

## THE COMBAT METH ACT

Mr. LEAHY. Mr. President, methamphetamine abuse has increased exponentially in recent years, expanding geographically to reach all corners of the United States. In recent years, the problem has made its way to Vermont. I am concerned about escalating methamphetamine abuse and have worked with other interested Senators to find ways to combat this growing problem.

With Senator FEINSTEIN taking the lead, on July 28, 2005, the Senate Judiciary Committee unanimously reported out the Combat Meth Act, S. 103, with a committee amendment. I worked with Senator FEINSTEIN and the other members of the committee to reach this result.

In September, I worked with Chairman SHELBY and Senator MIKULSKI to take the unusual action of including the Combat Meth Act as an amendment to the Commerce Justice Science appropriations bill. I did this to accommodate Senator FEINSTEIN's request and to try to make progress on this measure. By that action the Senate approved the Combat Meth Act, S. 103, as reported by the Judiciary Committee, as an amendment and then in passage of the bill. House conferees would not agree to the Senate bill. Without agreement on such an authorization, it was not retained in the appropriations conference report.

Last Thursday, I honored the request of Senator FEINSTEIN and worked to clear the Combat Meth Act, S. 103, as reported by the Judiciary Committee, for passage by the Senate as a free-standing bill. It is clear on the Democratic side. It has been clear for days. All Senate Democrats are ready to pass that measure. It is being prevented from passage by an anonymous objection from the Republican side of the aisle.

The Senate's bipartisan bill focuses directly on providing law enforcement and prosecutors the tools they told us they needed. These include putting precursor chemicals behind the pharmacy counters, monitoring and regulating the quantities that can be bought in a 30-day period, and making it harder to smuggle such ingredients into the United States. The Senate bill focuses on prevention, regulation, monitoring, and treatment. Our bill would make it harder for people to enter the nightmarish world of methamphetamine use and abuse, harder for other countries and companies to profit from methamphetamine misery, and easier for law enforcement to combat this problem on the ground.

I know that Senator FEINSTEIN has been working tirelessly for years to do something about this important issue. She has been tenacious and dedicated, and I respect her leadership in this area. She and Senator TALENT know that I have tried to accommodate them and to facilitate passage of this legislation.

## ABUSE OF FOREIGN DETAINEES

Mr. LEAHY. Mr. President. The Bush administration has steadfastly refused to address the black mark on our Nation caused by its interrogation policies and practices and the resulting abuse of detainees. Some of us in Congress strongly believe that oversight and accountability are paramount to restoring America's reputation as a human rights leader. We have been 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, Guantanamo, and Afghanistan.

The administration's effort, led by Vice President CHENEY, to block any legislation that would regulate the treatment of detainees is wrong. Also wrong is the Bush administration's refusal to consider an independent commission to investigate the abuses. It would rather rely on internal, piecemeal investigations conducted within the Defense Department, none of which address the significant role of the Central Intelligence Agency in interrogations.

Given the failure of the Republican-controlled Congress to conduct effective oversight, I support the Levin amendment to the Defense authorization bill to establish an independent commission on the treatment of detainees in U.S. custody. I have spoken many times about the need for a comprehensive, independent investigation into the abuse of detainees. Such an investigation may not be without painful, but accountability is a necessary step if we are to recover from all that has transpired during this administration's watch.

I am not alone in calling for an independent commission. Several organizations, including the American Bar Association, Human Rights First, Amnesty International, and Human Rights Watch, have urged the creation of an independent, bipartisan commission to investigate the prisoner abuses. A letter from eight retired generals and admirals to President Bush asked him to appoint a prisoner abuse commission modeled on the 9/11 Commission. In that letter, the flag 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."

The 9/11 Commission provides more than a structural model for a new commission; it also provides a lesson in how perseverance can overcome the Bush administration's inclination to secrecy and to refuse to acknowledge the facts. The Bush administration initially opposed the formation of the 9/11 Commission, just as it now opposes a prisoner abuse commission. The administration used the same argument against both commissions. It asserts that its own internal investigations are sufficient.

Ironically, Dr. James Schlesinger, the head of a panel established by Sec-

retary Rumsfeld to investigate the prisoner abuses, addressed this issue in his testimony to the Senate Government Affairs Committee in February 2002, as it debated the need for the 9/11 Commission. He argued for the creation of the 9/11 Commission because "to this point many questions have been addressed piecemeal or not at all. The purpose of the National Commission would be systematically and comprehensively to address such questions and to give a complete accounting of the events leading up to 9/11. In my judgment, such a Commission would serve a high, indeed indispensable, national purpose." This is exactly the same reason we need an independent commission to investigate the prisoner abuse scandals.

Ignoring the problem will not make it go away. Delaying the accounting will not solve the problems. Each week brings new allegations that reveal how much we still do not know. Human rights groups and journalists are doing what they can to bring the truth to light. It is past time for Congress to hold a thorough, oversight investigation. The least Congress should finally do is establish an independent commission to investigate these matters. Rather than wait to read about the latest discovery of abuse in tomorrow's paper, let us at least do that.

After months of delay from the Republican Senate leadership, the Senate finally had an opportunity last month to vote on clear guidance for treatment of detainees in U.S. custody. When we did, the Senate voted overwhelmingly, 90 to 9, in favor of Senator MCCAIN's amendment to the Defense appropriations bill, which I was glad to cosponsor along with Senator DURBIN and others.

That same amendment was adopted a second time to the Defense Authorization bill and I, again, cosponsored it.

Our credibility and reputation as a world leader in human rights has suffered greatly during the last few years. The scandals have put our own troops at risk and undermined their efforts in Afghanistan and Iraq.

Many of us have been working on these issues for years. I first wrote to Condoleezza Rice in 2003, after reports of deaths of detainees were reported from the Bagram base in Afghanistan in late 2002. Like so much we have learned, those first reports came from the press and human rights groups, not the Bush administration.

The Bush administration has threatened to veto any legislation that would regulate the treatment of detainees. Vice President CHENEY is reported to be personally lobbying on this matter.

A group of 28 senior military officers, including GEN John Shalikashvili, recently wrote to Senator MCCAIN in support of his amendments addressing detainee treatment. That letter states:

The abuse of prisoners hurts America's cause in the war on terror, endangers U.S. service members who might be captured by the enemy, and is anathema to the values

Americans have held dear for generations. . . . Our service members were denied clear guidance, and left to take the blame when things went wrong. They deserve better than that.

I hope the President will consider these words before he vetoes a bill that contains our amendment.

Prisoner abuse by U.S. personnel is deeply troubling. It is one aspect of a broader problem. While we must ensure that prisoners are treated humanely by our own personnel, we must also prohibit the use of so-called extraordinary renditions to send people to other countries where they will be subject to torture.

The Bush administration says that it does not condone torture, but transferring detainees to other countries where they will be tortured does not absolve our Government of responsibility. By outsourcing torture to these countries, we diminish our own values as a nation and lose our credibility as an advocate of human rights around the world.

We have addressed this issue before. Congress implemented article 3 of the Convention Against Torture in the Foreign Affairs Reform and Restructuring Act of 1998, but this administration has exploited loopholes in that law to transfer detainees to countries where they are subjected to torture. Attorney General Gonzales recently said that U.S. policy is not to send detainees "to countries where we believe or we know that they're going to be tortured," but he acknowledged that we "can't fully control" what other nations do, and added that he does not know whether countries have always complied with their promises. In fact, they have not.

I introduced legislation in March to close the loophole and to prevent extraordinary renditions. Now that Congress is finally willing to regulate the treatment of detainees—a power that is expressly granted in the Constitution—I hope that the Senate will support my legislation to prohibit renditions.

#### THE SECOND CHANCE ACT

Mr. OBAMA. Mr. President, I rise today to speak in favor of the Second Chance Act, a bill to strengthen community safety by improving the reintegration of people returning from prison. I am pleased to work with Senators SPECTER, BIDEN, and BROWNBACK and to be an original cosponsor of this bill.

This year, approximately 650,000 prisoners will be released into communities across America communities in which all of us live. They will have paid their debt to society and will now return to their homes and neighborhoods, to their families, and back to their lives. Their communities are our communities; their success is an important part of our success as a larger community and a nation.

The problem is that for most of these men—and more than 9 out of 10 of them are men—their families, neighbor-

hoods, and prior lives often lack what it takes to ensure successful reintegration. If we punish crime, as we should, then we must also recognize that when punishment is concluded, there are lives that must be resumed constructively. We only hurt ourselves and our own communities if we fail.

That is why the Second Chance Act is so important. It is the leading edge of a smart community response to the challenges we all face from this inevitable feature of our justice system.

In the best of cases, incarcerated individuals maintain contact with their families and receive rehabilitation services while in prison; they are released to a network of law-abiding peers and quickly find a rewarding job that provides the skills and career development for long-term opportunity. Released prisoners can help support their families, become active in their churches and other community organizations, stay off drugs, away from trouble, on track, and out of jail.

Unfortunately, that rarely happens. Up to two-thirds of all released prisoners nationwide end up back in prison within just 3 years. That means that of the 1,800 people released from prisons every single day in this country, almost 1,200 fail to make a successful transition into the world of work and responsibility. They do not manage to find and keep effective jobs and to care for themselves and their families. Many become a drain on their families and a drain on the system. They are more likely to resort to criminal activity and to perpetuate poverty and family dysfunction.

And their failure is our failure since we all share the high cost and other burdens of unemployment, crime, community failure, and cycles of recidivism.

The Illinois Department of Corrections released almost 40,000 people in 2004. A recent Chicago study found that only 30 percent of former prisoners were employed when interviewed 4 to 8 months after release, and of those who succeeded in finding at least some form of legal employment, the average cumulative length of employment was 13 weeks. The same study found that 81 percent of former prisoners were uninsured, and only 29 percent of those working full time had health insurance. Of the people released by the Illinois Department of Corrections three years ago, almost 55 percent of adults and 47 percent of juveniles have already returned to custody. This is a revolving door of failure that must stop.

Fortunately, smart people in hundreds of communities and community organizations all across the country have figured out ways to improve this performance and create constructive places for former prisoners in society. It is in the best interest of all of us and the communities we live in to provide the resources to take these effective strategies to scale. That is what the Second Chance Act does.

In Illinois, dozens of organizations are involved in safely reintegrating

former prisoners into their communities, and many have been funded by the Illinois Department of Corrections through grants from the U.S. Department of Justice. As one example, the Safer Foundation has managed to cut the State's recidivism rate by almost 50 percent for the people who receive Safer's supportive employment services. And Safer has further demonstrated that ex-prisoners who are still employed after 12 months of supportive services have a recidivism rate of lower than 10 percent. One of Safer's program models, funded by the U.S. Department of Labor, provides participants with job placement and support services, and matches them with mentors from the neighborhoods where the participants reside. Only 2 percent of the participants in this community and faith-based program have recidivated over a 2-year period.

One of the most effective strategies that Safer, the Heartland Alliance for Human Needs and Human Rights, and other nonprofit organizations have devised is transitional jobs, a strategy that worked for welfare to work, and is now working for prison returnees. In a transitional jobs program, former prisoners with employment challenges are hired and paid a wage for legitimate employment in a time-limited, subsidized job. The program not only offers real work, income, skill development, and a letter of reference and experience to add to their resume, it also offers coaching and support services to help participants overcome substantial barriers to employment, such as substance abuse or mental health issues. The program focuses heavily on placement into unsubsidized work at the earliest possible time and job retention services after placement. Studies of successful transitional jobs programs have found that transitional jobs result in a 33 percent increase in employment when compared to other types of employment preparation programs, and that 81 percent to 94 percent of transitional job graduates go on to unsubsidized employment at wages between \$7 and \$10 per hour.

The participants gain an immediate source of legitimate income upon release. They also gain paid work experience, access to professional counseling and training services, and a clear path to unsubsidized employment in the community. Employers gain access to a pipeline of supported workers who have demonstrated an ability to do the job and remain employable. Most of all, our communities gain by creating a productive place for ex-prisoners, where they contribute positively to family, neighborhood, and the larger environment rather than the opposite.

The ex-prisoner population is a challenging one to serve. It is estimated that 95 percent of unskilled jobs in this country require a high school diploma or some work experience. But 40 percent of released prisoners lack a high school diploma or GED—more than