

home State. One of South Carolina's most distinguished native sons, State House Speaker David Wilkins, has been nominated by President George W. Bush to be the United States Ambassador to Canada.

I just spoke with David this morning, and let him know that while we are sad to lose his leadership, we are extremely proud of his appointment.

Both David and I are natives of Greenville, SC, and graduates of Clemson University and have been friends for a long time.

I have long admired his courage and determination to fight for family values and individual freedom. He also possesses a keen understanding of the need to create an economic environment that gives businesses and workers a chance to thrive.

In addition to the talents David brings to this position, his greatest help will come from his lovely wife Susan, who represents the best of South Carolina. Together they have raised two fine sons, James and Robert.

Speaker Wilkins is a legendary public servant. He has served in the South Carolina State House of Representatives since 1981 and led as Speaker for more than a decade.

David is widely respected by all parties for good reason, because he works passionately to better the lives of all South Carolinians. The President could not have chosen a better man, and he will represent our nation well.

I look forward to welcoming David to Washington for his confirmation hearings. I promised him I would work hard to make sure my colleagues know of his exceptional abilities that make him more than qualified for this job.

He enjoys the full confidence of the President of the United States, and the support of South Carolinians. I am sure he will have no problem being confirmed quickly, so he can begin working on behalf of all Americans.

AMEND RECA

Mr. BURNS. Mr. President, this day is an important occasion for folks in my State of Montana. This afternoon, at 4 o'clock, the National Academy of Sciences will release an extensive report on health effects resulting from nuclear bomb tests that were carried out at the Nevada test site in the 1950s and 1960s.

For years now, Montanans and their loved ones have experienced the pain of developing various forms of cancer, most commonly, cancer of the thyroid, caused by exposure to this dangerous radiation. These cancers seemed to be a little too common among people living in certain areas of our State. According to the National Academy of Sciences, these innocent victims—mostly children and babies—who were living in Montana, were exposed to the highest dosages of radiation of any State in the Nation as a result of this nuclear testing; even more than Nevada, where the tests were actually

conducted. You see, the radioactive iodine is the part that is dangerous. It was blasted high up into the atmosphere and the wind carried it north to Montana where it finally settled on the ground, then into the water and food supply.

Thyroid cancer takes around 10 to 40 years to develop. Radiation exposure in the late 1950s might not manifest in cancer until the late 1990s. While the national average for thyroid cancer has remained steady over the past 30 years, the rate of reported thyroid cancer in Montana has increased steadily. In 1980, Montana State had a rate of thyroid cancer 6.2 times the national average. In 1990, that rate had increased to 10.8 times the national average, and in 2000 the rate of reported thyroid cancer in Montana was almost 18 times the national average.

The 1990 Radiation Exposure Compensation Act, RECA, PL 101-426, established the Radiation Exposure Compensation Trust Fund for claims for injuries and death due to exposure under the Nevada testing. Under RECA, folks who were residing in parts of the States of Utah, Nevada, Arizona, Colorado, New Mexico during certain times in the 1950s received a substantial amount of compensation from the U.S. Government along with an apology. Research now proves the State of Montana was hit the hardest by this radiation; yet its victims are not eligible for compensation under RECA.

Not only do these folks deserve an apology from the U.S. Government, but they deserve this compensation. As a cancer survivor, I cannot begin to tell you the mental, emotional, physical and financial hardship these cancer victims have endured—in order to serve the national security interests of the United States.

I strongly recommend that we, as a Congress, apologize to these individuals and amend RECA to compensate folks from my State of Montana as well as other States who have been affected by this tragedy.

AUSTRALIAN PARTICIPATION IN IRAQ

Mr. ALEXANDER. Mr. President, I have spoken here previously about the contribution that one of our closest allies, Australia, has made to support our efforts in Iraq and in the ongoing war against terror. At a time when other members of the international coalition in Iraq are beginning to draw down or remove their forces from the region, Australia continues to do its part.

In fact, over the following weeks, Australia will expand its commitment to Iraq by about 50 percent. This will increase the total Australian military personnel currently working in or around Iraq to 1,370. These additional Australian troops will provide a secure environment—following the withdrawal of Dutch troops—for Japanese engineers who are involved in the re-

construction efforts in the Al Muthanna Province in southern Iraq. The additional troop commitment will also bolster the existing training of Iraqi forces by Australian troops—training which is essential to the successful transformation of Iraq into a secure democracy.

Australia has always been a great friend and ally of ours. It shares a tradition of democracy and a dedication to the values of freedom and respect for life that we hold dear in the United States. Australia is, in fact, the only nation to have sent forces to fight alongside the United States in every major conflict during the 20th century, including Afghanistan, the first Gulf War, Vietnam, Korea, and both World Wars.

Sixty-eight years ago, when Americans and Australians fought alongside one another at the Battle of the Coral Sea, during the darkest days of the Second World War, only 12 democracies survived on the face of the earth. The United States and Australia were 2 of the 12. Today, when more people vote for their own governments than ever before, and as fledgling democracies emerge in the Middle East and Eastern Europe, it is important to remember how precious democracy is, and to recognize and thank our allies, such as Australia, who have always stood beside us and fought in the defense of liberty.

Earlier this month, I traveled with Senator REID and six other Senators to Iraq, Israel, the Palestinian Territories, Georgia, and Ukraine. During that trip it was clear that the Iraqi elections—the bravery of the Iraqi people in staring down intimidation and violence to go to the ballot box—had been an inspiration to that part of the world. But, in the short term, democracy in Iraq can only take hold with the continued support of coalition troops—including those from Australia.

So I thank the Australian troops and the Australian people for the crucial help they continue to provide to this important mission in Iraq. Prime Minister Howard and Foreign Minister Downer have shown leadership and courage in standing with us in this difficult time. Their support is important to building on the success of January's elections so that Iraq may continue on its difficult path toward democracy.

PUBLICATION OF PHOTOGRAPHS OF ABUSE AT ABU GHRAIB PRISON

Mr. LEAHY. Mr. President, one year ago today, the horrific photos of detainee abuse at Abu Ghraib prison shocked the Nation and tarnished our reputation as the world's human rights leader. One year later, we should be able to assure the world that the detainee abuse scandal has been independently and comprehensively investigated and that all those involved, from the people who committed abuses

to the officials who set these policies in motion, have been held accountable. Sadly, we cannot give the world this assurance. The administration continues to stonewall on the prisoner abuse scandal and Congress continues to abdicate its oversight responsibility on this issue.

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. This Senate refuses to consider an independent commission, relying instead on the piecemeal investigations conducted by the military, none of which address the significant role of the Central Intelligence Agency in interrogations. With the completion of each of the Pentagon investigations, the need for a comprehensive, independent investigation becomes all the more evident.

I am particularly disturbed by recent press reports about the Army Inspector General's investigation into the Abu Ghraib abuse scandal. Although the report has not yet been publicly released, the press accounts state that Lt. Gen. Ricardo Sanchez has been cleared by the Army of all allegations of wrongdoing and likely will not face punishment.

In order to understand why the reported findings of the Army Inspector General are troubling, and why an independent investigation is necessary, we need only consult the reports of prior investigations. The Jones investigation, referring to the Combined Joint Task Force led by Lt. Gen. Sanchez, stated, "Inaction at the CJTF-7 staff level may . . . have contributed to the failure to discover and prevent abuses before January 2004." The Jones report concluded that Lt. Gen. Sanchez "failed to ensure proper staff oversight of detention and interrogation operations."

The Schlesinger investigation is even more critical of Lt. Gen. Sanchez's role in the detainee abuse scandal. The Schlesinger panel described how Lt. Gen. Sanchez relied upon the interrogation policy from Guantanamo Bay to develop interrogation procedures for Iraq. The result of this, as the Schlesinger panel correctly states, was that "policies approved for use on al Qaeda and Taliban detainees who were not afforded the protection of [Enemy Prisoner of War] status under the Geneva Conventions now applied to detainees who did fall under the Geneva Convention protections." The Schlesinger report continued, "Despite lacking specific authorization to operate beyond the confines of the Geneva Conventions, [Lt. Gen. Sanchez] nonetheless determined it was within [his] command discretion to classify, as unlawful combatants, individuals captured during [Operation Iraqi Freedom]." The panel also found that Lt. Gen. Sanchez "was responsible for establishing the confused command relationship at

the Abu Ghraib prison" and "the unclear chain of command established by CJTF-7, combined with the poor leadership and lack of supervision, contributed to the atmosphere at Abu Ghraib that allowed the abuses to take place."

The findings of the Jones and the Schlesinger investigations regarding the decisions of Lt. Gen. Sanchez are troubling on their own. Equally troubling is the indication that Lt. Gen. Sanchez gave inaccurate testimony before the Senate Armed Services Committee. In an Armed Services Committee hearing on May 19, 2004, Senator JACK REED asked Lt. Gen. Sanchez if he had approved sleep deprivation, intimidation by guard dogs, excessive noise, and inducing fear as interrogation methods for use in Abu Ghraib prison. Lt. Gen. Sanchez replied that, "I never approved any of those measures to be used within CJTF-7 at any time in the last year." His statement is seemingly contradicted by a document recently released by the Pentagon in response to litigation under the Freedom of Information Act. A September 14, 2003, memo from Lt. Gen. Sanchez authorized specific interrogation methods for use in Iraq, including the use of military working dogs to exploit Arab fear of dogs, the use of sleep management and stress positions, and inducing fear through "yelling, loud music, and light control."

There has been some speculation in the media about whether Gen. Sanchez's actions in Iraq will stand in the way of his promotion and fourth star. But involvement in the prisoner abuse scandal is hardly a career-ending event in this administration. Alberto Gonzales, the central figure in formulating the administration's interrogation and detention policies, was promoted to Attorney General. Former Assistant Attorney General Jay Bybee, author of the deeply flawed and now-repudiated "torture memo," received a lifetime appointment to the Court of Appeals for the Ninth Circuit. Defense Department General Counsel William J. Haynes insisted that the Pentagon Working Group use the Bybee torture memo, rather than the Geneva Conventions, as the legal foundation for interrogation techniques; he has been nominated to the Court of Appeals for the Fourth Circuit. Former CIA Director George Tenet authorized the "extraordinary rendition" of detainees to countries where they were reported to have been tortured; he was awarded the Presidential Medal of Freedom. Secretary Rumsfeld personally approved objectionable interrogation techniques and admitted to hiding detainees from the International Committee of the Red Cross; he is one of the few cabinet members asked to remain in the second Bush term.

Allowing senior officials and military officers to avoid accountability sets a dangerous precedent. It is time for Congress, even this Republican-led Congress, to recognize its constitutional obligation to conduct vigorous oversight. 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. Many Republicans argue that another investigation will hurt the morale of our troops serving overseas. On the contrary, I believe that morale is hurt when the only individuals who have been punished for detainee abuse are low-ranking soldiers, while those at the highest levels of power continue to set policy and act with impunity.

Chairman WARNER recently announced that he will hold an Armed Services Committee hearing to examine the adequacy of the various Pentagon and military investigations. I commend the chairman for announcing this hearing, and hope that the supporters of an independent investigation are given the opportunity to testify before the committee. In a letter last September, eight retired generals and admirals asked President Bush to appoint a prisoner abuse commission modeled on the 9/11 Commission. In that letter, the officers stated, "internal investigations by their nature . . . suffer from a critical lack of independence. Americans have never thought it wise or fair for one branch of government to police itself." I hope that members of the Armed Services Committee will consider these words when they evaluate the Pentagon's investigations.

April 28, 2004, will remain a dark day in American history, but the administration's handling of this scandal only adds to our disgrace. There will always be scandals and tragedies in a nation's history. What makes America special is that we do not hide from these issues; we investigate them, learn from our mistakes, and make sure they do not happen again. Unfortunately, one year after the disclosure of the Abu Ghraib photos, we still have much to learn.

ADDITIONAL STATEMENTS

BENEWAH MEDICAL AND WELLNESS CENTER AWARD

● Mr. CRAPO. Mr. President, on May 3, 2005, the Benewah Medical and Wellness Center operated by the Coeur d'Alene Tribe of Idaho will be presented with the 2005 Johnson & Johnson Community Health Care Leadership Award. This award is presented to one facility nationwide that has set itself apart from others in quality and innovation in community health care. The center has distinguished itself over the years in superior service to the Coeur d'Alene Tribe, the community of Plummer, ID, and the medically underserved and indigent in the region. Theirs is a story of successful partnership and innovation over the course of many years. Fifteen years ago, the center collaborated with the city of Plummer and greatly expanded the scope