fraudulent and illegitimate election for a new parliament that was based on a sham constitution.

The regime’s intent was clear: keep the voice of the true leader of Burma silent long enough to solidify their grip on power using the false veneer of a democratic parliament.

Neither I, the people of Burma, nor the international community were fooled.

We all know that the last truly free parliamentary elections were overwhelmingly won by Suu Kyi and her National League for Democracy in 1990, but annulled by the military junta, then named the State Law and Order Restoration Council or SLORC.

In 1992, this military government announced plans to draft a new constitution to pave the way for a return to civilian rule.

Yet the human rights abuses and the suppression of Suu Kyi and the democratic opposition continued and no constitution was ever written.

In 1997, the junta changed its name to the State Peace and Development Council, SPDC, in a vain attempt to put a more positive spin on its oppressive rule and lack of democratic legitimacy in the eyes of its people and the international community.

Again, nothing changed.

The new constitution was drafted in secret and without the input of the democratic opposition led by Suu Kyi and her National League for Democracy.

It was approved in an illegitimate referendum held just days after Cyclone Nargis devastated the country in May 2008 setting up elections which eventually took place in November 2010.

It set aside 25 percent of the seats in the new 440 seat House of Representatives for the military.

That is in addition to the seats won in the November 7, 2010 elections by the Union Solidarity and Development Party, which was founded by the military junta’s Prime Minister Thein Sein and 22 of his fellow cabinet members who resigned from the army to form a so-called “civilian” political party.

The constitution barred Suu Kyi from running in the parliamentary elections.

And it forced the National League for Democracy to shut its doors because it would not kick Suu Kyi out of the party.

It should come as no surprise that the military-backed party won nearly 80 percent of the seats in the new parliament.

In addition to preventing Suu Kyi and the National League for Democracy from competing in the elections, the regime ensured that no international monitors would oversee the elections and journalists would be prohibited from covering the election from inside Burma.

President Obama correctly stated that the elections “were neither free nor fair, and failed to meet any of the internationally accepted standards associated with legitimate elections.”

The National League for Democracy described the elections and the formation of a new government as reducing “democratization in Burma to a parody.”

Indeed, the new parliament elected Thein Sein, the last Prime Minister of the junta’s State Peace and Development Council, as Burma’s new president.

He is reported to be heavily influenced by Burma’s senior military leader and former head of state, General Than Shwe.

The names change—the State Law and Order Restoration Council, the State Peace and Development Council, the Union Solidarity and Development Party—but the faces, the lack of democracy, the human rights abuses and the lawlessness remain the same.

So while we celebrate the release of Aung San Suu Kyi, we recognize that Burma is not free and the regime has failed to take the necessary steps to lift the import ban.

As called for in the original Burmese Freedom and Democracy Act, we must stand by the people of Burma and keep the pressure on the military regime to:

end violations of internationally recognized human rights; release all political prisoners; allow freedom of speech and press; allow freedom of association; permit the peaceful exercise of religion; and bring to a conclusion an agreement between the military regime and the National League for Democracy and Burma’s ethnic minorities on the restoration of a democratic government.

By every measure, the regime has failed to make progress in any of these areas.

We cannot reward the regime for 2,100 political prisoners, the use of child soldiers or the persecution of ethnic minorities. We can’t reward the use of rape as an instrument of war or the continued use of torture, and we can’t reward the use of forced labor or the wholesale displacement of civilians.

Until the regime changes its behavior and embraces positive, democratic change, we have no choice but to press on with the import ban as part of a strong sanctions program.

This must include tough banking sanctions.

I would like to take this opportunity to once again urge the administration to put additional pressure on the ruling military junta by exercising the authority for additional banking sanctions on its leaders and followers as mandated by section 5 of the Block Burmese Junta’s Anti-Democratic Efforts Act.

Some of my colleagues may be concerned about the effectiveness of the import ban and other sanctions on Burma and the impact on the people of Burma.

I understand their concerns. I am disappointed that we have not seen more progress towards freedom and democracy in Burma.

But let us listen to the voice of the democratic opposition in Burma on the efficacy of sanctions:

A paper released by Aung San Suu Kyi and the National League for Democracy in February 2011 argues that sanctions are not benefiting the general population and are not to blame for the economic ills of the country.

Rather, the economy suffers due to mismanagement, cronyism, corruption and the lack of the rule of law.

The best way for the Burmese government to get the sanctions lifted, the paper argues, is to make progress on democracy, human rights, and the rule of law. It concludes:

Now more than ever there is an urgent need to call for an all inclusive political process. The participation of a broad spectrum of political forces is essential to the innocent lives that were taken so cruelly and indiscriminately in the terrorist attacks on September 11, 2001. Although a decade has passed, I vividly remember that tragic day. I was right here in Washington when American Airlines Flight 77 struck the Pentagon. It was a defining moment for our country. Congress acted swiftly to create a fund to aid victims of the attacks, and we worked in a bipartisan manner to update our laws to counter these new enemies. In the years since September 11, 2001, the threat that violent extremists pose to America has endured, if not increased. Fortunately, the increased attention to preventing terrorist attacks by both the Bush and Obama administrations has prevented another large scale attack, and foiled numerous plots.

As we remember the victims of the September 11 attacks, and the soldiers and National Guard members who we have lost in the wars in Iraq and Afghanistan, we should also reflect on the lessons we have learned. In the aftermath of this tragedy, it became clear that turf battles between Federal law enforcement and intelligence agencies, and a resulting lack of information sharing between these agencies, contributed to the failures that allowed the hijackers to enter the country and evade authorities. In addition,
Osama bin Laden will never bring all of his victims back, we hope that it may help bring closure to all those who still grieve over their loss. The hard work of our brave American service members, who have sacrificed so much, made this mission a success for the benefit of an entire country.

As we commemorate the sacrifices of so many that took place 10 years ago and in the wars since, we must continue to dedicate ourselves to upholding and strengthening the principles and ideals that have made this country a beacon of democracy and freedom to all nations. That is what distinguishes us from those who attacked us on September 11, 2001, it is what ultimately enable us to defeat them, and it is what people around the world expect from us.

Mr. CHAMBLISS. Mr. President, throughout this past week, Americans are observing the 10th anniversary of the September 11 terrorist attacks on our Nation. As we have properly done so many times since that horrific day, we remember and honor the innocent who perished in the Twin Towers, at the Pentagon, and in Shanksville, PA. We remember and honor the many brave men and women who have sacrificed their lives to defend this great nation, from the heroes of Flight 93, to those who arrived on the first responders and members of our military and intelligence community. We share in the grief still endured by so many families whose lives were permanently changed by this attack, and we commit that their sacrifices will not be in vain.

In the wake of 9/11, one question has been asked repeatedly, but has yet to be answered completely: how can we better protect our homeland from another attack? As with so many difficult questions, finding an answer must begin with the acknowledgment that something went terribly wrong. Many experts, within and outside the government, have studied the intelligence community extensively, and there were clear warnings that our national security was at risk. Including the first World Trade Center attack, the East Africa Embassy bombings, and the attack on the USS Cole. We all know those warnings were not heeded, mistakes were made, intelligence was not connected as it should have been, and our policies simply did not reflect the serious threat we were, and indeed still are, facing.

We often say, as a government, we have made a lot of progress in preventing another attack. The operation that killed Osama bin Laden showcased the progress that our military and intelligence community have made in working together to neutralize terrorists. Just as the disruption of the plot to attack the New York subway system in 2009 demonstrated the continuing transformation of the Federal Bureau of Investigation from a criminally-focused law enforcement agency to a full member of the intelligence community.

But, our record in preventing terrorist attacks here at home has not been perfect. In 2009, fourteen service members were killed in attacks on military facilities in Little Rock, AR, and Fort Hood, TX. Christmas Day 2009 brought the attempted bombing of an airplane over the skies of Detroit, an attack that likely have killed, at a minimum, all 289 people on board. A few months later, disaster was averted in Times Square only because explosives inside a vehicle failed to ignite.

Our successes and failures since 9/11 can teach us a lot about what we are doing right and where we must do better. First and foremost, we must all remain vigilant. I have heard it repeated in recent months, especially since the death of Osama bin Laden, that al-Qaeda has been marginalized and they are not the threat they once were. In certain respects, this is accurate, but as we saw just this past weekend with the heightened concern that al-Qaeda operatives would attack New York City or Washington, DC, al-Qaeda remains a threat. We must also remember that al-Qaeda has many facets and none of them are benign. We know that al-Qaeda in the Arabian Peninsula today represents the biggest threat to our homeland and they are continually seeking new recruits, especially among our own citizens and former Guantánamo detainees. Their new status manifested itself with the Christmas Day bombing attempt, for which they inappropriately claimed responsibility.

Our country faces many different threats, from terrorism to hostile nation states to cyber attacks. We cannot afford to grow complacent or undo the progress we have made. I have heard too often that the intelligence community “can live with” changes to the PATRIOT Act, the FISA Amendments Act, or other classified authorities that are vital to preventing terrorist attacks. Prior to 9/11, we forced the intelligence community to “live with” many unnecessary restrictions and I believe that is a gamble we can no longer afford to take.

Second, we must ensure that the same mistakes that contributed to the September 11 attacks are not repeated. Following the failed Christmas Day attack, the Senate Intelligence Committee conducted an in-depth review to determine what intelligence there was leading up to the attack. The committee concluded that systemic breakdowns across the intelligence community that contributed to the failure to identify the threat posed by the Christmas Day bomber. Senator Burr and I submitted additional views to the report noting that some of the very same intelligence failures identified by the committee were also cited as failures leading up to 9/11, including a lack of aggressive analysis and insufficient technology to facilitate sharing and analysis of information. Compounding our concerns was the fact that the National Counterterrorism Center, NCTC, created in response to 9/11, still did not seem to understand
its statutory responsibility to integrate and analyze all terrorism-related intelligence. After so many years—and so much effort to reform the old ways of doing business—repeating the same mistakes is not an option. I am encouraged to commit to this objective. Nevertheless, NCTC has taken concrete steps towards meeting this responsibility and I am committed to ensuring they continue on this path.

I am also committed to ensuring that we do not retreat from the progress made in improving information sharing. Following 9/11 there were concerted efforts to remove stovepipes within the intelligence community and get the information to analysts who needed it. Unfortunately, some of the old tendencies to restrict intelligence are recurring, particularly amid concerns about Wikileaks. I share the anger about the many leaks of classified information that have jeopardized intelligence. However, we must be careful not to overreact by restricting access to information that analysts need to do their jobs.

Third, our policies and laws must promote effective intelligence collection, specifically with respect to detainees and foreign intelligence surveillance laws. Since the President ordered the detention facility at Guantanamo Bay in January 2009, our nation has been without a clear policy for detaining suspected terrorists. Without such a policy, including one that identifies a facility for holding terrorists captured outside Afghanistan, the intelligence community’s ability to conduct intelligence interrogations is being severely limited. I recognize that there is no one-size-fits-all solution for handling terrorists, but our detention policies must foster full intelligence collection, before any prosecution begins. Yet our default seems to be that terrorists, such as the Christmas Day bomber, should be treated like ordinary criminals, given their Miranda rights, and prosecuted in Federal court, with all the protections enjoyed by criminal defendants. This means the opportunity for any interrogation, much less one that allows for in-depth intelligence questions, may be very short lived.

The point is that the intelligence community cannot conduct effective interrogations without an established policy that includes a place for those interrogations to occur. While the administration maintains its intent to close Guantanamo Bay, I believe the facility there which I have visited and found to be impressive remains the best option for holding terrorists, like Ahmed Abdulkadir Warsame, captured off the coast of Yemen and transferred for prosecution after 18 months of interrogations. Many of my colleagues, as well as the American people, have made clear that bringing suspected terrorists into the United States is not a good solution. Moreover, Khalid Sheikh Mohammed and the other terrorists housed at Guantanamo Bay are not likely to leave there any time soon, especially as the recidivism rate among former detainees, regardless of whether Guantanamo or another facility outside the United States is selected, is well past time for the President to come up with a long-term detention policy that allows for full and effective intelligence collection.

Many of my colleagues and I have been asked to support this policy, with no success. Quite simply, our intelligence community cannot afford further delays. Congress must stand ready to pass legislation that ensures our intelligence interrogations of suspected terrorists are not cut short because of arbitrary timelines or potential criminal proceedings.

Congress must also make permanent the remaining provisions in the USA PATRIOT Act, Foreign Intelligence Surveillance Act that are subject to sunsets. Continually revisiting these laws because of arbitrary sunsets does not facilitate oversight, especially when we know that there have been no intentional abuses by these authorities. Moreover, each time we get into a public debate about how some of our most sensitive intelligence collection authorities are used, our enemies learn that much more about our methods. We must work to remove these authorities and readjust their own communication methods in order to defeat our surveillance. This makes the intelligence community’s job that much harder. We cannot expect intelligence analysts to put together vital pieces of information if we do not collect the information in the first place. It is time for Congress to give them permanent tools to do their jobs.

Our Nation, our families, and our communities have suffered tremendously because of the September 11 terrorist attacks. We must not forget that suffering, nor should we ever lose sight of the failures that prevented us from averting this tragedy in the first place. We must remain vigilant. Our Nation is fortunate to be blessed with outstanding men and women in the armed forces and our intelligence community who serve tirelessly to protect and defend us, wherever the threat. We owe them our thanks and our support. As I remember those who have sacrificed so much in this fight against terrorism, we must resolve to do all that is possible to protect and preserve our great Nation and our way of life.

Mr. BURR. Mr. President, I rise today to recognize the 10th anniversary of September 11, 2001.

This year, like every year that has passed since, our nation reflects back on the horrific attacks that cost the lives of 2,977 men, women, and children in New York City, Pennsylvania, and at the Pentagon, and on the brave men and women who have laid their lives down since then in defense of the freedoms and security we so often take for granted.

These coordinated attacks on our Nation had such a profound impact on our society and our world view that we now look at our recent history in two different phases, pre-9/11 and post-9/11. They made us more aware of the threats that we face as a nation, and they woke us up to the cold reality that the things we hold most dear as Americans are the very things that make us a target for terrorism.

However, these attacks and our collective response had a much deeper, more profound impact than that—they brought us together in a way that nothing else has since the Second World War, and they underscored the same spirit that has characterized our Nation and its citizens since America’s founding. It is this spirit that truly sets America apart and makes us unique. It is a sense of perseverance and determination, a loyalty to our fellow Americans, and the willingness to risk it all for what we believe in. This spirit was forged in the fires of revolution and the new strong American democracy, and has defined the character of our Nation since its inception.

These attacks were not just directed at buildings and people. They were meant to hit us at our core, to attack our very way of life and everything we stand for. They sought to instill fear and doubt in us, but they failed. They sought to intimidate us and disrupt our communities, but they failed. What they did was bind us together in a unified front to stand up to these injustices and push forward with the same spirit and character that the terrorists sought to destroy. We stood together, and in one collective voice said, “We will not be intimidated, and we will not be held down. We are Americans, and we stand together.”

Ten years have passed since that fateful September morning, and not an American alive at the time will ever forget the horrors of that day. Those whom we lost will remain in our hearts forever, and images of the aftermath are permanently engraved in our memories. We came together to cope with a national tragedy and were reminded not of those things that divide us, but of those things that unify us. In the wake of tragedy, we found hope.

Though a decade has passed since then, I urge all Americans to look back to the days and weeks that followed 9/11 and remember that sense of unity and patriotism that was so prevalent. Though it is our diversity and differences that, in part, make us such a great and unique Nation, it is our common bonds that make us Americans. Let us all remember that and once again focus on those things that bind us, for we are all Americans, and we will forever be one nation under God.
HONORING OUR ARMED FORCES

SPECIALIST DENNIS G. JENSEN

Mr. JOHNSON of South Dakota. Mr. President, today I rise to pay tribute to SPC Dennis G. Jensen and his heroic service to our country. A member of the South Dakota National Guard, SPC Jensen was serving in support of Operation Enduring Freedom. On August 16, 2011, he was killed in action as a result of a bridge construction accident in Helmand Province, Afghanistan.

A 2009 graduate of Vermillion High School, SPC Jensen enlisted in the National Guard’s 211th Engineer Company in May 2011. SPC Jensen volunteered to deploy to Afghanistan with the National Guard’s 200th Engineer Company. It is a special person who is willing to deploy outside of his unit; SPC Jensen’s courage and personal sacrifice is commendable. SPC Jensen’s service commendations include the National Defense Service Medal, Global War on Terrorism Service Medal, Afghanistan Campaign Medal, NATO Medal, Armed Forces Reserve Medal, Overseas Service Ribbon, and the Afghanistan Service Medal.

SPC Jensen will be remembered for his selfless service to our country and his willingness to put the needs of others before his own. He will be deeply missed by those who survive him: his father Glenn Jensen, mother Christine Jensen, and sister Melissa Jensen.

SPC Jensen made the ultimate sacrifice for his soldiers and his country. Our Nation owes him a debt of gratitude, and the best way to honor his life is to emulate his commitment to our service to our country. A member of the Nation’s armed forces, Mr. President, today I rise to pay tribute to SPC Dennis G. Jensen.

TRIBUTE TO PETER VAN OOT

Mr. LEAHY. Mr. President, it is a great pleasure to call the Senate’s attention to the economic development contributions of SPC Dennis G. Jensen. He served our country with dedication and enthusiasm. Through his work with the Brattleboro Economic Development Credit Corporation board, and, more recently, the Green Mountain Economic Development Corporation board, Pete has worked tirelessly to create jobs and to promote our local economy. Named Volunteer of the Year by the Northeast Economic Development Association, Pete was recently recognized for his hard work, and I take this opportunity to offer him my congratulations. I ask unanimous consent that an August 8 article highlighting his work, in the Brattleboro Reformer, be printed in the Record.

There being no objection, the material was ordered to be printed in the Record as follows:

LOCAL LAWYER RECOGNIZED FOR HIS COMMITMENT TO ECONOMIC GROWTH

(From the Brattleboro Reformer, Aug. 8, 2011)

(By Josh Stilts)

BRATTLEBORO—Peter D. Van Oot’s said his vision of a healthy community starts with a strong local economy. Because of this commitment and his unwavering focus, which he attributes to his father, Van Oot was named Volunteer of the Year by the Northeast Economic Development Association.

Without access to good paying, secure jobs, the education system falters and it can easily lead to social injustice, he said. “When more and more people end up in the unemployment lines, that can lead to criminals on the streets. Bad things can happen,” he said.

That’s why in his 20s, Van Oot dedicated his spare time to establishing outlets for businesses to grow and to figuring out ways to draw large employers to the area.

Van Oot grew up in Westminster and said he can remember when there were plenty of jobs and how much happier the residents seemed. After earning his law degree, he returned to the area and began working at Downs Rachlin Martin PLLC and nearby si-multaneously started volunteering on the United Way of Windham County board.

“I realized quickly that if we didn’t work to shore up the Windham County economy, all the organizations would be for naught,” Van Oot said. “Without good-paying jobs and a solid local economy you lose the base of the community.”

As unemployment rises, the strains on organizations such as the United Way and Youth Services becomes almost too much, he said.

About a decade ago he shifted his focus and began serving on the Brattleboro Economic Development Credit Corporation board.

“My interest really became how do we bring jobs to this place that left and bolster the economy,” Van Oot said.

“It was a fantastic organization to work with. In the past two years we really did some great work. We’ve had economic development success with Grafton Cheese’s retail store and bringing in the Common Wealth Yo- gurt company.”

Not only do those businesses provide good paying jobs, they’re also using Vermont resources, Van Oot said. “It really helps to fill the economic gap,” he said. “Like in golf, we need to fill in the divots.”

Van Oot said there’s a lot of people who have done and are doing what he does but urged younger people to get involved.

“Pete worked tirelessly to promote economic development in Vermont during his many years in Brattleboro,” Lewis said. “His focus and leadership helped the organization create dynamic strategies to address widespread economic decline in the region.”

Lewis added that Van Oot transformed the board’s membership, created a robust public policy, orchestrated annual plan reviews and developed a BDCC CEO council.

“BDCC now annually exceeds its goals for economic development and its own financial stability,” Lewis said. “Based on Pete’s work with the board, BDCC is now leading a regional strategy project looking to address long-term job and population loss, and the prospective loss of the region’s largest employer.”

In the last couple of years Van Oot has transitioned from his Brattleboro office to the firm’s Lebanon location, and it was there he got involved with another group, the Green Mountain Economic Development Corporation, which is similarly focused on creating community through jobs.

“Pete has brought that same deep level of commitment to his work on the GMEF (that he had in Brattleboro),” said Joan Goldstein, the group’s executive director. “Leadership of this type ought to be recognized.”

Lewis added that Neda saw it the same way we did.”

Van Oot will be presented his award at the NED’s annual meeting on Oct. 24 at the Sheraton Hotel in Burlington.

NATIONAL FETAL ALCOHOL SPECTRUM DISORDERS AWARENESS DAY

Mr. JOHNSON of South Dakota. Mr. President, today I rise to recognize September 9, 2011, as National Fetal Alcohol Spectrum Disorders Awareness Day. Fetal alcohol spectrum disorders, FASD, is an umbrella term describing the varied range of alcohol-related birth defects that may result from the use of alcohol during pregnancy. The effects of this disorder may involve mental, behavioral, and/or learning disabilities. FASD is the known cause of preventable cognitive impairment in America. It is estimated FASD effects 1 in 100 live births each year.