

not have made substantial use of the trove of information derived from CIA detainees, including those on whom enhanced techniques had been used.”;

Whereas a May 30, 2005, Department of Justice memo stated, “In particular, the CIA believes that it would have been unable to obtain critical information from numerous detainees, including KSM [Khalid Sheikh Mohammed] and Abu Zubaydah, without these enhanced techniques. . . . Indeed, before the CIA used enhanced techniques in its interrogation of KSM, KSM resisted giving any answers to questions about future attacks, simply noting, ‘Soon, you will know.’”;

Whereas according to such May 30, 2005, memo, Abu Zubaydah explained the effect of enhanced techniques as, “Brothers who are captured and interrogated are permitted by Allah to provide information when they believe they have reached the limit of their ability to withhold it in the face of psychological and physical hardships.”;

Whereas such May 30, 2005, memo further indicates that after using enhanced interrogation techniques, high-value detainees became cooperative stating, “since the use of enhanced techniques, ‘KSM and Abu Zubaydah have been pivotal sources because of their ability and willingness to provide their analysis and speculation about the capabilities, methodologies, and mindsets of terrorists.’”;

Whereas mastermind of the attacks of September 11, 2001, Khalid Sheikh Mohammed disclosed to CIA interrogators information about a “second wave” plot using an East Asian al-Qaeda group known as Jemmah Islamiyah to hijack and crash an airliner into the Library Tower in Los Angeles;

Whereas Khalid Sheikh Mohammed gave CIA interrogators information that led to the capture of Riduan bin Isomuddin, known as Hambali, the leader of the Indonesian terrorist organization Jemaah Islamiyah;

Whereas al-Qaeda senior operational planner Abu Zubaydah and Khalid Sheikh Mohammed supplied important intelligence about Abu Musab al-Zarqawi and his terrorist network, aiding United States operations against al-Qaeda in Iraq;

Whereas in a May 2011 interview, Leon Panetta, the Director of the CIA, in response to a direct question about enhanced interrogation and the successful bin Laden operation, stated that, “Obviously there was some valuable information that was derived through those kind of interrogations.”;

Whereas, although the President issued an Executive Order in January 2009 that effectively ended the CIA’s interrogation and detention program, the Administration has yet to establish clear policies for the detention and interrogation of suspected high-value detainees, particularly those captured overseas by foreign governments;

Whereas in 2009, the Attorney General launched a preliminary review into whether Federal laws were violated in connection with the interrogation of specific detainees, even though career prosecutors had previously considered and rejected filing criminal charges in those cases; and

Whereas the preliminary review initiated by the Attorney General will determine whether CIA employees involved in the detention and interrogation of terrorists should be prosecuted for alleged violations of Federal law; Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the professionals of the United States intelligence community for their dedication;

(2) expresses thanks to the employees of the Central Intelligence Agency for their selfless service;

(3) recognizes that continued investigation of employees of the Central Intelligence

Agency for their involvement in a detention and interrogation program that helped to save lives by averting terrorist attacks on the United States is unwarranted and will likely have a chilling effect on the critical work of their colleagues and other United States national security professionals;

(4) urges the President and the Attorney General to immediately close the Department of Justice’s ongoing investigation, and decline future prosecution, of Central Intelligence Agency employees for actions related to the interrogation of detainees at overseas locations, including the use of enhanced interrogation techniques on detained terrorists at such locations; and

(5) urges the President to develop and implement policies allowing for the long-term detention and interrogation by the intelligence community of high-value detainees, including detainees who are captured overseas or are in the custody of foreign countries.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 494. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 434 submitted by Mr. GRASSLEY and intended to be proposed to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 495. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table.

SA 496. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 497. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 498. Mr. CASEY (for Mr. CONRAD) proposed an amendment to the resolution S. Res. 202, designating June 27, 2011, as “National Post-Traumatic Stress Disorder Awareness Day”.

#### TEXT OF AMENDMENTS

SA 494. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 434 submitted by Mr. GRASSLEY and intended to be proposed to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

##### SEC. 23. PERMANENT REAUTHORIZATION OF EB-5 REGIONAL CENTER PROGRAM.

Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking “pilot” each place such term appears; and

(2) in subsection (b), by striking “until September 30, 2012”.

SA 495. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation;

which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:  
SEC. \_\_\_\_\_. **DEBATE AND CONSIDERATION OF LEGISLATIVE MATTERS AND NOMINATIONS.**

(a) **DEBATE ON MOTIONS TO PROCEED.**—Rule VIII of the Standing Rules of the Senate is amended by striking paragraph 2 and inserting the following:

“2. Debate on a motion to proceed to the consideration of any matter, and any debatable motion or appeal in connection therewith, shall be limited to not more than 2 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees except for a motion to go into executive session to consider a specified item of executive business and a motion to proceed to consider any privileged matter, which shall not be debatable.”.

(b) **RIGHT TO OFFER AMENDMENTS.**—Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following:

“After debate has concluded under this paragraph but prior to final disposition of the pending matter, the Majority Leader and the Minority Leader may each offer not to exceed 3 amendments identified as leadership amendments if they have been timely filed under this paragraph and are germane to the matter being amended. Debate on a leadership amendment shall be limited to 1 hour equally divided. A leadership amendment may not be divided.”.

(c) **POSTCLOTURE DEBATE ON NOMINATIONS.**—The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following: “If the matter on which cloture is invoked is a nomination, the period of time for debate shall be 2 hours.”.

SA 496. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:  
SEC. \_\_\_\_\_. **ESTABLISHING MAJORITY VOTE THRESHOLD FOR PROCEEDING TO NOMINATIONS.**

The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

“Is it the sense of the Senate that the debate shall be brought to a close?” And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn — except on a nomination to an Executive Branch position requiring the advise and consent of the Senate, in which case the necessary affirmative vote shall be a majority of the Senators duly chosen and sworn — then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.”.

SA 497. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following: