and still come back on the government?

But the other side of the coin is, is it reasonable to have a worker-owned account that is their property, that if they die early it passes on to their heirs? Some kinds of structures such as Federal employees have in the Thrift Savings Account is what I have structured into my Social Security bill to essentially try to limit it to safe investments.

Just quickly on this chart, again trying to represent and convince that Social Security is not a good investment. If you retired in 1980, you have to live 4 years after retirement to break even on Social Security. By 2005, next year, you are going to have to live 23 years after retirement to break even. And then you see what happens after 2015. You have to live 26 years after you retire to break even.

Well, here is what we have done in the past. Every time we have gotten into trouble, we either increase taxes or reduce benefits or a combination. And of course, in 1983 under the Green-span Commission that is what we did; we said we are going to increase the retirement age to 67, gradually, so that is going to gradually happen. That started 2 years ago on so many months per year. But mostly it has been increasing taxes.

In 1940, we went from 1 percent up to 2 percent. It was 2 percent of the first 3,000. In 1960 we raised it to 6 percent of the first 4,800. In 1980 we raised it to over 10 percent to over 25 to almost 26,000. In 2000 we raised it to 12.4 percent of the first 76,000. In 2004 it went up to 87,000. Today it is up to 89,000. So you pay your 12.4 percent tax on your first 89,000.

If you are self-employed, of course, you pay all of it. If you are working for somebody, then the company says, well, I am going to in effect reduce wages to pay my 6.2 percent. So I really think it is fair to assume that the whole 12.4 percent comes out of the worker's pocket even though the worker only actually sees on his pay check stub the 6.2 percent coming out of his pocket. The other 6.2 the employer pays. But here is what happens: now 78 percent of families pay more in the payroll tax than they do in the income tax. Huge challenge.

And what this also means is back to our starting point of overpromising government programs and overspending and going in debt, today 50 percent of the adults in America pay about 1 percent of the total income tax. And so you can see that there are some parts of our population that have little to lose if they say, give me more government programs.

So there is that kind of pressure with lobbyists coming in and saying, well, we represent this program or that program. In my 12 years in Congress, my experiences have been that if new programs can last 2 years, then the interest groups to try to continue that spending are in visiting all of our offices saying how important their program is. And so the momentum of 2 years and 3 years almost becomes an entitlement program, even though we call it discretionary spending, that goes through the appropriations process.

□ 1800

Here are six principles that I have in my five Social Security bills that I have introduced. All have been scored to keep Social Security solvent. The six principles I have used is protect current and future beneficiaries, allow freedom of choice, preserve the safety net, make Americans better off, not worse off, and create a fully funded system. I think it is really important not to have any tax increases on workers.

I am just going to go through some of the highlights of my Social Security bill. Number one, it is scored by the Social Security Administration to restore long-term solvency to Social Security. There are no increases in the retirement age, no changes in the COLA, that is the cost of living index every year, and there are no changes in benefits for seniors or near seniors. Solvency achieved through higher returns from worker accounts and slowing the increase in benefits for highest earning retirees.

Remember, Mr. Speaker, I had the chart that had the bend points of the 90

percent, the 32 percent and the 50 percent. I add another bend point of 5 percent which has the effect of slowing down the increase in benefits for high-income retirees. That is how I pay for the transition to allowing a worker to take 2.5 percent of their income and putting it in an account they own, even though government limits where they can invest that money.

Social Security trust fund continues. Voluntary accounts would start at 2.5 percent of income and would reach 8 percent of income by 2075. The 8 percent would be bringing in much more money than they ever would have received with the existing Social Security program. Investments would be safe, widely diversified. Investment providers would be subject to government oversight. The government would supplement the accounts of workers earning less than \$35,000 to ensure that they build up a significant savings, too. Actually, I sort of copied this from, I think, the USA account that President Clinton proposed that says for low-income workers, let us start adding to their savings and let the magic of compound interest build up their accounts, so even an average income worker can retire with millionaire-type benefits.

All worker accounts would be owned by the worker and invested through pools supervised by the government, sort of like our Thrift Savings Account for all government employees and Members of Congress. That is how they save. Sort of like the regulations would be instituted to prevent people from taking undue risk. Workers have a choice of three safe indexed funds with more options after their balance reaches \$2,500.

Accounts are voluntary, so you do not have to go into this system of investing part of your money in private accounts if you do not want to and you can stay with the traditional program. But what we can do because the actuaries have scored that the investments on these types of limited investments will make more than the 1.7 percent Social Security pays you, we can guarantee workers in their personally-owned accounts will have as much return on that portion of their retirement income as they would have on the fixed Social Security system. You still would get your Social Security benefits, but to the extent that your traditional Social Security benefits are going to be reduced proportionally by the 2.5 percent of your earnings that you put into this savings account, so you will end up getting both the return in investments from the savings account as well as the fixed payments from the traditional Social Security.

Government benefits would be offset based on the money deposited into their account, not on the money that you might earn from that account, and workers could expect to earn more from their account than from their traditional Social Security.

Here are some provisions that are interesting, Mr. Speaker. It is what I call

fairness to women. To be politically correct, probably you would call it fairness to spouses. Actually I was told that there were more females that graduated from college last year than males, so maybe eventually the women will be the high-income workers. What I have said is for married couples, account contributions would be pooled and then divided equally between husband and wife. So if one spouse earns a lot more than the other spouse, you add the two incomes together, what they are allowed to invest in their personal retirement savings account, and you divide by two. So each spouse has the identical amount invested in their personal retirement account. It would increase surviving spouse benefits to 110 percent of the highest earning spouse.

One challenge that we have in the increased cost of Medicaid is people moving out of their homes. And now even with 100 percent of the higher spouse's earnings, when one spouse dies, and the projection is for the males to have about 3 years' shorter life span than the females, so you have a widow that is trying to get by on 100 percent. Often that is not enough to accommodate the fixed costs of staying in their own home. So in several ways in this bill, I try to encourage staying in their own homes instead of going into a nursing home. This is a bipartisan bill sponsored by both Democrats and Republicans. The way I do this is increasing the minimum to 110 percent instead of the existing 100 percent. And then stay-at-home mothers with kids under 5 would receive a retirement credit for a certain number of years.

If you are a mother staying home with your kids, then we will give you the high average earnings to fill in some of those years because you have to have 35 good years. So it seems reasonable for those mothers that are probably working as hard as their spouse, anyway, staying home with their kids, that you give them credit for those years that they are staying home with those kids under 5 years old. But I limit the number of kids and limit the number of years.

Here is the last sort of sheet that I have done. This does a couple of things. We have one of the lowest savings rates in the world right now. Where our savings rate used to be as high as 6 percent, now it is actually about 1 percent. This whole mood of buy now and pay later, the mood of this Congress, in fact, that tends to say, well, a little borrowing now might improve something later on, so we are going deeper and deeper in debt. Likewise in the unfunded liabilities, we make more promises. So we sort of tried to look at a system that is going to allow encouragement to increase savings. We increase contribution limits on IRAs and 401(k)s and pension plans. We include in our legislation a 33 percent tax credit for the purchase of long-term care insurance up to \$1,000, \$2,000 if you are a married couple, per year. Low-income seniors would be eligible for a

\$1,000 tax credit for expenses related to living in their own home or if the seniors live with their kids or somebody else, that tax credit would be eligible for that particular family.

In conclusion, overspending is dangerous for the economy. It is dangerous for our kids and our grandkids. In fact, it makes us more susceptible to international pressures. It makes us vulnerable. If one were to guess, Mr. Speaker, how much of our deficit this year is being financed by foreign countries, foreign investments, what would you guess? Seventy percent. Foreign investment is picking up 70 percent of the money that we have to borrow this year for overspending.

Right now, foreign investments lend to the United States Government 33 percent of our debt in this country. A huge challenge. Our trade deficit of now over \$500 billion means that some countries have decided that they would prefer to keep those dollars and invest them by buying our businesses, by buying our equities, by buying our Treasury bills rather than buying the products that we make in this country. China, of course, is a huge challenge. I just recently returned from China. China's trade deficit with the United States, our deficit, has gone up to \$125 billion. That means China takes these \$125 billion and buys part of our Treasury bills, buys some of our equities. That results in us being more vulnerable to trade negotiations. If they say, well, look, United States, you're not being fair with us, we might just have to pull our money out of your Treasury bills. With foreign investments borrowing 30 percent of our money, tremendously vulnerable, it would put us at a huge disadvantage. Not only is this overspending and overpromising a burden on our kids, it is a tremendous challenge to our future economy.

#### CONSOLIDATION IN MEDIA OWNERSHIP

The SPEAKER pro tempore (Mr. COLE). Under the Speaker's announced policy of January 7, 2003, the gentleman from Vermont (Mr. SANDERS) is recognized for 60 minutes.

Mr. SANDERS. Mr. Speaker, as the only independent in the House of Representatives, not a Democrat, not a Republican, I want to take this opportunity to share some ideas that many Americans may not get a chance to hear very often. One of the concerns and one of the most important issues that I think is facing this country is increased corporate control over the media and the fact that fewer and fewer large corporations control what we see, what we hear and what we read.

What concerns me about that is not just that, for example, the Disney Corporation has just announced that it will not distribute Michael Moore's new film, *Fahrenheit 9/11*. They will not distribute that as had been previously arranged, because it is apparently too critical of President Bush

and that it also might endanger some tax breaks that the Disney Corporation gets in Florida through President Bush's brother, the governor, there. That concerns me. That is not my major concern.

And it is not just that recently, as I think most Americans know, Sinclair Broadcasting, a right-wing company, decided that it would not carry Ted Koppel and Nightline's sensitive and respectful tribute to the over 700 young men and women who have been killed in Iraq, because somehow Sinclair believed that that was too political, too antiwar. Apparently it is not appropriate for the American people to actually see the face of war and the men and women who have died in that war.

But that is not my major concern about corporate control over the media and it is not just that when we turn on commercial talk radio, what we hear almost always, and with few exceptions, is the fact that there are extreme right-wing voices out there who pound away at right-wing themes and despite the fact that our Nation is almost equally politically divided, for millions of Americans, their only option on talk radio is one right-wing extremist after another. That is a concern, but not my major concern.

My major concern when I talk about corporate control over the media is that while we get inundated every single day by stories of Michael Jackson or Kobe Bryant or Martha Stewart or Britney Spears or a host of other celebrities, what we do not hear about much in the media and what we do not hear much about on the floor of Congress is the reality of what is happening to the middle class of this country, what is happening to ordinary working people. That, in fact, is the most important issue that we should all be talking about. It is the most important issue that the media should be focusing on and that Congress should be discussing.

□ 1815

So let me talk a little bit about some of those issues today, not about Michael Jackson, not about Britney Spears, but about what is happening to the middle class of this country.

Mr. Speaker, let me be very blunt. The United States of America today is rapidly on its way to becoming three separate Nations, not one Nation, but three separate Nations. One part of that Nation is an increasingly wealthy elite composed of a small number of people with incredible wealth and economic and political power; a small number of people, tremendous wealth, tremendous power.

Then we have the second part of America, the largest part, which is the middle class, the vast majority of our people; and that middle class tragically is shrinking, getting smaller. It is a middle class where the average American worker is now working longer hours for lower wages; and that is what is happening to the middle class.

And then the third segment of our society are those people at the bottom,

and that is a growing number of Americans who are living today in abject poverty, barely keeping their heads above water, barely paying the bills that they need in order to survive. And those are the three Americas: a handful of great wealth, great power; a shrinking middle class; and more and more people who are living in poverty.

Mr. Speaker, there has always been a wealthy elite in this country. That is not new, and there has always been in this country and in every country a gap between the rich and the poor; but the disparities in wealth and income that currently exist in this country have not been seen since the 1920s. In other words, instead of becoming a more egalitarian Nation with a growing and expanding middle class, we are becoming a Nation with by far the most unequal distribution of wealth and income in the industrialized world. In other words, we are moving in exactly the wrong direction.

Today, the wealthiest 1 percent of Americans own more wealth than the bottom 90 percent. The wealthiest 1 percent of Americans own more wealth than the bottom 90 percent. The CEOs of the largest corporations in America today earn more than 500 times what their employees are making. While workers are being squeezed, while workers are being forced to pay more and more for health insurance, while their pensions are being cut back and promises made to them being swept back under the rug, while retiree benefits are being cut, while workers' jobs in this country are being sent abroad, the CEOs of the largest corporations make out like bandits. Their allegiance is not to their employees; it is not to the American people. It is to their own bottom line.

I am not just talking about the crooks who ran Enron, WorldCom or Arthur Andersen, all of those companies. I am talking about the highly respected CEOs, like the retired head of General Electric, Jack Welch, who, when he retired in 2000, received \$123 million in compensation, and \$10 million a year in pension for the rest of his life; and he did that after throwing many, many thousands of American workers out on the streets as he moved his plants abroad.

And I am talking about people like Lou Gerstner, the former CEO of IBM, who received \$366 million in compensation while slashing the pensions of his employees. And I am talking about Charles A. Heimbold, Jr., of Bristol-Myers Squibb, who received almost \$75 million in 2001 while helping to make it impossible for many seniors in this country to pay the outrageously high prices that his company and other companies are charging for prescription drugs.

Mr. Speaker, today this Nation's 13,000 wealthiest families who constitute 1/100th of 1 percent of our population receive almost as much income as the bottom 20 million families in this country; 1/100th of 1 percent earn

almost as much income as the bottom 20 million families in the United States.

New data from the Congressional Budget Office show that the gap between the rich and the poor in terms of income more than doubled from 1979 to 2000. In other words, what we are seeing is movement in the wrong direction. The gap is so wide that the wealthiest 1 percent had more money to spend after taxes than the bottom 40 percent.

According to data from the Congressional Budget Office between 1973 and 2000, the average real income, inflation accounted for income of the bottom 90 percent of American taxpayers actually fell by 7 percent. Meanwhile, the income of the top 1 percent rose by 148 percent and the income of the top 1/100th of 1 percent rose by 599 percent. Middle class shrinking, people working longer hours for lower wages, the very, very wealthiest people in this country seeing huge increases in their income.

Mr. Speaker, in my view, growing income and wealth inequality is not what America is supposed to be about. A Nation in which so few have so much and so many have so little is not what America is supposed to be about.

Mr. Speaker, it is increasingly common to see people in our country in today's economy work not at just one job but at two jobs, and occasionally it is not uncommon to see American workers have three jobs. Is that what this global economy in which we were promised so much is supposed to be about?

When some of us were growing up, the expectation for the middle class was that one worker in a family could work 40 hours a week and earn enough income to pay the family's bills. One worker, 40 hours a week. Well, in my State of Vermont and all over this country, it is increasingly uncommon when that occurs. In my State and all over America, the vast majority of married couples have both husband and wife out in the workforce. Sometimes that is the way they want it to be, but more often than not it is the way it has to be because inadequate wages and inadequate income require two breadwinners to work incredibly long hours in order to pay the family's bills. And then with husband and wife out working, we wonder and we are surprised when kids do not get the attention that they need and when kids get into trouble. Well, we should not wonder too much as to why that happens.

Mr. Speaker, in terms of what is happening to the middle class, we have lost over 2.6 million private sector jobs in the last 3 years; and with 8.4 million workers unemployed, unemployment today is at 5.7 percent officially. In real truth, however, the unemployment numbers are much higher than that because there are a lot of unemployed and underemployed people who do not fall within the official unemployment statistics. These are the people who are working part-time because they cannot find full-time jobs, and those numbers

are soaring. We have seen an increase of 300,000 part-time jobs just last month. And there are people who are not counted as part of the unemployment statistics because they have given up looking for work when they are located in high unemployment areas.

Furthermore, there are millions of people today who are counted as employed, but are working at jobs that are far below their educational levels and their skill levels; but they also count as part of those people who are employed.

Now, when we talk about unemployment and we talk about the economy, one of the more important points to be made is that since the beginning of the Bush administration we have lost 2.8 million manufacturing jobs in our country; 2.8 million manufacturing jobs. That is an issue that I want to spend a moment on because what is happening in manufacturing today is a disaster for this country and bodes very, very poorly for our future.

The bottom line is, and Congress must finally recognize this, that our trade policies are failing. They are failing. NAFTA has failed, our membership in the WTO has failed; and perhaps above all, permanent normal trade relations with China, PNTR with China, has failed. The time is now, and it is long overdue for the United States Congress to stand up to corporate America, to stand up to the President of the United States, to stand up to editorial writers all over this country, all of whom have told us year after year after year how wonderful unfettered free trade would be.

Well, they were wrong. The answer is in. They were wrong. These people told us that unfettered free trade would create new jobs. Instead, we have lost millions of jobs, and we have run up a record-breaking trade deficit. They told us that unfettered free trade would improve the standard of living of the middle class; they were wrong. Real wages have gone down or have stagnated for millions of American workers.

Let us be very clear. The decline of manufacturing is one of the reasons why our middle class is shrinking and why wages for middle-class workers are in decline. When we talk about the loss of almost 3 million private sector jobs in the last 3 years, we should appreciate that the vast majority of that job loss has taken place in manufacturing. Further, the collapse of manufacturing is one of the reasons that real inflation accounted for wages have declined.

Today, American workers in the private sector are earning 8 percent less than they were in 1973. Now, just think for a moment, just for one moment let us take a look at this rather incredible piece of information. Every American knows that in the last 30 years there has been an explosion in technology. We all know what computers have done. We know what e-mail has done; we know what faxes and cell phone and

satellite communications have done. We know what robotics in factories has done. In other words, we are a much more productive Nation than we were 30 years ago, and almost every worker in our economy is producing more.

□ 1830

Given the fact that productivity is expanding and increasing, that technology is exploding, what common sense might suggest is that workers today would be working fewer hours and earning more money because of the increase in productivity. But the reality is exactly the opposite. Why is it that in 1973, the average American worker, in inflation accounted for wages, made \$14.09 per hour, while in 1998, 15 years later, he or she made only \$12.70 per hour, a significant decline in real wages? And that is, to my mind, one of the most important economic issues that we have to deal with, productivity going up, technology exploding, and yet the real wages for millions of American workers is declining and the middle class is shrinking.

Let us be honest and acknowledge that manufacturing in this country today is in a state of collapse. In the last 3 years, we have lost 16 percent of all manufacturing jobs, 16 percent in the last 3 years, and we are back to levels that were last seen in the 1950s, early 1950s. We only have 14.3 million manufacturing jobs.

And, Mr. Speaker, here is the tragedy. People would not be all that upset if when we lost manufacturing jobs, if the new jobs that were created were paying as much or more as the manufacturing jobs that we lost. But the fact of the matter is that when we are losing manufacturing jobs, we are losing jobs that pay in almost every instance a living wage. In Vermont manufacturing, for example, pays over \$42,000 a year. That is a good wage and those jobs often have good benefits. And what is happening now is that the new jobs that are being created which are replacing the old jobs that we are losing are paying significantly lower wages with significantly lower benefits than the manufacturing jobs that we have lost.

According to a study by the Economic Policy Institute, the new jobs being created in America on average pay 21 percent less than the jobs we are losing. So despite what some politicians and what corporate leaders might tell us, the trend is not toward better-paying jobs. The trend is toward lower-paying jobs with fewer benefits.

When we talk about the economy not only for the current generation, but for our children and for our grandchildren, the key question that we should be asking is what kind of new jobs will be created in the future? Will these jobs be good paying? Will they be challenging jobs that a well-educated American population can jump into with enthusiasm? Are those the kinds of jobs that will be available for our kids and for our grandchildren, or is it,

in fact, going to be something very different? Because when we talk about the future of America, to a large degree that is what we are talking about. What kinds of new jobs will be created in the future?

In that regard, the Bureau of Labor Statistics every 2 years does an important study forecasting the top ten occupations that will have the largest job growth in a 10-year period. In this case, the Bureau's forecast which was released on February 11, 2004, covers the years 2002 through 2012, a 10-year period.

And let me quote from Business Week Magazine as to what the results of that study showed: "According to a forecast released February 11 by the Federal Bureau of Labor Statistics, a large share of new jobs will be in occupations that don't require a lot of education and pay below average." And pay below average. Those are the jobs, the newly created jobs, that our children and our grandchildren will be looking forward to receiving, jobs that require minimal education and pay low wages. The fastest growing of all of those jobs will be for medical assistance, nursing aides, orderlies and attendants, jobs that require nothing more and "moderate on-the-job training."

So the key point here is that instead of creating an economy where future generations will be challenged with jobs that require good education, good skills, the new jobs that are being created will require high school degrees. They will be low wage. They will have minimal benefits. In fact, of the ten occupations pinpointed by the Bureau of Labor Statistics, seven of them require only a high school degree; two require college degrees; and one an associate's degree, a 2-year education in college.

And that is an issue, in my view, that we should be paying a great deal of attention to because, Mr. Speaker, it tells us that a profound lie is being perpetrated on the American people. It tells us that unless we fundamentally change our public policies and do that very quickly, the middle class will continue to shrink and the jobs being created for the coming generations will be, by and large, low-wage and unskilled work, and that, in my view, is not what we want the future of America to be.

Mr. Speaker, when we talk about the economy and when we talk about trade and manufacturing, let us remember that in the year 2003, the United States had a \$500 billion trade deficit, \$500 billion record-breaking trade deficit. In 2003, the trade deficit with China alone, one country, China, was over \$120 billion and that number, trade deficit with China, is projected to increase in future years. In recent years that deficit has gone up and up and up. In 1990, it was \$11.5 billion; in 2001, it was \$83 billion; 2002, \$103 billion; in 2003, it was \$120 billion.

The National Association of Manufacturers estimates that if present

trends continue, our trade deficit with China will grow to \$330 billion in 5 years, and that means, of course, that we are importing more and more and the gap between what we are importing and what we are exporting is growing wider and wider.

Mr. Speaker, our disastrous trade policy is not only costing us millions of decent-paying jobs, it is squeezing wages. Many employers are making it very clear that if workers do not accept cuts in their health care coverage or do not take cuts in wages that they will be moving their operations to China, to Mexico, to India, or to other developing countries. Today, wage growth is the slowest in 40 years. Millions and millions of Americans are working incredibly long hours, and yet they are not making anything more than they made a year ago.

One of the sectors of our economy, and we do not talk about this too much, where people are being hurt the most is among young workers without a college education. Not everybody goes to college. For entry level workers without a college level education, the real wages that they have received dropped by over 28 percent from 1979 to 1997, which are the latest figures that I have seen. And the drop for women during that period was only 18 percent. And the reason for that is quite clear.

Twenty-five or 30 years ago, if someone did not go to college, and most people did not, what they would have been able to do is to go out and get a job in manufacturing, and millions of workers did just that. And with those wages and with those benefits, people without a college degree were able to enjoy a middle class life-style. They were able to take care in an adequate way for their kids. They were able to save up so that their kids could have a better life than they did.

But all of that is changing now, and when young people leave high school and do not go to college, the job opportunities for them are most often very limited. There are jobs available at McDonald's, at Wal-Mart, at service industry jobs like that, but unfortunately those jobs pay low wages and do not allow people to earn a middle class income.

Mr. Speaker, what is happening to our economy today can be best illustrated by the fact that not so many years ago, the largest employer in America was General Motors, and workers in General Motors earned and still earn a living wage somewhere around \$26 an hour with very strong benefits and with a strong union to represent their needs. Today, in contrast, our largest employer, private employer, is Wal-Mart, and that is what has happened to the American economy. We have gone from a General Motors economy where people produce real products, earn good wages with good benefits, to a Wal-Mart economy where people earn low wages and minimal benefits.

Today Wal-Mart employees earn \$8.23 an hour or \$13,861 annual. These are

wages, paid by the largest employer in America, that are below the poverty level. And that is what the American economy is about today. The largest employer in America, Wal-Mart, pays its workers below-poverty wages. In fact, many of these workers qualify for the Federal Food Stamp program, which means that Wal-Mart is being directly subsidized by U.S. taxpayers.

Obviously Wal-Mart is not the only company receiving welfare from the taxpayers of this country, but they are the largest. Wal-Mart has been sued by 27 States for not paying the overtime pay their workers are entitled to. And not so long ago, Federal agents raided their headquarters, and 60 of their stores across the country, arresting 300 illegal workers in 21 States. Wal-Mart is vehemently anti-union and will do everything that it can to make sure that workers in a Wal-Mart store do not have the rights to collectively bargain.

□ 1845

Mr. Speaker, a recent study indicated that for every Wal-Mart superstore that employed 200 workers, taxpayers were subsidizing their low-paid workers to the tune of \$420,000 per year, which equates to about \$2,100 per employee. In other words, we have the absurd situation that many of the employees at Wal-Mart need Federal help in order to keep their families alive, whether it is food stamps, whether it is health care for their children or for themselves, whether it is subsidized housing. So you have the taxpayers of this country pouring huge amounts of money into subsidizing Wal-Mart's employees.

Meanwhile, and what an irony this is, five out of the 10 wealthiest people in America are in the Walton family, the family that owns Wal-Mart. They are each worth, each one of the five, are worth \$20 billion each, collectively \$100 billion. And last year the Walton family of Wal-Mart saw an \$8.5 billion increase in their wealth. So what you have is one of the richest families in America growing much richer. We are seeing Wal-Mart workers earning subsistence wages, and you are seeing the taxpayers of this country forced to subsidize those workers because they cannot earn a living wage in Wal-Mart.

What an outrage. One of the richest families in America sees a huge increase in their wealth, and they need Federal help in order to keep their workers alive. This is something that should not continue to go on.

That, Mr. Speaker, is what the transformation of the American economy is all about. We have gone from an economy where workers used to work producing real products, making middle-class wages with good benefits, to a Wal-Mart-style economy where our largest employer pays workers poverty wages with minimal benefits, and, in the process, has a huge turnover.

Incredibly, since 1989, 98 percent of the new jobs created in the United States have been in the service sector,

where on average workers earn substantially less than they do in manufacturing.

Mr. Speaker, before I talk about China and my great concerns about our current trade relations with China, let me say a few words about the North American Free Trade Agreement, NAFTA. That is an agreement, as you know, that the President wants to expand into a Free Trade Agreement for the Americas.

In 1994, the United States had a \$2.4 billion trade surplus with Mexico. That was pre-NAFTA. Today, 10 years later, we have a \$36 billion trade deficit with Mexico, one of the results of NAFTA. Through the end of 2002, the United States lost over 879,000 jobs as a result of NAFTA, jobs that formerly existed and were eliminated, as well as those created in other countries instead of here as a result of the growing U.S. trade deficit. Nearly 80 percent of those job losses were in manufacturing industries.

Now, some people, they think, well, if NAFTA was bad for the United States in terms of job loss, then it must have been good for our friends in Mexico and Mexican workers. Well, guess again. NAFTA has been a disaster for the poor and working people of Mexico.

Since 1994, when NAFTA went into existence, the number of people classified as poor or extremely poor has risen from 62 million to 69 million out of a population of 100 million. Since 1994, Mexico's agricultural sector has lost well over 1 million jobs, and NAFTA has played a major role in decimating rural employment on farms in Mexico.

Frankly, Mr. Speaker, in hindsight, it did not take a genius to predict that unfettered free trade with countries like China would be a disaster. In all honesty, if we check the CONGRESSIONAL RECORD, what is happening now in terms of trade and its impacts on American workers is precisely what many of us predicted would happen.

Why should we be surprised about what is happening? With educated, hard-working Chinese workers available at 20 cents an hour or 30 cents an hour or 40 cents an hour, and with corporations having the capability of bringing their Chinese-made products back into the United States tariff-free, why would American multinational corporations not shut down their plants in this country and move to China? Why would they not?

Essentially, the trade agreement we established with China says to them, throw American workers out on the street. Go to China; hire cheap labor and bring your product back here. That is what many of us predicted over the years when the debate about most favored nation status with China was taking place; and that, of course, is precisely what has occurred.

Mr. Speaker, General Electric, as we all know, is one of the largest corporations in America. Here is what their CEO, a gentleman named Jeffrey Immelt, had to say about China at a

GE investor meeting on December 6, 2002, a year and a half ago. This is Mr. Immelt, CEO of GE: "When I am talking to GE managers, I talk China, China, China, China, China. You need to be there." This is what he is saying to GE plant managers.

Then he continues: "I am a nut on China. Our sourcing from China is going to grow to \$5 billion. We are building a tech center in China. Every discussion today has to center on China. The cost basis is extremely attractive."

What Mr. Immelt is saying is, frankly, what almost every CEO of a major corporation in America is saying, and they are saying, see you, American workers. We are out of here. We do not have to pay you a living wage. We are going to China.

China, for CEOs of American corporations, is a wonderful, wonderful place to do business. Do they have to worry about democratic rights in China? Of course not. If workers stand up for their rights, they go to jail. If workers try to form a union, they go to jail. There are virtually no environmental protection regulations in China, a very polluted country. So for corporations like General Electric, China becomes a wonderful place to work, and that is why they are moving there as fast as they can.

Should anybody in this country be surprised that Motorola, another major corporation in America, eliminated almost 43,000 jobs in this country in 2001, while investing \$3.4 billion in China? Who is shocked that General Electric has thrown hundreds of thousands of American workers out on the street, while investing billions in China? Boeing, another great American corporation, has laid off 135,000 American workers, while it has increased outsource design work to China, Russia, and Japan.

In the last 30 years, General Motors has shrunk their U.S. workforce by over 250,000. IBM has signed deals to train 100,000 software specialists in China over 3 years. Honeywell is going to China. Ethan Allen Furniture is going to China. And on and on it goes. In fact, the exception to the rule is that company that says, we are going to grow jobs in the United States of America.

In terms of General Motors, just a few months ago that company announced plans to increase by 20-fold, 20 times, the number of auto parts it buys from China and uses in the U.S., Europe, Mexico, elsewhere, a 20-fold increase. According to the Detroit Free Press, "GM, the world's largest auto maker, will more than double the number of parts it buys in China for cars it makes there, going from \$2.8 billion for Chinese parts to \$6 billion annually."

There are people who believe that that move might be the beginning of the end for auto manufacturing in the United States and all of those decent-paying jobs that exist there.

Mr. Speaker, one of the most distressing aspects of this entire discus-

sion regarding our economy is the degree to which the Bush administration has sold out the needs of American workers. Let me quote from a recent report written by Mr. Gregory Mankiw, the President's Chief Economic Adviser. Here is the man who is the President's major adviser on economic issues. Here is what he says on page 25 of the report that he sent to Congress: "When a good or service is produced at lower cost in another country, it makes sense to import it, rather than produce it domestically."

In case you did not fully get it, let me read it again: "When a good or service is produced at lower cost in another country, it makes sense to import it, rather than to produce it domestically."

Let us think for a moment what Mr. Mankiw, the President's Chief Economic Adviser, has just told the workers of the United States. What he has said is that companies should throw you out on the street because they can produce cheaper in China and in other countries, where wages are a fraction of the price that they in the United States of America. That is what companies should do. That is what the President's Chief Economic Adviser is telling corporations: go abroad, if you can produce cheaper.

What is wrong with that? Well, what happens to the many millions of American workers who lose their jobs? Well, apparently the President's economic adviser and the President himself are not worried too much about that. They are more worried about corporate profits and the ability of companies to produce with workers who are paid 30 cents an hour.

Over the years, Mr. Speaker, advocates of unfettered free trade have tried to gloss over the bad news about the decline in factory employment by promising us that a new high-tech economy was in the making.

In other words, American workers, do not worry. Yes, it is true you are going to lose jobs. In auto manufacturing, in steel, in textiles, in footwear, in almost every industry, you are going to lose those blue collar jobs. But you do not have to worry about that, because there is a new high-tech economy that is being developed, an information technology. You do not have to work in those loud, noisy factories. You and your kids are going to be able to have those wonderful jobs, high-paying jobs in quiet offices, and all you have to do is learn how to master the computer and become an expert in information technology, and those great jobs will be there for you and your kids.

We have heard that mantra over and over and over again: yes, we lose blue collar; but we are going to gain high-paying white collar jobs. We do not have to worry about that old economy any more. We have got a new economy coming.

Well, I think that many Americans are beginning to catch on that the people who told us that are dead wrong in

terms of the future of this country; that in fact not only have we lost and we will continue to lose good-paying blue collar manufacturing jobs, we are now at the cusp of beginning to lose millions of even better-paying white collar information technology jobs.

In 2003, the estimate is that the United States lost 234,000 information technology jobs. Many of them ended up in India, which saw a gain of over 152,000 information technology jobs.

□ 1900

When Americans argue with the phone company as to whether or not they are being ripped off, more often than not, they are going to be talking to somebody in India. When you are trying to figure out how to get your computer working again, as often as not you are going to be talking to somebody not in New York, not in L.A., but in India.

One of the new areas where information technology jobs are leaving the United States is in tax preparation. Tax experts say that Indian Chartered Accountants, and that is India's equivalent to our CPA, certified professional accountants will prepare 150,000 to 200,000 returns this year, up to 20,000 something returns in 2003. In other words, so long as there is a skilled worker behind a computer, and there clearly are skilled workers in India, China, the former Soviet Union countries, they are prepared and will and can do the work that Americans used to do at a fraction of the wages that Americans have earned.

Among many other companies moving high-tech jobs abroad is Microsoft, which is spending \$750 million over the next 3 years on research and development, and outsourcing in China. Recently, Intel Corporation Chairman Andy Grove warned that the U.S. could lose the bulk of its information technology jobs to overseas competitors in the next decade, largely to India and China. In other words, Mr. Speaker, not only has our unfettered free trade cost us much of our textile industry, footwear industry, steel, tool and dye industry, electronics, furniture, as well as many, many other industries, it is now going to cost us, unless we change it, millions of high-tech jobs as well, and the future of our economy.

Lou Dobbs who, in my view, has done an excellent job on CNN talking about this issue, reported on a recent University of California at Berkeley study warning that as many as 14 million white collar jobs in the United States could be shipped overseas to India, China, and other countries, representing 11 percent of all U.S. employees. These jobs include over 2.8 million computer and math professionals with average salaries of over \$60,000 a year, and over 2.1 million business and financial service support jobs with average annual salaries of over \$52,000. And what the University of California at Berkeley study showed is that there is "A ferocious new wave of outsourcing

of white collar jobs" which is sweeping across America. And we know why American companies will be going to India and elsewhere, because the wages are a fraction of what they are in this country.

In the U.S., a telephone operator earns \$12.57 an hour; in India, less than a dollar an hour. A payroll clerk in the U.S. averages over \$15 an hour, while in India, it is less than \$2 an hour. An accountant in the U.S. makes over \$23 an hour, while in India that wage is between \$6 and \$15 an hour.

Jobs most vulnerable to this new wave of outsourcing the researchers tell us include medical transcription services, stock market research for financial firms, customer service call centers, legal online database research, payroll and other back-office activities.

Mr. Speaker, last month, I held a town meeting in Montpelier, Vermont dealing with the issue of outsourcing, and we had many, many hundreds of workers who came to that meeting and a number of them were employed by National Life, an insurance company in Montpelier, and these workers felt betrayed, sold out by the fact that National Life had now outsourced a number of jobs from that company which were going to India. In fact, some of these workers were being asked to train their Indian counterparts.

Mr. Speaker, let me be very clear on this issue. The United States needs to have a strong and positive relationship with countries like China and India. I am not antiChinese; I have a lot of respect for the Chinese people. And I am not antiIndian; I have a lot of respect for the people of India. I am an internationalist. In fact, it is my view that not only the United States, but every other industrialized country on earth has a moral obligation to do everything that we can to address the terrible poverty that exists all over this world, where 1 billion people are living on less than a dollar a day, where children are dying of preventable diseases, where people do not have access to clean water, where people cannot get affordable prescription drugs and die of preventable diseases.

The United States has a moral obligation to work with those countries to improve their health care systems, their educational systems, their infrastructures, to do everything that we can to improve the standard of living of those people. But, Mr. Speaker, we do not have to destroy the middle class of this country and wipe out millions of decent-paying jobs to help poor people abroad. We can and should help poor people, but we do not have to destroy what is best in our economy.

Mr. Speaker, the issue here is whether we continue to be engaged in a race to the bottom where American wages and the quality of our jobs and our working conditions goes down, down, down, or whether we are asking poor people in the world to see their wages and working conditions go up, up, and

up. And unfortunately, we are moving today in the wrong direction.

Mr. Speaker, by definition, a sensible and fair trade agreement works for both sides, not just for one. Trade is a good thing. It is a good thing when it benefits both parties. The New York Yankees do not engage in free trade by exchanging their top ballplayer for a third-string, minor leaguer. They do not say, hey, we are opening up our roster, you can take anybody you want, you give us anybody you want, because hey, that is what free trade is about. They trade for equal value. Every time we go shopping and every time we buy a product, we are trading money for a product, equal value. And that is what we have to do in terms of our overall trade policy.

Trade is good when it works for America and it works for the other country. It is not good when it throws American workers out on the street, when it lowers wages, and when the only beneficiaries of it are the CEOs of large corporations who make huge compensation packages, earn huge compensation packages at the expense of American workers.

Mr. Speaker, in order to address some of these problems, I have introduced two pieces of legislation that would move us forward in protecting the middle class of this country and the decent-paying jobs that we have. The first bill that I have introduced is H.R. 3228 which would repeal once and for all permanent Normal Trade Relations with China. It will acknowledge finally that our current trade policies with that country, with China are a failure and that we need a new beginning. I am happy to say that this tripartisan legislation has garnered well over 50 cosponsors, including 14 Republicans. So we are beginning to move forward in a tripartisan way to establish positive trade relations with China and not one that is costing us huge-paying jobs.

The second piece of legislation that I have introduced, H.R. 3888, will end corporate welfare for those corporations who are laying off American workers and moving to China and other low-wage countries.

Mr. Speaker, it is not acceptable to me that taxpayers of this country are providing tens of billions of dollars in corporate welfare to the same exact companies who are saying to American workers, bye-bye, we are off to China. That is an insult to our working people and an insult to the taxpayers of this country.

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#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BACA (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. TAUZIN (at the request of Mr. DELAY) for the week of May 3 on account of medical reasons.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. CONYERS, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. VAN HOLLEN, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. FRANK of Massachusetts, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material):

Mr. HOEKSTRA, for 5 minutes, today.

Mr. SHIMKUS, for 5 minutes, today.

Mr. HYDE, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today.

Mr. PEARCE, for 5 minutes, today.

Mr. BURNS, for 5 minutes, today.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2315.—An act to amend the Communications Satellite Act of 1962 to extend the deadline for the INTELSAT initial public offering.

## ADJOURNMENT

Mr. SANDERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until Monday, May 10, 2004, at noon.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7973. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Establishment of Special Purpose Shipping Regulations and Modification of Reporting Requirements [Docket No. FV04-956-1 IFR] received April 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7974. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture,

transmitting the Department's final rule—Melons Grown in South Texas; Increased Assessment Rate [Docket No. FV04-979-1 FR] received April 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7975. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for 2003-04 Crop Natural (Sun-Dried) Seedless Raisins [Docket No. FV04-989-1 IFR] received April 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7976. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Almonds Grown in California; Decreased Assessment Rate [Docket No. FV04-981-1 FIR] received April 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7977. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Grapes Grown in a Designated Area of Southeastern California; Establishment of Reporting Requirements [Docket No. FV04-925-1 IFR] received April 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7978. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Nectarines and Peaches Grown in California; Revision of Handling Requirements for Fresh Nectarines and Peaches [Docket No. FV04-916/917-02 IFR] received April 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7979. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Cranberries Grown in the States of Massachusetts, et al.; Order Amending Marketing Agreement and Order No. 929 [Docket Nos. AO-341-A6; FV02-929-1] received April 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7980. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Pistachios Grown in California; Order Regulating Handling [Docket Nos. AO-F&V-983-2; FV02-983-01] received April 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7981. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Imported Fire Ant; Additions to Quarantined Areas [Docket No. 03-109-1] received May 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7982. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Infectious Salmon Anemia; Payment of Indemnity [Docket No. 01-126-2] (RIN: 0579-AB37) received May 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7983. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pesticides; Tolerance Exemptions for Active and Inert Ingredients for Use in Antimicrobial Formulations (Food-Contact Surface Sanitizing Solutions) [OPP-2003-0368;

FRL-7335-4] received April 22, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7984. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Geraniol; Exemption from the Requirement of a Tolerance [OPP-2004-0068; FRL-7351-1] received April 22, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7985. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting Authorization of the enclosed list of officers to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

7986. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting Authorization of Lieutenant General Dan K. McNeill, United States Army, to wear the insignia of general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

7987. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—HOME Investment Partnerships Program; American Dream Downpayment Initiative [Docket No. FR-4832-1-01] (RIN: 2501-AC93) received April 13, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7988. A letter from the Assistant Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting the Commission's final rule—Foreign Bank Exemption From the Insider Lending Prohibition of Exchange Act Section 13(k) [Release No. 34-49616, International Series Release No. 1275; File No. S7-15-03] (RIN: 3235-A181) received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7989. A letter from the Deputy Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting the Commission's final rule—Mandated Electronic Filing for Form ID [Release Nos. 33-8410, 34-49585, 35-27837, 39-2420, IC-26241; File No. S7-14-04] (RIN: 3235-AJ09) received April 22, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7990. A letter from the Secretary, Department of Education, transmitting the Department's final rule—Family Educational Rights and Privacy Act (RIN: 1855-AA00) received May 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7991. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Final Rule to Implement the 8-Hour Ozone National Ambient Air Quality Standard—Phase 1 [OAR 2003-0079, FRL-7651-7] (RIN: 2060-AJ99) received April 22, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7992. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Service's final rule—In Vitro Dermal Absorption Rate Testing of Certain Chemicals of Interest to the Occupational Safety and Health Administration [OPPT-2003-0006; FRL-7312-2] (RIN: 2070-AD42) received April 22, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7993. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Arizona State Implementation Plan, Pinal County Air Quality Control District [AZ 063-0048; FRL-7638-2] received April 22, 2004, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Energy and Commerce.

7994. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 06-04 which informs of our intent to sign a Memorandum of Understanding (MOU) between the United States and Japan for Ballistic Missile Defense, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

7995. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 05-04 which informs of our intent to sign a Memorandum of Understanding (MOU) between the United States and Australia for Ballistic Missile Defense, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

7996. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed amendment to a manufacturing license agreement for the export of defense articles or defense services to Japan (Transmittal No. DDTC 029-04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7997. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to South Korea, Turkey, Spain, Saudi Arabia, and Chile (Transmittal No. DDTC 007-04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7998. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to Japan (Transmittal No. DDTC 021-04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7999. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to Canada and the United Kingdom (Transmittal No. DDTC 022-04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8000. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services with the United Kingdom (Transmittal No. DDTC 013-04), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

8001. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Revisions to the Export Administration Regulations based on the 2003 Missile Technology Control Regime Plenary Agreements [Docket No. 040414116-4116-01] (RIN: 0694-AD01) received May 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

8002. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Amendment to the Export Administration Regulations: Correction to ECCN 1C355 on the Commerce Control List [Docket No. 040206045-4045-01] (RIN: 0694-AC87) received May 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

8003. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Revision of Export and Reexport

Restrictions on Libya [Docket No. 040422128-4128-01] (RIN: 0694-AD14) received May 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

8004. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Protective Equipment Export License Jurisdiction [Docket No. 040220063-4063-01] (RIN: 0694-AC64) received May 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

8005. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Amendment to the International Traffic in Arms Regulations: United States Munitions List [Public Notice Z] (RIN: 1400-ZA10) received May 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

8006. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8007. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8008. A letter from the Inspector General, Office of Personnel Management, transmitting the semiannual report on the activities of the Inspector General and the Management Response for the period of April 1, 2003 to September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8009. A letter from the Chairman, Election Assistance Commission, transmitting the Commission's FY 2003 Annual Report, submitted in accordance with Section 207 of the Help America Vote Act of 2002 (HAVA); to the Committee on House Administration.

8010. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Lexington, TN [Docket No. FAA-2003-16622; Airspace Docket No. 03-ASO-21] received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8011. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Use of Section 106 Grant Funds to Achieve Environmental Results—received April 22, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8012. A letter from the Executive Vice President, Tennessee Valley Authority, transmitting a copy of the Authority's statistical summary for Fiscal Year 2003, pursuant to 16 U.S.C. 831h(a); to the Committee on Transportation and Infrastructure.

8013. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's "Major" final rule—Medicare Program; Prospective Payment System for Long-Term Care Hospitals: Annual Payment Rate Updates and Policy Changes [CMS-1263-F] (RIN: 0938-AM84) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8014. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's "Major" final rule—Medicare Program; Changes to the Criteria for Being Classified as an Inpatient Rehabilitation Facility [CMS-1262-F] (RIN: 0938-AM71) received April

30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8015. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—Electing Mark to Market for Marketable Stock [TD 9123] (RIN: 1545-AY17) received May 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8016. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—At-Risk Limitations; Interest Other Than That of a Creditor [TD 9124] (RIN: 1545-BA69) received May 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8017. A letter from the SSA Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Special Benefits for Certain World War II Veterans; Reporting Requirements, Suspension and Termination Events, Overpayments and Underpayments, Administrative Review Process, Claimant Representation, and Federal Administration of State Recognition Payments (RIN: 0960-AF72) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE. Committee on International Relations. H.R. 4060. A bill to amend the Peace Corps Act to establish an Ombudsman and an Office of Safety and Security of the Peace Corps, and for other purposes (Rept. 108-481 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII. The Committee on Government Reform discharged from further consideration. H.R. 4060 referred to the Committee of the Whole House on the State of the Union.

#### TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 4060. Referral to the Committee on Government Reform extended for a period ending not later than May 6, 2004.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HINOJOSA (for himself, Mr. LAMPSON, Mr. RODRIGUEZ, Mr. GREEN of Texas, Mr. FROST, Mr. PAUL, Mr. GONZALEZ, Mr. REYES, Mr. ORTIZ, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BELL, Mr. EDWARDS, Mr. STENHOLM, Mr. SANDLIN, Mr. DOGGETT, Mr. TURNER of Texas, Mr. CULBERSON, Mr. BRADY of Texas, Mr. HENSARLING, Mr. HALL, Mr. SAM JOHNSON of Texas, Mr. CARTER, Mr. SMITH of Texas, Ms. GRANGER, Mr. THORNBERRY, Mr. DELAY, Mr. NEUGEBAUER, Mr. SESSIONS, Mr. BARTON of Texas, Mr. BONILLA, and Mr. BURGESS):

H.R. 4299. A bill to designate the facility of the United States Postal Service located at 410 South Jackson Road in Edinburg, Texas, as the "Dr. Miguel A. Nevarez Post Office Building"; to the Committee on Government Reform.

By Mr. ISSA (for himself, Mrs. BONO, and Mr. CALVERT):

H.R. 4300. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project; to the Committee on Resources.

By Mr. TERRY (for himself, Mr. BE-REUTER, and Mr. OSBORNE):

H.R. 4301. A bill to authorize an additional district judgeship for the district of Nebraska; to the Committee on the Judiciary.

By Mr. TOM DAVIS of Virginia (for himself and Ms. NORTON):

H.R. 4302. A bill to amend title 21, District of Columbia Official Code, to enact the provisions of the Mental Health Civil Commitment Act of 2002 which affect the Commission on Mental Health and require action by Congress in order to take effect; to the Committee on Government Reform.

By Mr. BERMAN (for himself and Mr. KNOLLENBERG):

H.R. 4303. A bill to authorize the Secretary of State to make grants to American-sponsored schools in Arab and other predominantly Muslim countries to provide full or partial merit-based scholarships for children from lower- and middle-income families of such countries to attend such schools, and for other purposes; to the Committee on International Relations.

By Mr. BOSWELL (for himself, Ms. PELOSI, Mr. HOYER, Mr. MENENDEZ, Mr. GEORGE MILLER of California, Ms. DELAURO, Mr. MATSUI, Mr. RANGEL, Mr. DINGELL, Mr. BERRY, Mr. BROWN of Ohio, Mr. STARK, Ms. SCHAKOWSKY, Mr. MCDERMOTT, Mr. PALLONE, Mr. GREEN of Texas, Mr. DOGGETT, Mr. ALLEN, Mr. SANDLIN, Ms. SOLIS, Mr. FROST, Mr. SERRANO, Ms. JACKSON-LEE of Texas, Mr. GRIJALVA, Mr. HOFFFEL, Ms. ESHOO, Mr. KILDEE, Mr. WEINER, Mr. FARR, Mr. WEXLER, Mr. HASTINGS of Florida, Mr. OLVER, Mr. NADLER, Mr. HINCHEY, Mr. TIERNEY, Mr. LANTOS, Mr. MORAN of Virginia, Mrs. MALONEY, Mr. ABERCROMBIE, Ms. KILPATRICK, Mr. CLAY, Mr. KENNEDY of Rhode Island, Ms. WATERS, Mr. JACKSON of Illinois, Mr. HONDA, Ms. WATSON, Mr. RODRIGUEZ, Mr. GUTIERREZ, Mr. OBERSTAR, Mrs. LOWEY, Ms. LOFGREN, and Ms. SLAUGHTER):

H.R. 4304. A bill to amend the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to eliminate overpayments to health maintenance organizations and other private plans under part C of title XVIII of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Pennsylvania:

H.R. 4305. A bill to amend title 18, United States Code, to increase protections for children from obscene material on the Internet; to the Committee on the Judiciary.

By Mr. CANNON (for himself and Mr. ANDREWS):

H.R. 4306. A bill to amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment; to the Committee on the Judiciary.

By Mr. CHOCOLA (for himself, Mr. DAVIS of Tennessee, Mr. COLE, Mr.

BEAUPREZ, Mr. HOSTETTLER, Mrs. WILSON of New Mexico, Mr. MILLER of Florida, Mr. FEENEY, Mr. CHABOT, Mr. WILSON of South Carolina, Mrs. MYRICK, Mr. JONES of North Carolina, Mrs. MUSGRAVE, Mr. GARRETT of New Jersey, Mr. SHADEGG, Mr. KLINE, Mr. FRANKS of Arizona, Ms. GINNY BROWN-WAITE of Florida, Mr. GREEN of Wisconsin, Mr. PENCE, Mr. DUNCAN, Mr. PEARCE, Mr. HASTINGS of Washington, Mr. CARTER, Mr. EHLERS, Mr. MURPHY, Mr. BARRETT of South Carolina, Mr. SENSENBRENNER, Ms. HART, Mr. DOOLITTLE, Mr. CANNON, Mr. TURNER of Ohio, Mr. BOYD, Mr. GOODE, Mr. MARIO DIAZ-BALART of Florida, Mr. SOUDER, Mr. QUINN, and Mr. GERLACH):

H.R. 4307. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for increasing employment; to the Committee on Ways and Means.

By Mr. FLAKE (for himself, Mrs. CHRISTENSEN, Ms. BORDALLO, Mr. FALEOMAVAEGA, and Mr. ACEVEDO-VILA):

H.R. 4308. A bill to ensure consultation with the governments of the territories of the United States with respect to trade policy and trade agreements; to the Committee on Ways and Means.

By Mr. HILL:

H.R. 4309. A bill to amend the Clean Air Act to provide needed flexibility to States regarding the designation of certain counties as nonattainment areas for ozone under the 8-hour ozone standard, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LAHOOD (for himself, Mr. EMANUEL, Mr. HINCHEY, Mr. JEFFERSON, Mr. LATOURETTE, Mr. MANZULLO, Mr. SHIMKUS, and Mrs. JONES of Ohio):

H.R. 4310. A bill to direct the Secretary of Commerce to make noninterest bearing loans to State and local governments solely for the purpose of funding capital projects, and for other purposes; to the Committee on Government Reform.

By Mr. MARKEY:

H.R. 4311. A bill to reinstate the Federal Communications Commission's rules for the description of video programming; to the Committee on Energy and Commerce.

By Mr. MARKEY (for himself, Mr. TURNER of Texas, Mr. ISRAEL, Ms. LORETTA SANCHEZ of California, Mr. DICKS, Ms. HARMAN, Mr. CARDIN, Ms. SLAUGHTER, Mrs. LOWEY, Ms. NORTON, Ms. LOFGREN, Ms. MCCARTHY of Missouri, Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Mr. LUCAS of Kentucky, Mr. LANGEVIN, Mr. MEEK of Florida, Mr. ACEVEDO-VILA, Mr. STARK, and Mr. GREEN of Texas):

H.R. 4312. A bill to enhance aviation security; to the Committee on Transportation and Infrastructure.

By Mr. NADLER (for himself, Ms. LINDA T. SANCHEZ of California, Mr. FRANK of Massachusetts, Mr. FROST, Ms. KAPTUR, Mr. MCGOVERN, Ms. DELAURO, Mr. GRIJALVA, Mr. RUSH, and Ms. BALDWIN):

H.R. 4313. A bill to direct the Secretary of Education to provide grants to States to establish and carry out or continue to carry out anti-harassment programs; to the Committee on Education and the Workforce.

By Mr. RAMSTAD:

H.R. 4314. A bill to ensure that the total amount of funds awarded to a State under part A of title I of the Elementary and Secondary Education Act of 1965 for fiscal year 2004 is not less than the total amount of funds awarded to the State under such part

for fiscal year 2003; to the Committee on Education and the Workforce.

By Mr. REHBERG:

H.R. 4315. A bill to prohibit the Secretary of the Army from releasing water from Fort Peck Dam if the water level of Fort Peck Lake is 20 feet or more below the reservoir's full pool, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SCHAKOWSKY (for herself, Mr. ANDREWS, Mr. CONYERS, Ms. DELAURO, Mr. DEUTSCH, Mr. FILNER, Mr. FROST, Mr. HOFFFEL, Mr. HOLDEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MCCARTHY of New York, Mr. MEEK of Florida, Mr. NADLER, Ms. NORTON, Ms. ROYBAL-ALLARD, Ms. LINDA T. SANCHEZ of California, and Mr. VISCLOSKEY):

H.R. 4316. A bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER of Texas (for himself, Mr. BARTON of Texas, Mr. BELL, Mr. BURGESS, Mr. CARTER, Mr. CULBERSON, Mr. EDWARDS, Mr. FROST, Mr. GREEN of Texas, Mr. HENSARLING, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LAMPSON, Mr. PAUL, Mr. REYES, Mr. SANDLIN, Mr. STENHOLM, and Mr. DELAY):

H.R. 4317. A bill to name the Department of Veterans Affairs outpatient clinic located in Lufkin, Texas, as the "Charles Wilson Department of Veterans Affairs Outpatient Clinic"; to the Committee on Veterans' Affairs.

By Mr. WEINER:

H.R. 4318. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to widely distribute information describing their procedures for receiving and responding to complaints concerning harassment; to the Committee on Education and the Workforce.

By Mr. PORTER (for himself, Mr. PAYNE, Mr. BALLANCE, Mr. MCDERMOTT, Mr. RUPPERSBERGER, Mr. FROST, Mr. OWENS, Mr. DUNCAN, Mr. UPTON, Mr. WILSON of South Carolina, Mr. COX, Mr. CUNNINGHAM, Mr. EHLERS, Mr. SCOTT of Georgia, Mr. BAIRD, Mr. SPRATT, Mr. MEEKS of New York, Ms. PRYCE of Ohio, Mr. GIBBONS, Mr. ROGERS of Alabama, Mr. RANGEL, Ms. CORRINE BROWN of Florida, Mr. SIMMONS, Mr. HOSTETTLER, Mr. CRAMER, Mr. ISAKSON, and Mr. CAPUANO):

H. Con. Res. 417. Concurrent resolution honoring the Tuskegee Airmen and their contribution in creating an integrated United States Air Force, the world's foremost Air and Space Supremacy Force; to the Committee on Armed Services.

By Mr. LANTOS (for himself, Mr. LEACH, Mr. FALEOMAVAEGA, and Mr. HYDE):

H. Con. Res. 418. Concurrent resolution recognizing the importance in history of the 150th anniversary of the establishment of diplomatic relations between the United States and Japan; to the Committee on International Relations.

By Mr. YOUNG of Alaska:

H. Con. Res. 419. Concurrent resolution recognizing National Transportation Week and applauding the men and women who keep

America moving; to the Committee on Government Reform.

By Mr. RANGEL:

H. Res. 629. A resolution impeaching Donald Rumsfeld, Secretary of Defense; to the Committee on the Judiciary.

By Mr. SABO (for himself, Mr. GUTKNECHT, Mr. KENNEDY of Minnesota, Mr. KLINE, Ms. MCCOLLUM, Mr. OBERSTAR, Mr. PETERSON of Minnesota, and Mr. RAMSTAD):

H. Res. 630. A resolution commending the University of Minnesota Golden Gophers for winning the 2003-2004 National Collegiate Athletic Association Division I National Collegiate Women's Ice Hockey Championship; to the Committee on Education and the Workforce.

By Mr. STEARNS:

H. Res. 631. A resolution expressing the sense of the House of Representatives that there should be established an "Electrical Safety Month"; to the Committee on Government Reform.

By Mr. TANCREDO (for himself, Mr. SMITH of New Jersey, Mr. RYAN of Ohio, and Ms. KAPTUR):

H. Res. 632. A resolution urging the Government of Romania to provide equitable, prompt, and fair restitution to the Romanian Greek Catholic Church, the Roman Catholic Church, the Evangelical Lutheran Church, the Unitarian Church, the Hungarian Reformed Church, the Jewish community, and other affected religious communities for property confiscated by the former Communist government in Romania; to the Committee on International Relations.

By Mr. UDALL of New Mexico:

H. Res. 633. A resolution expressing the sense of the House of Representatives that there is a critical need to increase awareness and education about hepatitis C; to the Committee on Energy and Commerce.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

320. The SPEAKER presented a memorial of the Senate of the State of Georgia, relative to Senate Resolution No. 755 memorializing the Congress of the United States to consider creating a national preserve or other similar federal property to protect land and other natural resources in a continuous corridor of the Ocmulgee and Altamaha Rivers in central and south Georgia; to the Committee on Resources.

321. Also, a memorial of the General Assembly of the State of Iowa, relative to Senate Resolution No. 148 memorializing the Congress of the United States to authorize and appropriate funding to the National Park Service to assist state and local governments and private landowners in developing a comprehensive plan to preserve and restore the Loess Hills in Iowa; to the Committee on Resources.

322. Also, a memorial of the Senate of the Commonwealth of Kentucky, relative to Senate Resolution No. 168 memorializing the Congress of the United States to direct the construction of Interstate 66 through the Purchase Area of Western Kentucky; to the Committee on Transportation and Infrastructure.

323. Also, a memorial of the House of Representatives of the Commonwealth of Kentucky, relative to House Resolution No. 225 memorializing the Congress of the United States to direct the construction of Interstate 66 through the Purchase Area of Western Kentucky; to the Committee on Transportation and Infrastructure.

324. Also, a memorial of the House of Representatives of the Commonwealth of Penn-

sylvania, relative to House Resolution No. 682 memorializing the Department of Veterans Affairs to further evaluate the negative effects of the proposed realignment of veterans services and to consider alternative measures for the provision and enhancement of quality health care for veterans in the Commonwealth of Pennsylvania; to the Committee on Veterans' Affairs.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. BURTON of Indiana.  
 H.R. 141: Mr. SCHROCK.  
 H.R. 371: Mr. JACKSON of Illinois, Mr. WEINER, Mrs. MCCARTHY of New York, Mr. FILNER, Mr. GORDON, and Mr. MCCOTTER.  
 H.R. 525: Mr. GILCHREST and Mr. PICKERING.  
 H.R. 548: Mr. KANJORSKI.  
 H.R. 623: Mr. PRICE of North Carolina.  
 H.R. 677: Mr. RUPPERSBERGER.  
 H.R. 687: Mrs. KELLY.  
 H.R. 713: Mr. ISAKSON.  
 H.R. 716: Mrs. MYRICK.  
 H.R. 757: Mr. THOMPSON of Mississippi.  
 H.R. 834: Mr. ROGERS of Alabama.  
 H.R. 857: Mr. LINCOLN DIAZ-BALART of Florida, Mr. COX, Mr. HYDE, and Mr. MARIO DIAZ-BALART of Florida.  
 H.R. 1022: Mr. OLVER.  
 H.R. 1057: Mr. DEUTSCH.  
 H.R. 1084: Mr. SHIMKUS.  
 H.R. 1227: Mr. EDWARDS.  
 H.R. 1231: Mr. KNOLLENBERG.  
 H.R. 1551: Mr. HOEFFEL and Mr. BRADY of Pennsylvania.  
 H.R. 1567: Mr. BONNER and Mr. BALLENGER.  
 H.R. 1910: Mr. RUPPERSBERGER and Mr. MEEKS of New York.  
 H.R. 1930: Ms. CARSON of Indiana and Ms. KILPATRICK.  
 H.R. 1935: Ms. LOFGREN and Mr. PALLONE.  
 H.R. 2085: Mr. HALL.  
 H.R. 2151: Ms. BALDWIN and Mr. ROSS.  
 H.R. 2198: Mr. TIERNY, Mr. LANTOS, Mr. RANGEL, Mrs. JO ANN DAVIS of Virginia, and Mr. LYNCH.  
 H.R. 2295: Mr. COOPER.  
 H.R. 2305: Mr. SHAYS.  
 H.R. 2442: Mr. BECERRA, Ms. DELAURO, Mr. ISRAEL, and Mr. BOEHLERT.  
 H.R. 2735: Mr. BISHOP of Utah.  
 H.R. 2762: Mr. BRADLEY of New Hampshire.  
 H.R. 2890: Mr. BURR.  
 H.R. 2905: Mr. PLATTS.  
 H.R. 2933: Mr. KLINE.  
 H.R. 2959: Ms. BALDWIN, Mr. GIBBONS, Mr. THOMPSON of Mississippi, Ms. MAJETTE, Mr. GILCHREST, Mr. KIRK, Ms. DELAURO, Mr. SIMMONS, Mr. TANCREDO, Mr. SCHIFF, Mr. LUCAS of Kentucky, Mr. ALLEN, Mr. LEWIS of Kentucky, Mr. SANDERS, Ms. SCHAKOWSKY, and Mr. SIMPSON.  
 H.R. 3015: Mr. ENGEL.  
 H.R. 3035: Mr. FOLEY.  
 H.R. 3165: Mr. WELDON of Florida.  
 H.R. 3193: Mrs. CAPITO, Mr. POMBO, and Mr. CHANDLER.  
 H.R. 3204: Mr. BONILLA, Mr. BAIRD, Mr. CARDIN, Mrs. DAVIS of California, Ms. DEGETTE, Mr. FRANK of Massachusetts, Mr. LEVIN, Mrs. MCCARTHY of New York, and Mr. TANNER.  
 H.R. 3242: Ms. LOFGREN, Mr. ISAKSON, Mr. BURR, Mr. RUPPERSBERGER, Mr. WALDEN of Oregon, Mr. BOUCHER, and Mr. SHERWOOD.  
 H.R. 3337: Ms. WOOLSEY.  
 H.R. 3356: Mr. LEWIS of Kentucky.  
 H.R. 3458: Mr. PASTOR, Mr. HINOJOSA, and Mr. FRANK of Massachusetts.  
 H.R. 3476: Mr. CAPUANO.  
 H.R. 3615: Mr. BISHOP of Georgia, Mr. CONYERS, Mr. PASTOR, Mr. BAIRD, Mr. PALLONE,

Ms. WOOLSEY, and Ms. CORRINE BROWN of Florida.

H.R. 3692: Mr. FROST, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Ms. MILLENDER-MCDONALD, Mr. PASTOR, Mr. RUSH, Mr. TOWNS, Mr. WEXLER, Ms. LOFGREN, Ms. SLAUGHTER, Mr. WALSH, and Mr. LAHOOD.

H.R. 3736: Ms. HART and Mr. OSBORNE.

H.R. 3777: Mr. DAVIS of Tennessee.

H.R. 3800: Mr. GOODLATTE.

H.R. 3815: Ms. JACKSON-LEE of Texas and Mr. BISHOP of New York.

H.R. 3840: Ms. DUNN.

H.R. 3864: Mr. UDALL of Colorado.

H.R. 3921: Mr. GRIJALVA.

H.R. 3952: Mr. ROYCE, Mr. SESSIONS, Mr. JONES of North Carolina, Mr. AKIN, Mr. BARTLETT of Maryland, and Mr. GILLMOR.

H.R. 3968: Mr. ALLEN.

H.R. 3981: Mr. ROGERS of Alabama.

H.R. 3988: Mr. BROWN of Ohio, Mr. DAVIS of Alabama, and Ms. LOFGREN.

H.R. 3990: Mr. ENGLISH and Mr. PETRI.

H.R. 4026: Mr. OSBORNE.

H.R. 4033: Mr. FORD.

H.R. 4035: Mr. RANGEL, Mr. STARK, Mr. BECERRA, Mr. SPRATT, Mr. BROWN of Ohio, Mr. CUMMINGS, Ms. SCHAKOWSKY, Ms. ROSELEHTINEN, and Ms. LOFGREN.

H.R. 4039: Mr. WILSON of South Carolina.

H.R. 4052: Mr. ANDREWS and Mr. STUPAK.

H.R. 4056: Mr. MCINNIS.

H.R. 4057: Ms. HART.

H.R. 4064: Mr. NORWOOD, Mr. BEREUTER, Mr. MANZULLO, Mr. DOOLITTLE, Mr. MILLER of Florida, Mr. LEWIS of Kentucky, Mr. KLINE, and Mr. BRADY of Texas.

H.R. 4065: Mr. SIMMONS.

H.R. 4101: Mr. LEVIN and Ms. LEE.

H.R. 4102: Mr. HOLT, Mr. WU, Mr. CASE, and Mrs. DAVIS of California.

H.R. 4104: Mr. MOORE and Mr. TURNER of Texas.

H.R. 4107: Mr. OWENS, Mr. RANGEL, Mr. BALLANCE, Mr. CONYERS, Mr. TOWNS, Mr. LANTOS, Mr. MEEHAN, Mr. GRIJALVA, Mr. SIMMONS, Mr. SHERWOOD, Mr. ENGLISH, Mr. CARDIN, Mr. UDALL of Colorado, and Mr. GREENWOOD.

H.R. 4108: Mr. CUMMINGS, Mr. SULLIVAN, Mr. CARDIN, Mr. WAXMAN, Mr. MARKEY, Mr. GUTIERREZ, Mr. MCCOLLUM, Mr. MILLER of North Carolina, Mr. GORDON, Ms. LEE, Ms. HART, Mr. DAVIS of Alabama, and Mr. MEEKS of New York.

H.R. 4116: Mr. MILLER of North Carolina.

H.R. 4149: Mr. ESHOO and Mr. CUNNINGHAM.

H.R. 4150: Mr. FOLEY, Mr. PENCE, and Mr. BAKER.

H.R. 4188: Mr. MCKEON, Mr. BURR, Mr. SIMMONS, and Mr. FERGUSON.

H.R. 4192: Mr. BRADY of Pennsylvania, Mr. EVANS, Mr. CUMMINGS, Mr. RANGEL, and Mr. MENENDEZ.

H.R. 4203: Mr. TAYLOR of North Carolina, Mr. JONES of North Carolina, Mr. HAYES, Mr. MILLER of North Carolina, Mr. SOUDER, Mr. MYRICK, and Mr. GOODE.

H.R. 4205: Mr. DAVIS of Florida and Mr. SWEENEY.

H.R. 4207: Mr. GONZALEZ and Ms. BERKLEY.

H.R. 4210: Mr. TAYLOR of Mississippi.

H.R. 4217: Mr. SULLIVAN, Mr. RUPPERSBERGER, Mr. LUCAS of Oklahoma, Mr. CARSON of Oklahoma, Mr. ROSS, Mr. TAUZIN, and Mr. CLYBURN.

H.R. 4263: Ms. WATERS, Mr. SCOTT of Georgia, Mr. BECERRA, Ms. ESHOO, Ms. MCCOLLUM, Mr. DICKS, Mr. SMITH of Washington, Mr. WATT, Ms. LOFGREN, Mr. PASCRELL, Ms. BORDALLO, Mr. MEEKS of New York, Mr. ENGEL, Mr. McDERMOTT, Mr. PALLONE, and Mr. CASE.

H.R. 4279: Mr. RAMSTAD, Mr. BRADY of Texas, and Mr. HULSHOF.

H.R. 4280: Mr. SCOTT of Georgia.

H.R. 4281: Mrs. EMERSON.

H.R. 4282: Ms. BORDALLO.

H.R. 4290: Mr. CONYERS and Mr. SANDERS.  
H.J. Res. 60: Mr. BRADLEY of New Hampshire.

H. Con. Res. 319: Mr. McGOVERN, Mr. ENGEL, Mr. SHIMKUS, Mr. GRIJALVA, Mr. WEXLER, Ms. BERKLEY, Mr. CHABOT, Mr. CROWLEY, and Mr. BURTON of Indiana.

H. Con. Res. 363: Ms. HARRIS and Mr. WEXLER.

H. Con. Res. 371: Mr. WHITFIELD and Mr. MARSHALL.

H. Con. Res. 391: Mr. LANTOS, Mr. BAIRD, Mr. LARSON of Connecticut, Mr. MARKEY, Mr. SCHIFF, and Ms. MILLENDER-McDONALD.

H. Con. Res. 398: Mr. BAIRD.

H. Con. Res. 403: Mr. PRICE of North Carolina, Mr. NEAL of Massachusetts, Mr. ENGEL, Mr. WELDON of Florida, Mr. INSLEE, Mr. LIPINSKI, Mr. BURNS, Mr. GORDON, Mr. OSBORNE, and Mr. PASTOR.

H. Con. Res. 405: Mr. WOLF and Mr. FOLEY.

H. Con. Res. 409: Mr. POMBO.

H. Con. Res. 410: Mr. REHBERG.

H. Con. Res. 414: Mr. DELAY, Mr. GREENWOOD, Mrs. BLACKBURN, Mr. CARTER, Mr. FLAKE, and Mrs. JO ANN DAVIS of Virginia.

H. Res. 567: Mr. LEVIN and Mr. HOEKSTRA.

H. Res. 575: Mrs. TAUSCHER.

H. Res. 577: Mr. ENGEL and Mr. HOEFFEL.

H. Res. 604: Mr. STENHOLM, Ms. SLAUGHTER, and Mrs. MILLER of Michigan.

H. Res. 615: Mr. SMITH of New Jersey, Mr. CHANDLER, Mr. ENGEL, Mr. BERMAN, Mr.

WEXLER, Mr. CHABOT, Mr. SHIMKUS, Mr. SAXTON, Mr. BURTON of Indiana, Mr. FOLEY, Mr. McNULTY, Mr. SHERMAN, and Mr. OTTER.

H. Res. 616: Mr. McNULTY, Mr. SMITH of New Jersey, Mr. CHANDLER, Mr. ENGEL, Mr. BERMAN, Mr. WEXLER, Mr. CHABOT, Mr. SHIMKUS, Mr. BURTON of Indiana, and Mr. SHERMAN.

H. Res. 622: Mr. RAMSTAD.

H. Res. 626: Ms. PELOSI.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1078: Mr. KING of Iowa.

#### PETITIONS, ETC.

Under clause 3 of rule XII,  
80. The SPEAKER presented a petition of the Board of Supervisors, La Crosse County, Wisconsin, relative to Resolution No. 3-4104, memorializing the Congress of the United States to authorize funding to construct 1,200-foot locks on the upper Mississippi and Illinois River system; which was referred

jointly to the Committees on Resources and Transportation and Infrastructure.

#### DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 6, by Mr. TURNER of Texas on House Resolution 523: Robert E. Andrews and Richard E. Neal.

Petition 7, by Mr. BAIRD on House Resolution 572: Alcee L. Hastings and Steven R. Rothman.

Petition 8, by Mr. EDWARDS on House Resolution 584: Alcee L. Hastings, Stephanie Tubbs Jones, Carolyn C. Kilpatrick, Edward J. Markey, Richard E. Neal, Charles B. Rangel, Calvin M. Dooley, Luis V. Gutierrez, Peter Deutsch, Xavier Becerra, Loretta Sanchez, Steven R. Rothman, Maxine Waters, Nick J. Rahall II, John S. Tanner, Robert Wexler, Nita M. Lowey, Paul E. Kanjorski, Robert E. (Bud) Cramer, Jr., Alan B. Mollohan, Neil Abercrombie, Harold E. Ford, Jr., Norman D. Dicks, and Benjamin L. Cardin.