□ 1913

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, on rollcall No. 440, H. Res. 1051, Congratulating James Madison University in Harrisonburg, Virginia, for 100 years of service and leadership to the United States, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to personal reasons, I was unable to attend several votes. Had I been present, I would have voted "yea" on final passage of H. Res. 1242, Honoring the life, musical accomplishments, and contributions of Louis Jordan on the 100th anniversary of his birth; "yea" on final passage of my bill, H. Con. Res. 372, supporting the goals and ideals of Black Music Month and to honor the outstanding contributions that African American singers and musicians have made to the United States, and "yea" on final passage of H. Res. 1051—Congratulating James Madison University in Harrisonburg, Virginia, for 100 years of service and leadership to the United States.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 6041

Mr. POE. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 6041.

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

There was no objection.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 4040, CONSUMER PRODUCT SAFETY MODERNIZATION ACT

Mr. KIRK. Mr. Speaker, pursuant to clause 7(c)(1) of rule XXII, I hereby notify the House of my intention to offer a motion to instruct conferees on H.R. 4040.

The form of my motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4040 be instructed to insist on the provisions contained in the House bill with regard to the definition of ''children's product''.

NO FREEDOM OF SPEECH AT U.N. HUMAN RIGHTS COUNCIL

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, the U.N. Human Rights Council was formed to have open, lively debate on the basic human rights of all peoples. However, some Muslim nations have put a strong arm on the council and prevented free discussions of practices that are advocated in the name of religion by a few Muslims. Those practices include female genital mutilation and so-called ''honor killings,'' or murder, of women.

One would think that the mutilation and killing of women would be a frontburner topic with the Human Rights Council. But some Muslims have said this subject is taboo and the discussion of this religious practice and the religious practices of other faiths is off-limits.

So much for the basic human right of free speech.

Those that advocate the mutilation and honor killings of women in the name of religion should be proud of this doctrine of faith and be able to justify it before the U.N. Human Rights Council. But I guess not.

By the way, Mr. Speaker, it seems to me that in the history of humanity, more murders, tortures, and wars have been justified and done in the name of the world's numerous religions than any other reason or cause.

Reason enough in 2008 to discuss this practice of abusing women.

And that's just the way it is.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

TORTURE UNDERMINES OUR VALUES AND MAKES US WEAKER

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, nothing has stained the honor of the United States in recent years like the use of torture against detainees, detainees in Iraq and detainees elsewhere. Torture goes against our Nation's most basic values, and it undermines the American people's reputation as a compassionate and committed people to human rights.

Torture is not only immoral; it has a practical damaging effect on our foreign policy. When America is involved in torture, we lose the moral authority that is our most powerful weapon in the fight against terrorism. How can we lead the world against terrorism when the world believes that we don't respect the rule of law ourselves?

That is why I want to call attention to a new report on torture that was issued last week by the group Physicians for Human Rights. This group assembled a team of doctors and psychologists to evaluate former detainees held in Iraq, in Afghanistan, and Guantanamo Bay. The team found that the detainees were tortured, even though no charges were ever brought against them or any explanation ever given for their imprisonment.

The torture consisted of beatings, electric shocks, involuntary medication, shackling, and sexual humiliation. Other techniques were used, but they are far too awful for me to mention here. One Iraqi detainee who was held for a time in the notorious Abu Ghraib prison said he was subjected to psychological abuse as well as physical torture. He said that his captors threatened to rape his mother and his sisters.

Former Major General Anthony Taguba, who conducted the Army's investigation of the Abu Ghraib scandal in 2004, wrote a preface to the report. He said, ''In order for these individuals to suffer the wanton cruelty to which they were subjected, a government policy was promulgated to the field whereby the Geneva Conventions and the Uniform Code of Military Justice were disregarded. The U.N. Convention Against Torture was indiscriminately ignored . . . ''

He continued: ''Through the experiences,'' he said, ''of these men . . . we can see the full scope of the damage this illegal and unsound policy has inflicted, both on American institutions and our founding values.''

Mr. Speaker, I am sure that there will be some people who will try to discredit this report by charging that it was prepared by a group determined to embarrass the administration. But if they don't believe this report, perhaps they will believe the reporting of the McClatchy newspapers, which conducted an 8-month investigation of the U.S. detention system created after 9/11. The McClatchy investigation found ''that the United States imprisoned innocent men, subjected them to abuse, stripped them of their legal rights, and allowed Islamic militants to turn the prison camp at Guantanamo Bay into a school for jihad.''

This House did the honorable thing a few months ago when it voted to stop the use of waterboarding and other illegal interrogation techniques. Forty-three retired generals and admirals supported that bill. Eighteen national security experts, including former Secretaries of State and national security advisers, supported it as well. But the President vetoed this bill, sending the world a message that America condones torture.

Torture doesn't work. It doesn't produce good information. It exposes our own troops to torture if they are captured. It creates enemies. In short, torture doesn't make us stronger; it makes us weaker.

Congress must recognize these facts and move to restore our Nation's good name. The best way to begin to do that is by redeploying our troops out of Iraq and then help the Iraqi people to rebuild their lives and their country. I know that this won't happen soon given last week's vote on funding for the occupation of Iraq. But sooner or later, Congress must act. Redeploying out of Iraq will help to heal the wounds of torture and right the wrongs.

Mr. Speaker, it's time for America to be America again: peace loving, compassionate, and a true champion of human rights, and restore our dignity.

HADITHA, IRAQ, FIREFIGHT THE MARINES AND THE PRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, the New York Times called it the ''nightmare'' killings of Haditha, Iraq, and the ''defining atrocity'' of the Iraq War. Maureen Dowd of the New York Times referred to the incident as the ''My Lai Acid Flashback.'' Another New York Times reporter filed 36 stories on what he called the ''cold blooded killing,'' saying, ''This is the nightmare everyone worried about when the Iraq invasion took place.'' Self-proclaimed expert and ''worst person ever,'' Keith Olbermann of MSNBC, called it ''willful targeted brutality.'' Nation Magazine said of the event in Iraq that ''members of the 3rd Battalion, 1st Marine Regiment perpetrated a massacre.'' And even a Member of this House of Representatives said, ''Our troops overreacted . . . and killed innocent civilians in cold blood.''

It has become the largest investigation in the history of Naval Criminal Investigative Service, which has 65 government agents assigned to this one case. Mr. Speaker, as a former judge and prosecutor, I have never heard of 65 criminal investigators assigned to one case except the 9/11 attack.

What is the terrible atrocity these news sources are talking about?

Well, Mr. Speaker, the Haditha, Iraq, incident took place in November of 2005 when our Marines were attacked by the use of a roadside bomb that exploded, killing one Marine and wounding two others. The Marines were then engaged in a firefight. Twenty-four Iraqis were killed, including some civilians.

After the gun battle was over and the smoke cleared, our government charged four Marines with murder and four others with not properly investigating the case. In a rabid rainstorm of criticism by U.S. journalists who were looking for the scalps of these eight Marines, the eight Marines were tried by a hysterical jury of journalists in the press and apparently found guilty on all charges.

But normally, Mr. Speaker, in America we try folks in our justice system and give them a trial before we send them off to the hangman and the gallows. Be that as it may, now, 2½ years after expensive, intense, and thorough investigation, the facts as portrayed by the sensational National Enquirer-type journalists are not as they were portrayed to be.

According to columnist Michelle Malkin, who covered these cases in depth, seven of the eight Marines have had their cases dropped or dismissed. The eighth is awaiting trial in a real court, rather than the court of yellow journalism.

These journalists, ironically, are the same ones wanting to close down Guantanamo Bay prison and are worried about the treatment of those alleged terrorists there who may get cold blueberry muffins for their breakfast. But these writers could care less about the presumption of innocence for these eight U.S. Marines, seven of which have had their cases dismissed already. Only in America does the press get teary eyed about the Gitmo detainees but is blissfully ignorant about the justice in the prosecution of our Marines.

Meanwhile, the U.S. Marines are still in the midst of battle in Iraq and Afghanistan and standing vigilant in other places of the world protecting American interests and values. Those values include the freedom of speech and the freedom of the press to say anything it wants, even when the press is totally inaccurate and unfair in the expression of those fundamental rights. And for the U.S. Marines, we say Semper Fi. Semper Fi.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

(Mr. MCDERMOTT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE PROSECUTION OF FORMER U.S. BORDER PATROL AGENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, as the Members of the House are aware, in February of 2006, U.S. Border Patrol agents Ramos and Compean were convicted of shooting and wounding a Mexican drug smuggler who brought $1 million worth of marijuana across our borders into Texas. The agents were sentenced to 11 and 12 years in prison and now have been in Federal prison for 523 days.

Last week I sent a letter, signed by Congressmen TED POE, DANA ROHRABACHER, VIRGIL GOODE, LOUIE GOHMERT, JOHN CULBERSON, and DON MANZULLO, to ask the U.S. Department of Justice Office of Professional Responsibility to investigate the actions of U.S. Attorney Johnny Sutton in this case.

□ 1930

One of the main reasons for this request stems from the firearm charge used by his office in prosecuting the agents. This charge carried a 10-year minimum sentence. Without this charge, one of the agents, Agent Ramos, would have already completed his sentence and would be out of prison and with his family today.

The office of U.S. Attorney Johnny Sutton charged the agents with the discharge of a firearm during a crime of violence. Yet, there is no such crime. The law makes it a crime to use or carry or possess a firearm in relation to any crime of violence. The Supreme Court ruled last year in United States vs. Watson that discharge of a firearm is only a sentencing factor for a judge to consider at the conviction, not for the jury to determine if a crime occurred. However, you can imagine how difficult it would be to convince a jury that two Border Patrol agents, law enforcement officers, were unlawfully using, carrying, or possessing their firearms.

When you look at the history of why Congress enacted this statute, one reason stands out: To warn criminals to think twice before they stick a gun in their pocket on the way to the scene of a crime. This is the reason the statute clearly does not apply, does not apply to law enforcement officers like Ramos and Compean. These men were not carrying guns so they could commit a crime, they were required to carry guns as part of their job.

By focusing the jurors' attention on this nonexistent crime of discharging a firearm, there is reason to believe that Johnny Sutton intentionally manipulated the Federal criminal code to obtain a conviction against these two Border Patrol agents at all costs.

The American people must be confident that prosecutors will not tailor the law to make it easier to secure a conviction in a particular case. Federal prosecutors take an oath to enforce the law, not to make it.

I want the families of Ramos and Compean to know that my colleagues and I will continue to bring this injustice to the attention of the American people and to the White House.

I am most grateful, I am most grateful to Chairman JOHN CONYERS and his staff for their interest in investigating the prosecution in this case. I hope that the House Judiciary Committee will soon hold a hearing on this injustice, and I am also hopeful that the Department of Justice will take this matter seriously and will investigate Mr. Sutton's conduct in this case.

Mr. Speaker, before closing, I want the family, again, of Border Patrol Agents Ramos and Compean, that those of us in Congress on both sides of the aisle, we care about their families, we care about these Border Agents, and never, under any circumstances, should they have been indicted and prosecuted.

I want to thank Chairman JOHN CONYERS for holding hearings on this matter.