

placed on women's shelters, state prosecutors, courtroom victim advocates, and other resources. We cannot let the Violence Against Women Act become a victim of its own success. Instead, it must be soundly and quickly reauthorized next year.

Despite best efforts, a complete bill reauthorizing the Act is not yet ready for introduction today. However, a draft is near completion. I am listening closely to those on the front lines—police, trial judges, emergency room nurses and many others—and making targeted improvements to existing grant programs and tightening up criminal laws. We are learning about the new challenges and the persistent problems of old. A wide variety of groups are working with me to put together the next iteration of the Violence Against Women Act, including the National Coalition Against Domestic Violence, the National Network to End Domestic Violence, the Family Violence and Prevention Fund, the Pennsylvania Coalition Against Rape, Legal Momentum, the National Alliance to End Sexual Violence, the American Bar Association's Commission on Domestic Violence, the National Association of Attorneys General, the National Center for Victims of Crime, National District Attorneys Association, the National Council on Family and Juvenile Court Judges, the National Association of Chiefs of Police, the National Sheriffs' Association and the American Medical Association.

The Violence Against Women Act of 2005 that I intend to introduce at the commencement of the next Congressional session is a comprehensive and ambitious bill that will move our country forward in our fight to end family violence. The reauthorization will include at least nine titles. Major components of title I on the courts and crime include provisions to: 1. renew existing foundational programs for law enforcement, lawyers, judges and advocates; 2. stiffen existing criminal penalties for repeat federal domestic violence offenders; 3. appropriately update the stalking criminal law to incorporate new surveillance technology like Global Positioning Systems (GPS); and 4. ensure that offender re-entry programs develop procedures and resources for prisoners with a history of family violence. Title II on victim services would, among other items: 1. create a new dedicated program for rape crisis centers; 2. reinvigorate programs to help older and disabled victims of domestic violence; and 3. strengthen existing programs for rural victims and victims in underserved areas.

I am particularly heartened by new titles that deal with children and teenagers. Reports indicate that from three to ten million children are experiencing domestic violence in their homes each year. Treating children who witness domestic violence, dealing quickly with violent teenage relationships and teaching prevention to children and teenagers are keys to ending the violence.

In some instances, women face the untenable choice of returning to their abuser or becoming homeless. Indeed, 44 percent of the Nation's mayors identified domestic violence as a primary cause of homelessness. In response, efforts to ease the housing problems for battered women are contained in my draft bill.

Doctors and nurses, like police officers on the beat, are often the first witnesses of the devastating aftermath of abuse. As first responders, they must be fully engaged in the effort to end the violence and have the tools they need to faithfully screen, treat and study family violence. My bill would strengthen the health care system's response to family violence with programs to train and educate health care professionals on domestic and sexual violence, foster family violence screening for patients, and more studies on the health ramifications of family violence.

Leaving a violent partner often requires battered women to achieve a level of economic security. The next iteration of the Violence Against Women Act should seek to help abused women maintain secure employment, insurance coverage, and child support resources.

In addition, my bill would improve and expand the immigration protections for battered women. I am very appreciative of Senator KENNEDY's leadership and expertise on this issue. In addition, it would ensure that victims of trafficking are supported with measures such as permitting their families to join them in certain circumstances, expanding the duration of a T-visa, and providing resources to victims who assist in investigations or prosecutions of trafficking cases brought by State or Federal authorities. Finally, my bill will focus more closely on violence against Indian women and suggest ways to better coordinate services to Indian women.

I am pleased to be working on such a thorough effort to renew the Violence Against Women Act. I believe this bill raises important issues, and pushes local and federal policymakers to ask what more should be done for battered women and their children. In the coming weeks, I look forward to working with my colleagues on both sides of the aisle to craft a compromise measure. Senator HATCH and the Judiciary Committee's new Chairman, Senator SPENCER and Ranking Member Senator LEAHY, have long supported the Violence Against Women Act and I am confident that we will work together to create an effective reauthorization bill. I also appreciate the efforts in the House of Representatives including those of a long-standing champion of the Violence Against Women, Representative CONYERS.

ACCOUNTABILITY FOR THE ABUSE OF FOREIGN DETAINEES

Mr. LEAHY. Mr. President, nearly 7 months after the world learned of the

atrocities at Abu Ghraib, those of us in the Congress who strongly believe that oversight and accountability are paramount to restoring America's reputation as a human rights leader remain stymied in our efforts to learn the truth about how this administration's policies trickled down from offices in Washington to cellblocks in Abu Ghraib.

The Bush administration circled the wagons long ago and has continually maintained that the abuses were the work of "a few bad apples." I have long said that somewhere in the upper reaches of the Executive branch a process was set in motion that rolled forward until it produced this scandal. To put this matter behind us, first we need to understand what happened at all levels of government. It is the responsibility of the Senate to investigate the facts, from genesis to approval to implementation and abuse. However, this Senate, and in particular the Judiciary Committee, continues to fall short in its oversight responsibilities.

Several of the investigations into U.S. detention policies are now complete. They provide additional insight into how the prison abuses occurred, but their narrow mandates prevented them from addressing critical issues. Overall, these investigations collectively suffered from a lack of scope and authority, leaving key inquiries into issues like contractor abuses and "ghost detainees" unexplored.

Ultimately, what emerges from the reports is a striking contradiction. The reports state that there was no official policy of abuse and they do not recommend punishment for high-ranking officials. And yet, the reports show that decisions made by top officials, including the President himself, led to the abuses that occurred in the fields of battle.

Recently, a Federal judge, recognizing the importance of government accountability, ordered the Bush administration to comply with a Freedom of Information Act—FOIA—request and release all documents related to the detentions at Abu Ghraib prison. Many of the documents released by the Administration are heavily redacted, yet reveal enough information to raise serious concerns.

One of the released documents, an FBI report dated May 19, 2004, illustrates a troubling pattern in this scandal. The redacted version of this document states that FBI employees at Abu Ghraib reported witnessing incidents such as "military personnel retraining a detainee who was 'spread eagle' on a mattress on the floor yelling and flailing . . . a detainee, either naked or wearing boxer shorts, lying prone on the wet floor . . . [and] detainees who were ordered to strip and then placed in isolation with no clothes." These practices potentially violate the Geneva Conventions and clearly violate the FBI's own interrogation rules, yet the agents did not believe they "rose to the level of misconduct or mistreatment."

On May 20, 2004, I asked Director Mueller at a Judiciary Committee hearing whether any of his agents had encountered objectionable practices involving the treatment of prisoners in Iraq, Afghanistan or Guantanamo Bay. He limited his answer to Abu Ghraib, stating that none of his agents had witnessed abuses in that facility. I wrote to Director Mueller on October 29, 2004, asking him to clarify the discrepancy between his congressional testimony and the information contained in the FBI memo. I also requested unredacted versions of all of the FBI documents released in response to the FOIA request. I have not received a response.

I remain concerned about reports of prisoner abuses that have occurred since the Abu Ghraib scandal was publicly disclosed. Attorneys working on behalf of a group of abused prisoners sent letters to members of the Senate Armed Services Committee on September 8, 2004, and to Vice Admiral Albert Church on October 13, 2004, notifying them that torture may have continued after the Abu Ghraib abuses were uncovered. I sent a letter to Secretary Rumsfeld on October 29, 2004, asking him for assurances that the abuse of detainees has not continued and that all interrogation techniques now being used in U.S. detention facilities comply with international treaty obligations and U.S. laws. Again, I have not received a response. I hope that we do not learn of continuing abuses, yet given all that we have seen and all that we have yet to learn, I am still not confident that the problems have been solved. I ask unanimous consent to have printed in the RECORD these three letters.

The PRESIDING OFFICER. Without objection, it is so ordered. (See Exhibit 1.)

Mr. LEAHY. Allowing senior officials to avoid accountability sets a dangerous precedent. It is time for Congress, even this Republican led Congress, to do its job and take action. We must send a message that no one in the chain of command—from an enlisted private stationed in Iraq to the commander-in-chief—is above the laws of our Nation.

Soon, the Senate will consider the nomination of Alberto Gonzales for the position of Attorney General. The Judiciary Committee, which has jurisdiction over the Department of Justice, will consider this nomination first. As I have said many times, and as I deeply regret, the Committee has all but abdicated its oversight role with regard to the issue of foreign detainee abuse. Last June, on a party-line vote, Republicans defeated an effort to obtain documents regarding the development of interrogation policies that we believed to be in the possession of the Department of Justice.

Some of us had also asked Judge Gonzales, in his role as White House counsel, to release documents that we believed relevant to our investigations. It is true that the White House and De-

partment of Justice released a small number of documents last summer, but that self-serving subset of the memorandum offered a mere glimpse into the genesis of the scandal. All of those documents should have been provided earlier to Congress, and still much more remains hidden away from public view.

Judge Gonzales's role in formulating the administration's policies on the detention and treatment of prisoners in U.S. custody overseas is an issue of significant concern. His January 25, 2002, memo to the President argues for a radical shift in our longstanding policy to apply the Geneva Conventions to foreign prisoners. He later defended this memo, stating that it only applied to al Qaeda and Taliban. As he stated in a June 22, 2004, news conference, "in Iraq, it has always been U.S. position that Geneva applies . . . [B]oth the White House and Department of Defense have been very public and clear about that."

Unfortunately, we have to ask Judge Gonzales if the Geneva Conventions are actually being applied in Iraq. An October 24, 2004, story in The Washington Post reveals yet another Justice Department memo that relied upon questionable legal reasoning in order to authorize actions that potentially violated the Geneva Conventions. The draft memo, dated March 19, 2004, was written at the request of Judge Gonzales, apparently in order to authorize the CIA to transfer detainees out of Iraq for interrogation—a practice expressly prohibited by the Geneva Conventions. I look forward to discussing these memoranda, as well as other policy decisions, in more detail with Judge Gonzales as we consider his nomination.

With the consideration of this nomination, the Judiciary Committee has the opportunity to redeem itself. In my conversations with Judge Gonzales earlier this week, I have expressed to him the need for our questions to be answered. I believe that other members of the committee, on both sides of the aisle, are troubled by certain Administration policies and are disturbed by the evidence of prisoner abuse. I hope that the Committee will fulfill its oversight responsibility now.

U.S. SENATE,

Washington, DC, October 29, 2004.

Hon. DONALD RUMSFELD,
Secretary of Defense,
Washington, DC.

DEAR SECRETARY RUMSFELD: As you know, I have closely monitored the numerous ongoing and completed prisoner abuse investigations instigated by the Pentagon, but remain skeptical that these investigations will uncover the full truth. Each of these probes is limited in scope or authority and, therefore, none will comprehensively investigate the abuse of detainees.

I am particularly concerned about the status of the ongoing Pentagon investigations. In a Defense Department press briefing on August 25, 2004, General Paul J. Kern said the release of Admiral Albert T. Church's report was expected by September 20, and would "fill the gaps and seams." That same day, in a separate Pentagon briefing, a sen-

ior Army official said the Church report should be complete by mid-September and the Formica report "should be out soon." As of October 29, 2004, neither investigation has been released. In addition, Lt. Gen. David W. Barno stated in a Pentagon briefing on October 19, 2004, that the report by Brigadier General Charles Jacoby is complete, but it has not been released.

The delay in the completion and public release of these investigations raises two significant concerns. The first is whether the investigations were extended due to the discovery of abuses that previous investigations failed to uncover, or the discovery of abuses that may have occurred since this scandal was revealed in April. I recently received a copy of a letter submitted to Vice Admiral Church suggesting that abuses by soldiers and/or contractors continued even after the abuses at Abu Ghraib were reported by the press in late April. That letter is attached. My second concern is whether the release of the reports is being delayed for political reasons. I would like to believe this is unlikely, but previous experience suggests otherwise. The Schlesinger and Fay-Jones reports were released in the middle of a month-long congressional recess, the Army Inspector General's report received little attention because it was released on the same day as the 9-11 Commission Report. Without any additional information, I am forced to wonder whether the remaining reports are being withheld until a politically expedient time.

In order to better understand the current status of the ongoing Pentagon investigations, I ask that you provide the requested information and respond to the following questions by November 15, 2004. I have not received a response to the letter I sent you on October 1, 2004. I remain concerned about the issues raised in that letter, which still awaits your reply.

1. Please provide the current status and expected completion and release dates for all ongoing investigations into the abuse of detainees.

2. Please explain why the investigations conducted by Vice Admiral Church, Brigadier General Jacoby, and Brigadier General Formica are delayed beyond their expected completion and release dates.

3. Has any ongoing investigation discovered incidents of abuse that were not previously reported by the completed investigations?

4. Has any ongoing or completed investigation discovered incidents of abuse that have occurred since the Abu Ghraib prison abuse scandal was reported by the press on April 28, 2004?

5. Can you assure me that all interrogation techniques now being used in U.S. detention facilities comply with international treaty obligations and U.S. laws?

As stated above, I request that you answer these questions by November 15, 2004. Thank you for your prompt attention to this matter.

Sincerely,

PATRICK LEAHY,
U.S. Senator.

SEPTEMBER 8, 2004.

Senator JOHN WARNER,
Chair, U.S. Senate Armed Services Committee,
Russell Senate Office Building, Washington, DC.

Senator CARL LEVIN,
Ranking Member, U.S. Senate Armed Services Committee, Russell Senate Office Building, Washington, DC.

DEAR SENATORS WARNER, LEVIN, AND MEMBERS OF THE COMMITTEE: On behalf of the hundreds of thousands of people in Iraq, thank you very much for holding these hearings on the torture and abuse of prisoners in Iraq. It is a great public service.

We represent the class of persons tortured in Iraq in a civil lawsuit brought against the two government contractors who participated in the torture, CACI International, Inc. and Titan Corporation.

We have learned from direct interviews conducted in Iraq in August 2004 that the torture CONTINUES despite the publicity surrounding the revelations of the Abu Ghraib torture. We are enclosing for your information a detailed summary of facts relating to the recent torture. As you will see from reviewing the summary, it is clear that torture HAS and IS transpiring at multiple, previously undisclosed, locations in addition to Abu Ghraib.

We respectfully request that you place this letter and attachment into the hearing record.

We also respectfully request that the investigation into the detainee abuses continue and be expanded to include locations other than Abu Ghraib. We ask that you hold additional hearings and permit us or our clients, the victims, to testify about what has and is transpiring. We suggest that those hearings include questioning of representatives from CACI International, Inc. and Titan Corporation, the two corporations shown by the military's investigation to be complicit in the torture.

Please do not hesitate to contact either of us if you have any questions about the incidents described in the attachment.

SUSAN L. BURKE,
Montgomery,
McCracken, Walker
& Rhoads, LLC.
SHEREEF H. AKEEL,
Melamed, Dailey &
Akeel, P.C.

MONTGOMERY, MCCrackEN,
WALKER & RHOADS, LLP,
Philadelphia, PA, October 13, 2004.

Re Incidents of Torture and Abuse.

VICE ADMIRAL ALBERT T. CHURCH, III,
Naval Inspector General, Office of the Naval Inspector General, Washington DC.

DEAR ADMIRAL CHURCH: We are part of the legal team prosecuting a class action seeking to hold government contractors CACI and Titan Corporation accountable for their role in the Iraqi prison scandal. As part of that effort, we have been interviewing detainees who have been tortured or abused. We have learned of many instances of torture by Americans (both military and civilian) that do not appear to be the subject of any ongoing military investigation.

We are attaching for your information a report that summarizes eleven such incidents. We would very much appreciate learning when investigations have been commenced with respect to the incidents described in the attached report. We also have additional incidents to report to whomever you designate as the appropriate person to receive the information.

Based on the information we have learned, it is clear that Abu Ghraib prison was not the only prison where detainees have been and are being tortured. It is also clear that the publicity surrounding the Abu Ghraib photographs did not prevent torture from continuing to occur.

As I trust you know and as explained in the enclosed affidavits signed by two experienced military interrogators, using torture during interrogation harms not only the victims but also places American troops in grave danger. We are very concerned that not enough action has been taken to halt past practices. Given that the conduct at issue clearly violates the Geneva Conventions and United States law, we find the insufficient oversight troubling.

We look forward to hearing from you or your staff.

Sincerely,

SUSAN L. BURKE.

UNIVERSITY OF SOUTH DAKOTA
SCHOOL OF NURSING DESIGNATED AS A NATIONAL LEAGUE FOR NURSING CENTERS OF EXCELLENCE PROGRAM

• Mr. JOHNSON. Mr. President, I acknowledge a recent accomplishment in my home State of South Dakota. I am pleased to share with this body that the University of South Dakota, Department of Nursing has recently been awarded the prestigious honor of being designated as one of three National League for Nursing, Centers for Excellence in the United States for 2004-2007.

The National League for Nursing, Centers of Excellence is designed to distinguish those schools that demonstrate innovation in nursing research and education. The award requires that beneficiaries be committed to continuous quality improvement in their programs. Being acknowledged by the National League in this regard indicates a firm commitment by the school as a whole to pursue and sustain excellence in student learning, faculty development, and nursing education research. I am pleased that the USD Department of Nursing has earned such a high honor, which is clearly the result of the hard work and dedication of the faculty, staff, and students.

The associate degree nursing program at the University of South Dakota is a State-funded program that is available at the main campus in Vermillion, SD and campuses in Sioux Falls, Rapid City, Pierre and Watertown. In addition, the program has a distance education partnership with the Good Samaritan Society in Nebraska, Kansas, Iowa, Minnesota, North Dakota and South Dakota. There are over 525 students enrolled in the nursing program, and 400 of those students are in communities away from the main campus in Vermillion. Such out of state partnerships coincides with the NLN mission to continually advance quality nursing education throughout the three years the school carry the NLN Center of Excellence designation.

I am pleased with the USD Nursing School's excellent work in training and mentoring future health care providers. Nurses are an essential component of the health care team and the work of the school will ensure that in the years to come South Dakota will have access to these important health professionals. I look forward to the progress and outcomes that will result from this 3-year designation, and once again commend the hard work of the faculty, staff, and student body who continuously strive towards improving the health and well being of their communities. •

VETERANS DAY, 2004

Mr. GRAHAM of Florida. Mr. President, it is vital that we pause to remember Veterans Day, which was observed by this Nation last week. While our brave troops are protecting our freedom around the world, it is especially important that we honor those who have served before them. We owe our 25 million living veterans our heartfelt appreciation for answering the call to duty and serving this Nation in the United States Armed Forces. And, this Nation must never forget the ultimate sacrifice paid by so many of our soldiers, sailors, airmen and marines.

Today, as it should be, military service is being held in high regard. The ongoing events in Afghanistan and Iraq have renewed America's sense of gratitude toward the men and women of the Armed Forces for the great sacrifices they make everyday on behalf of our Nation. I personally want to thank all of our veterans and members of the Armed Forces for their selfless service to this country.

As we observe Veterans Day, let us remember that we owe our veterans our honor and respect year around. It would be truly shameful if veterans felt forgotten except for this one day per year. There must be no wavering in our commitment toward those who served in the United States Armed Forces.

I am proud to represent the State of Florida. Florida has one of the highest veteran populations in the country. I am fortunate to represent not only the almost 2 million veterans of Florida, but veterans all over this Nation. It has been my sincere pleasure and honor to serve as ranking member of the Committee on Veterans' Affairs for these past 2 years, and it is my hope that my term on the Committee has benefited those men and women who have sacrificed and served on behalf of this grateful Nation.

Throughout my tenure on this committee, I have fought very hard for improvements in benefits and services to veterans. I constantly think of Abraham Lincoln's pledge, "to care for him who shall have borne the battle and for his widow and his orphans." It is especially fitting that in the shadow of Veterans Day comes the passage of important veterans health and benefits legislation by both Chambers of Congress. We must continue to advance benefits and health care for our Nation's bravest individuals and their families. This recently passed legislation will improve and expand a host of veterans benefits, including: survivors benefits for spouses with dependent children; housing benefits; and educational benefits for Guard and Reserve members, veterans, and spouses of veterans killed on active duty. I am proud of this legislation and hope that future Congresses continue to provide veterans with a wide array of necessary benefits and services and strive to meet their evolving needs. Our veterans deserve no less.