

This is a permission slip. This is what has been agreed to. I heard what the chairman said, that, oh, if we insist on protecting our interests, then other governments will insist on inspecting security plans of the United States.

We have only 37 American-flagged vessels in international commerce. They do not call on ports at Malta and Liberia. That is not the issue. The issue is whether we, the biggest trading Nation in the world, 11 million containers coming into the United States every year, will have the ability to see whether those ships were loaded in accordance with the security plan that meets our standards and will protect our security, and that there is not anything going on those ships that does not belong on those ships, like bombs, nuclear devices, weapons of mass biological destruction.

We do this already with aviation. Why can we not do it for maritime? Time and again, we have heard our biggest threat, the biggest unknown is what might be in a vessel coming into a U.S. port, what could be there that could destroy a city, not only on the coastal plain of the United States, but in the interior as containers move from the port to the interior of the country.

Now, why have this motion to instruct? The purpose is that the Senate, excuse me, the other body, has language in its version of our bill that simply accepts the international convention. The Senate version simply recognizes the ISPS Code, security plans drawn up by foreign-flag states, and allows the country of registry to do the signoff.

Well, I know from experience and having been at this for some time that in those countries of foreign registry, very frequently the security plan is contracted out to some private entity, a private entity that has been approved by the classification societies. And as we know, those international ship classification societies are not repositories of great strength and great courage and great oversight or great concern about security. So I do not want to see a security plan and have us just on faith accept a security plan of another country of registry, done by a contractor, which we do not even review.

Furthermore, under the international convention, which I just read, the Coast Guard has to get the equivalent of a search warrant. They have to have probable cause. They have to find something that they say, we know there is something wrong. We have evidence that this ship has been improperly loaded and there may be ricin stored in one of these containers, or the equivalent thereof.

Why do we have to do that? That is nonsense. Are we going to protect America, are we going to protect our shores, are we going to protect our ports, or are we just simply going to leave it to the good will and good offices of other countries? We do not do that in aviation, and we ought not to be doing it for port security.

Why do I take the time to say this? Because I feel very strongly about this. I have given 25 years of my service in this body to security in aviation and to maritime security, to on-land security. A good part of my career has been on aviation safety and aviation security, and I do not think that we should do anything less than the best.

So, yes, we had that language in our bill. I think we need to have this vote here on that language to reinforce the position of the conferees when we go to the other body because their language simply embraces the international convention. We have to tell them, wait a minute, that is not good enough. That does not do a good enough job. If you are serious about protecting our ports and protecting the homeland of the United States, with 11 million containers coming in, 8,000 vessels calling at our ports every year, let us get serious about it and make sure we provide the Coast Guard with the personnel and financial resources to carry out this mission.

It is crucially important. Either we are serious about port security or we are not; and not being serious is swallowing this International Convention on Safety of Life At Sea.

That is not safe. I will trust the U.S. Coast Guard. I know what the men and women of the Coast Guard can do. They are serious, they are experienced, and they will do the job of security.

So let us reaffirm the position of the House. Let us make sure when we go to conference, we stand firm; that the four principal negotiators on the part of the House are backed up by the voice of this body, so that we stand firm on this language. Let us give the Coast Guard the authority it needs. Let us stand up to make sure that we are protecting our ports. Protect the House position, protect security in the homeland of the United States through the one major Achilles heel afflicting us right now, and that is port security.

Mr. LOBIONDO. Mr. Speaker, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from New Jersey.

Mr. LOBIONDO. Mr. Speaker, we are in agreement with so many points that the gentleman made. No Member and no one should get the impression that any of us are not completely committed to maritime anti-terrorism, to homeland and port security. What we are saying here is we believe there needs to be just a little bit of additional fine tuning.

But in principle, I agree. I will support the gentleman's motion to instruct, and I thank the gentleman very much.

Mr. OBERSTAR. Mr. Speaker, reclaiming my time, I thank the gentleman. We will stand firm in conference.

Mr. FILNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FOSSELLA). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. FILNER).

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FILNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### PROVIDING FOR CONSIDERATION OF H. RES. 627, DEPLORING ABUSE OF PERSONS IN UNITED STATES CUSTODY IN IRAQ

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 628 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 628

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 627) deploring the abuse of persons in United States custody in Iraq, regardless of the circumstances of their detention, urging the Secretary of the Army to bring to swift justice any member of the Armed Forces who has violated the Uniform Code of Military Justice, expressing the deep appreciation of the Nation to the courageous and honorable members of the Armed Forces who have selflessly served, or are currently serving, in Operation Iraqi Freedom, and for other purposes. The resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for a division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services; and (2) one motion to recommit which may not contain instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 628 is a closed rule providing for the consideration of House Resolution 627, deploring the abuse of persons in United States custody in Iraq, regardless of the circumstances of their detention, urging the Secretary of the Army to bring to swift justice to any member of

the Armed Forces who has violated the Uniform Code of Military Justice, and expressing the deep appreciation of the Nation to the courageous and honorable members of the Armed Forces who have selflessly served, or are currently serving, in Operation Iraqi Freedom, and for other purposes.

Mr. Speaker, the rule provides for 1 hour of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services. The rule provides one motion to recommit, which may not contain instructions.

Mr. Speaker, Members of this House, and indeed millions of concerned Americans, have been appalled by reports that Iraqi prisoners have been severely mistreated by their U.S. captors. President Bush has rightly pledged to ensure that those responsible for this abuse are brought to justice, and that process is already under way.

Mr. Speaker, in a society like ours that prides itself on its commitment to civil and human rights, there is no place for the sorts of atrocities depicted in recent days in newspaper and television accounts from Iraq.

Thankfully, it appears that the reported abuses have been the exception, rather than the rule, during this conflict. But that does nothing to excuse those who carried out or permitted the acts in question to take place. They must be punished swiftly and surely.

At the same time, Mr. Speaker, we must not permit the outrageous acts of a relative few to stain the service of more than 100,000 of our brave American men and women who are risking their lives every day in the cause of freedom. They are doing what is right, and they are doing it the right way. Their services make us all proud to be Americans.

Therefore, in addition to strongly condemning the acts of abuse by U.S. personnel against Iraqi prisoners, House Resolution 627 also pays tribute to the selfless service of our men and women in uniform.

Mr. Speaker, the President has spoken loudly and clearly on this subject, and it is imperative that we in the House do the same. Accordingly, I ask my colleagues to support both the rule and House Resolution 627.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Washington for yielding me the customary 30 minutes.

Mr. Speaker, we are here this morning to carry out a very grave duty. We are here to express the horror felt by the American people upon seeing the graphic images and learning of the torture, abuse, brutalization, and humiliation of Iraqi detainees at the Abu Ghraib prison.

□ 1130

We are here to condemn such acts.

But we are also here to do much more. We need to make clear that this Congress not only condemns these actions, but demands a full investigation and accountability for those who perpetrated these acts, those who ordered these acts, those who turned a blind eye to these acts, and those in the chain of command who failed to act upon repeated warnings and reports of abuse of Iraqi detainees.

Mr. Speaker, I firmly believe that the overwhelming majority of our uniformed men and women currently on active duty in Iraq, Afghanistan and elsewhere carry out their duties in an exemplary manner. They have represented the United States in perilous times with great distinction and great honor. And it is critical that Congress not blindly accept the scapegoating of a few enlisted men and women when there is a much more serious, troubling, high-ranking, and systemic problem that needs our most serious attention.

In December last year, Human Rights Watch issued a searing report on inhumane conditions and abuses of detainees under U.S. authority in Afghanistan.

We now know from the media that the International Committee for the Red Cross has also been urging U.S. military authorities to make substantial changes on how detainees are treated at prison facilities throughout Iraq.

Mr. Speaker, this is a grave and serious crisis, and I do not use the word "crisis" lightly. It is a crisis for our relations with the people of Iraq. It is a crisis for our relations with our allies. It is a crisis for our intentions to create a stable and more democratic Middle East. It is a crisis for our Armed Forces, whose honor has been stained by these revelations. It is a crisis for our Nation whose honor, intentions, reputation, and moral authority are now suspect throughout the world. It is a crisis for the safety of our troops in the field and the safety of our homeland.

Mr. Speaker, I fear for every American, military and civilian, who is now held captive in Iraq. For how can we demand standards for the humane treatment of our own citizens when it appears to many that we have turned our backs on those very standards and international law in our treatment of foreign detainees?

Mr. Speaker, Congress needs to carry out its own thorough investigation, not just about what happened at one isolated prison in Iraq, but in the breakdown in chain of command and the context within the Armed Forces that created such a climate for these crimes to take place.

I believe the conditions that led to abuse were created at the very top when our Secretary of Defense announced early in the war against terrorism that the Geneva Conventions

would not apply to many of our actions, especially those concerning detainees.

I believe the conditions that led to abuse were created at the very top when independent monitors were denied access to prisons and detention facilities.

I believe the conditions that led to abuse were created at the very top when decisions were made to assign troops, many of whom were inexperienced in prisoner treatment and the rights of prisoners, rather than to troops who have been trained for such duty.

I believe the conditions that led to abuse were created at the very top when information and reports were withheld from the relevant intelligence, defense, and foreign policy Congressional committees regarding these abuses.

Mr. Speaker, I also believe that this Congress needs to take a hard and serious look at the use of private contractors engaged in interrogation of prisoners and ensure that their role in these abuses is fully investigated and punished.

But even more importantly, I believe the President of the United States must act. The President must demonstrate exactly how serious the United States is about changing the conditions that led to these abuses.

The President prides himself on being a plain-spoken, straight-shooting man of action. This moment desperately calls for some plain speaking and accountability. Anonymous leaks to the news media about the President of the United States "privately chiding" the Secretary of Defense simply will not do.

Mr. Speaker, Donald Rumsfeld needs to resign as Secretary of Defense, and if he does not do so, President Bush should fire him. No other action, no other words would send as strong a signal to the world that the United States is serious about fixing what is wrong in Iraq.

Mr. Speaker, I regret that this resolution required a rule for debate. I regret that unanimous consent could not be obtained. But I firmly believe that this resolution needs to assert the oversight responsibilities, our own accountability, and investigate these abuses and the systems that created a climate of abuse. We cannot call for accountability by others and then shirk our own responsibilities. I firmly believe that we must investigate the roles of both our uniformed personnel and private contractors in these abuses, and I would have hoped that the majority would believe the same.

Mr. Speaker, at the conclusion of this debate, I will move the previous question. If defeated, I will offer an amendment to the rule allowing for the consideration of an amendment to be offered by the gentleman from Missouri (Mr. SKELTON), the ranking member of the House Committee on Armed Services, affirming the need for a bipartisan congressional investigation to

be conducted immediately into these allegations of abuse, including those by civilian contractor personnel and into systemic chain of command and other systemic deficiencies that contributed to such abuse.

I hope that my colleagues on both sides of the aisle will join me in this effort to affirm the need for the Congress to carry out its constitutional duties of oversight.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Speaker, I thank my colleague, the gentleman from Washington (Mr. HASTINGS) for yielding me this time. I rise today in strong support of both the rule and the underlying resolution.

I believe most Americans, as I was, were extremely upset by the images they saw on television of prisoner abuse in Iraq, and the horrific actions just defy everything that America stands for and Americans stand for: goodness, decency, fairness, compassion.

The perpetrators of these dastardly deeds must be swiftly brought to justice and severely punished for their actions.

America and our allies liberated Iraq from a despot. Mr. Speaker, our soldiers are very sincerely over there helping to restore basic services to Iraq and make life for the Iraqi people much better, and they are doing it at serious risk to their own lives. A few sick people in the military have set back our efforts for peace in the Mideast and around the world for who knows how long. They have destroyed all of the good relationships our soldiers and others have established in Iraq. And the majority of our service men and women are very good, decent, patriotic Americans, very honorable.

So we must not allow these actions by a few to overshadow the goodness of the majority of Americans or of our soldiers, or the effort to win the war on terror. We cannot close the book on terror until we close this chapter on Iraq.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. HASTINGS), a member of the Committee on Rules and the Permanent Select Committee on Intelligence.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my colleague and my good friend, the gentleman from Massachusetts (Mr. MCGOVERN) for yielding me this time. This morning he and I and the other members of the Committee on Rules who are here met at 7 o'clock a.m. to discuss this resolution.

Now, the simple fact of the matter is, it is important for us to recognize that the American military has no peers. It is also important for us to recognize that most of the men and women, the great majority of the men and women in the military are not the kind of people

that are now being investigated and that we see so widespread, and are not the kind of people that would abuse people in the circumstances that the detainees found themselves.

It is unfortunate that this matter does not come to the floor under unanimous consent. It does have, as I pointed out this morning, one or two flaws that could easily have been corrected had the majority determined that it was proper to do so.

One of those flaws allows itself to come forward in one paragraph which reads, "Whereas the Congress was not fully informed of the existence," and that is true, "or the seriousness." But it does not say what I think it should say, and that is that we decried the fact that for too long, this was in the hands of military higher-ups who did not deem the oversight responsibilities of Congress important enough for them to bring the matter forward.

Additionally, this is a resolution about horrors that took place inside a prison. This is not a proper place, in my judgment, for us to be bragging about anything concerning the conditions being better after the removal of Saddam Hussein.

Additionally, it is that these abuses, as offensive as they are, need to be put in perspective with regard to the ongoing military effort.

I would urge everybody to take a deep breath and to realize that no American, Republican or Democrat, would allow for this kind of conduct, and no one from the President on down does not feel sorry that this occurred, and all of us should be in a position to do as the general who now is in charge of this prison did, and that is, apologize not only to the detainees that this occurred to, but to the others who likely feel that America has lost its moral authority.

America will never lose its moral authority, because in this body and in the White House and in the Secretary of Defense's office, and in the Secretary of the Army's office, justice will come to those who took advantage of others in circumstances that were not proper.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. GOSS), the distinguished chairman of the Permanent Select Committee on Intelligence in the House.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank my colleague and friend, the gentleman from Washington (Mr. HASTINGS) for yielding me this time.

Mr. Speaker, we have always known that the war on terrorism was going to be lengthy and difficult. President Bush told us that from the very beginning.

Americans everywhere have girded up for a sustained conflict across the globe, around the world. We have great and justifiable pride in our troops and all they have accomplished. We have

accepted the necessary sacrifices in the war on terrorism with a heavy, but a resolute heart in places like Afghanistan and Iraq.

However, it is impossible to accept the apparently isolated, but nonetheless totally deplorable instances of blatant prisoner mistreatment that have surfaced in the past week. These actions, particularly when contrasted with the courageous and honorable decisions made day in and day out by the vast majority of our American soldiers in difficult circumstances, must be strongly condemned.

The charges of abuse will be examined fully and immediate corrective measures taken to prevent against their reoccurrence. That is assured. No equivocation can be tolerated. Wrong is wrong. The international community will be watching America's actions closely, and now is the time to demonstrate anew that the American soldier respects the rules of engagement and always values justice and humane treatment of detainees and prisoners. We all abhor the slaughter and maiming and carnage of innocent victims, which, of course, is the terrorists' hallmark.

Mr. Speaker, I rise today because our military has worked too hard and accomplished too much to be stained by the actions of a few. By acknowledging that this is a tremendously hurtful anomaly in an otherwise impressive effort, I hope that justice may be swiftly served and the trust in America restored.

The House Permanent Select Committee on Intelligence routinely and regularly oversees interrogation activity for intelligence purposes, and we are giving comprehensive attention, of course, to these newly-discovered abusive treatment cases. In fact, as we speak, our committee is receiving briefings upstairs and asking some very tough questions, and I will return to that meeting forthwith.

The conduct of appropriate and professional interrogation is extremely important to the successful prosecution of the war on terrorism and the protection of our troops and citizens at home and abroad.

□ 1145

Terrorism is a bad thing, and interrogation on a proper level of a terrorist is an important tool for us to preempt the mischief that they can cause us.

This rule brings forward a clear resolution that supports the views I espouse and that other Members have espoused articulately. I urge passage for this rule and for this resolution.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MCGOVERN) for yielding me time.

Mr. Speaker, I rise in strong opposition to this rule. This resolution condemns abuse, but presents glaring and unacceptable omissions. The boiler

plate language offers no apology, does nothing to ease the international tensions, and calls on the Department of Defense, quite frankly, to investigate itself.

The resolution is insufficient on all three grounds. We need a full-scale bipartisan congressional investigation into these charges and their devastating international consequences and also the role of private contractors in this war. I hope that these horrible human rights abuses are not just the tip of an iceberg.

Tens of thousands of American troops are serving with great courage. These outrages do not typify their behavior; but they do, they do endanger their lives. As for those accused and others, I quite frankly worry about our young men and women in uniform who are being dehumanized.

These young men and women are being dehumanized. They are being dehumanized by the policies of the Bush administration and a war that allows them to cross this threshold.

Finally, Mr. Speaker, this resolution presents really a very false portrait of Iraq, one that is safe and secure and prosperous. I urge Members to vote against this rule. This really is not about a handful of photographs. It is about the failures of leadership at the very highest levels.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. PRYCE), the distinguished Republican Conference chairman.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in support of this rule and the underlying legislation. I rise in sadness and regret. The behavior of the soldiers charged with misconduct and abuses of prisoners in Iraq, to use the President's word, is abhorrent.

The Iraqi people are beginning new lives of liberty and freedom. They are just beginning to shake off the dread of years of torture and abuse. They are only just beginning to sleep soundly, without fear of midnight kidnappings. They are only just beginning to express their views on politics and social issues. Our whole country is appalled and disgusted by the reports of this insane abuse.

I send my deepest sympathy and regret to these Iraqis who, in such a tender moment, are forced to see scenes of abuse that I can only imagine bring to the surface old fears, old nightmares, and old wounds.

The actions of a few are sure to have long-term implications of mistrust in the Middle East. Our message is clear: we are devastated. We went into Iraq because Americans reject evil and embrace liberty. The heart of American values is founded in respect for one another, in fairness and a love for freedom.

Today we should ask ourselves what can we do to rebuild the trust and con-

fidence in the hearts and minds of those we want to help. Unlike 20 years of unavenged, unstoppable evil at the hands of Saddam Hussein, this abuse will not be tolerated. It will not be brushed over. It will not be excused.

I join my colleagues in the U.S. House of Representatives and condemn these acts and support immediate, meticulous investigations into the abuse reports, full disclosure of abuses committed, and justice served to those men and women responsible.

Every day the men and women of our Armed Forces are putting their lives on the line because they believe in their mission and they are devoted to their duty. They also have been hurt by these senseless, shameful acts. We cannot falter in our support for thousands of troops who now more than ever require reinforcement, support and prayers from their government, their friends, and their families at home.

I would ask the American people, Iraqis who have tasted liberty, and freedom-loving people across the world to renounce the reprehensible deeds of a few and look forward. I ask them to renew their support in the brave efforts to free Iraq and our efforts in the war on terrorism, and for the men and women of our Armed Forces who sacrifice daily in defense of honor, justice, and democracy.

Mr. Speaker, I urge my colleagues to support this rule and the very important legislation it enforces.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, this outrage cuts to the bone, not just because it damages our international relations, but because it damages basic tenets of American values. And when you have such a deep wound, self-inflicted, you cannot have half measures. And this resolution is weak tea when we need strong medicine; and it is inadequate, and this rule should be defeated for that reason.

Where in this resolution is there a call for the obvious need for an investigation of the private contractors who are making hundreds of thousands of dollars, who are involved in this outrage, who are outside the chain of command, who are not subject to military justice? Why will the Republican Party not join us in investigating those private contractors and putting this in this resolution? Why is there nothing in this resolution about the need for an international opening up of our system so that we can regain credibility? Why is there not in this resolution an accounting for the Iraqi people of who is in there? And lastly, where is the resignation for Donald Rumsfeld?

Mr. HASTINGS of Washington. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Washington (Mr. HASTINGS) has 19 minutes

remaining. The gentleman from Massachusetts (Mr. MCGOVERN) has 17 minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, this resolution will be minimally useful at best.

I intend to vote for it. But it falls far short of what this House ought to be doing today.

Lou Dobbs two days ago on CNN I think said it best when he said that the reason the Commander in Chief needed to make a public apology for what happened in the prisons in Iraq was not just because that conduct was offensive to the Arab world but because it was offensive to basic American values. And I think Mr. Dobbs had it dead right.

Later on in that same program, Anthony Cordesman, a well-known defense expert, made the observation that the worst thing about this from the standpoint of American troops is that because the pictures associated with these violations of human rights will have inflamed the Arab world, that unfortunately it is likely that additional Americans will die because of that. And unfortunately, he also had it dead on.

This resolution needs to be amended, and there will be an effort to do that, to amend it to affirm that we need a bipartisan congressional investigation to conduct an investigation into these allegations of abuse, including those by U.S. civilian contractors and other civilians, and an investigation into the chain of command and other systemic deficiencies including the command atmosphere that may have contributed to such abuse. That is the minimum that is necessary.

Now, months ago I called for the resignation of the Secretary of Defense because I think the conduct of the civilian leadership of the Defense Department in conducting the affairs in Iraq after the war was spectacularly incompetent. So I do not need to go into that today.

Mr. Speaker, the following is an article from a Washington Post editorial on Mr. Rumsfeld's performance on this issue.

[From the Washington Post, May 6, 2004]

#### MR. RUMSFELD'S RESPONSIBILITY

The Horrific abuses by American interrogators and guards at the Abu Ghraib prison and at other facilities maintained by the U.S. military in Iraq and Afghanistan can be traced, in part, to policy decisions and public statements of Secretary of Defense Donald H. Rumsfeld. Beginning more than two years ago, Mr. Rumsfeld decided to overturn decades of previous practice by the U.S. military in its handling of detainees in foreign countries. His Pentagon ruled that the United States would no longer be bound by the Geneva Conventions; that Army regulations on the interrogation of prisoners would not be observed; and that many detainees would be held incommunicado and without

any independent mechanism of review. Abuses will take place in any prison system. But Mr. Rumsfeld's decisions helped create a lawless regime in which prisoners in both Iraq and Afghanistan have been humiliated, beaten, tortured and murdered—and in which until recently, no one has been held accountable.

The lawlessness began in January 2002 when Mr. Rumsfeld publicly declared that hundreds of people detained by U.S. and allied forces in Afghanistan "do not have any rights" under the Geneva Conventions. That was not the case: At a minimum, all those arrested in the war zone were entitled under the conventions to a formal hearing to determine whether they were prisoners of war or unlawful combatants. No such hearings were held, but then Mr. Rumsfeld made clear that U.S. observance of the convention was now optional. Prisoners, he said, would be treated "for the most part;" in "a manner that is reasonably consistent" with the conventions—which the secretary breezily suggested, was outdated.

In one important respect, Mr. Rumsfeld was correct: Not only could captured al Qaeda members be legitimately deprived of Geneva Convention guarantees (once the required hearing was held) but such treatment was in many cases necessary to obtain vital intelligence and prevent terrorists from communicating with confederates abroad. But if the United States was to resort to that exceptional practice, Mr. Rumsfeld should have established procedures to ensure that it did so without violating international conventions against torture and that only suspects who truly needed such extraordinary handling were treated that way. Outside controls or independent review could have provided such safeguards. Instead, Mr. Rumsfeld allowed detainees to be indiscriminately designated as beyond the law—and made humane treatment dependent on the goodwill of U.S. personnel.

Much of what has happened at the U.S. detention center in Guantanamo Bay is shrouded in secrecy. But according to an official Army report, a system was established at the camp under which military guards were expected to "set the conditions" for intelligence investigations. The report by Maj. Gen. Antonio M. Taguba says the system was later introduced at military facilities at Bagram airbase in Afghanistan and the Abu Ghraib prison in Iraq, even though it violates Army regulations forbidding guards to participate in interrogations.

The Taguba report and others by human right groups reveal that the detention system Mr. Rumsfeld oversees has become so grossly distorted that military police have abused or tortured prisoners under the direction of civilian contractors and intelligence officers outside the military chain of command—not in "exceptional" cases, as Mr. Rumsfeld said Tuesday, but systematically. Army guards have held "ghost" prisoners detained by the CIA and even hidden these prisoners from the International Red Cross. Meanwhile, Mr. Rumsfeld's contempt for the Geneva Conventions has trickled down: The Taguba report says that guards at Abu Ghraib had not been instructed on them and that no copies were posted in the facility.

The abuses that have done so much harm to the U.S. mission in Iraq might have been prevented had Mr. Rumsfeld been responsive to earlier reports of violations. Instead, the publicly dismissed or minimized such accounts. He and his staff ignored detained reports by respected human rights groups about criminal activity at U.S.-run prisons in Afghanistan, and they refused to provide access to facilities or respond to most questions. In December 2002, two Afghan detainees died in events that were ruled homicides

by medical officials; only when the New York Times obtained the story did the Pentagon confirm that an investigation was underway, and no results have yet been announced. Not until other media obtained the photos from Abu Ghraib did Mr. Rumsfeld fully acknowledge what had happened, and not until Tuesday did his department disclose that 25 prisoners have died in U.S. custody in Iraq and Afghanistan. Accountability for those deaths has been virtually nonexistent: One soldier was punished with a dishonorable discharge.

On Monday Mr. Rumsfeld's spokesman said that the secretary had not read Mr. Taguba's report, which was completed in early March. Yesterday Mr. Rumsfeld told a television interviewer that he still hadn't finished reading it, and he repeated his view that the Geneva Conventions "did not precisely apply" but were only "basic rules" for handling prisoners. His message remains the same: that the United States need not be bound by international law and that the crimes Mr. Taguba reported are not, for him, a priority. That attitude has undermined the American military's observance of basic human rights and damaged this country's ability to prevail in the war on terrorism.

Mr. Speaker, I would just make this observation. The Congress has only two real abilities to effect events. The first is to use the power of the purse, and preliminary to doing that, to ask the right questions about what the intent of our government is before we get into something like Iraq. The Congress, unfortunately, settled for spongy answers beforehand.

But the second power that Congress has is the power of investigation. At least after the fact, this Congress ought to investigate from top to bottom what contributed to this outrageous chain of events that has been such a disgrace to our ability to stand up for basic American values. At least if we do that, we can try to ensure that something like this never happens again in the name of the United States of America.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman yielding me time.

Mr. Speaker, it is sad that the resolution before U.S. today is as close as we can get to having a full and open debate on the tragedy that continues to unfold in Iraq.

Yes, this is about failure of leadership in the Department of Defense from Secretary Rumsfeld and the team that was unable, after winning the war, to win the peace, a Department that cannot communicate with its own Department of State, let alone the Congress. But it is about more than the failure of the administration and the Department of Defense.

What we should be debating today is the failure of Congress. We should be having hearings dealing with these issues on armed services, international relations, appropriations, government operations.

Mr. Speaker, my Republican colleagues do themselves no favor rushing this to the floor and refusing to deal

with the responsibilities of congressional oversight. When our Republican colleagues do not permit us to do our job, it does not help them politically. What happens is that this is forcing us to rely on reporters from the New Yorker & from CNN. The avalanche of reports now coming out show the Department of Defense knew about this, even if the top brass had not bothered to read the reports. This should have been shared with members of Congress, and we should have been helping them do their job.

It is not just the brave men and women on the front lines in Iraq who are being shortchanged by failures of Congress & the Administration. We are shortchanging the American public, wasting their Treasury, putting Americans at risk, and undermining their confidence in their government doing its job and giving them straight answers.

I strongly urge the rejection of this rule and that this morning we start doing our job as Members of Congress to give the American public the information they deserve.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, this resolution is written as if the administration's war in Iraq was right from the beginning and now is basically going well, and neither is correct.

It is written as if support of the troops is an issue. It is not. We fully support our troops.

What is at issue is the appropriate response of this House to the horrendous conduct illustrated in the graphic pictures of prisoner abuse.

What is in issue is the appropriate response of this House to the American people and to this House hearing the truth on TV while it was sitting undisclosed on the desk of high administration officials.

The proper response for this House is not just to pass resolutions but to be an active force in facing up to what is happening in Iraq and its consequences for our Nation and the world.

□ 1200

When it comes to events in Iraq, the majority in this House can no longer simply rubber stamp all of the actions of this administration or pass the buck to it or the Senate.

Turn down this rule so we can add an amendment requiring this House to step up to its responsibilities.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, all of us on both sides of the aisle come to the well and to discuss the different events on this resolution.

First of all, I am very, very proud of the men and women that serve in our

armed services, and I served with in Vietnam and all the conflicts up to that point, but time has witnessed a sine wave of activities.

In business we had Enron. We have had a Member of this body sexually abuse a page. We have had a Nixon break-in and impeachment of a President. Harassment in our military academies and we look at the scandal in the Catholic church, but Mr. Speaker, there are good people in Enron, there are good Members of Congress. The harassment in our military academies, most of those men and women serve honorably, and the same thing in the Catholic church, but good people is not the question here.

The question is what happened in our interrogation facility, and I sit and I questioned myself, what are the key reasons why everybody is so upset? What factors bother us? One thing, leadership at the point of infraction, and secondly, the timeliness. Let me give my colleagues a good example.

I had an admiral that brought us, his commanding officers, together, and said if I have a single commanding officer that gets busted with a DUI or DWI, I am going to fire you, and not a single CO received a DUI or DWI. If they went to a party, they had a designated driver. Prior to that, many of the commanding officers got picked up for a DUI or DWI.

I would bet, Mr. Speaker, that no one at that prison sat those kids down and said this is the expected conduct. I just witnessed from the services all kinds of paper, all kinds of rules, people that had been there to investigate, look at the different things that go on, but I want to tell my colleagues, not a single officer sat down with those sergeants, with those people and said if this is your conduct these are the consequences, like that admiral did with us and the DUI's. The breakdown was at the point of leadership at the prison.

Secondly is the timeliness. I had a squadron and I had exceptions to the chain of command. My friend over here the gentleman from New York (Mr. RANGEL) knows about the chain of command. He was in the service, but as commanding officer, a person could walk into my office, past my chief, past my division officer, past my executive officer for several things: any known sexual abuse, because I had women in the squadron; anything racial, even verbal, because it could destroy the unit; any known drugs within the unit; the thing that I have recommended to the military, anything, any conduct that would affect the unit, negatively, the Services or United States of America, and I think those two things were overlooked in this case, that it did not go up the chain of command fast enough. There was not enough action taken, and that there was a breakdown in leadership and cutting through the chain of command.

The last thing I would recommend to our military is that when they have something so critical that is a blight

on the United States of America, that we sit down and we take care of this, but let us not forget the people that serve us are the best of the best, and yes, there are Enrons, there are Catholic churches, there are others, but the majority of our people are very good people.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I rise today to condemn the alleged abuse of prisoners in Iraq. We must take every step possible to investigate the shocking allegations, punish any perpetrators, re-examine our entire system of interrogation and confinement to prevent such occurrence from happening in the future.

I have called on Attorney General Ashcroft to begin an investigation of abuses committed by private military contractors in Iraq. I circulated this letter to all of my colleagues for review. A hundred Democrats have signed on so far. I hope all my colleagues will join me in this effort.

In the year 2000, Congress passed the Military Extra Territorial Jurisdiction Act, which allows the Justice Department to investigate and prosecute criminal action by contractors abroad that are in the employ of the United States Government. This Congress granted the Attorney General this authority for this exact case.

Attorney General Ashcroft has the ability to investigate and prosecute any criminal abuse by private contractors. I urge him to begin his investigation immediately.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I thank the gentleman for yielding me the time.

We come today together as a unified body, 435 Members of the people's House, without any question about condemning totally unacceptable behavior, and I support this rule very strongly because it is most appropriate that we come to the floor and say today our unanimous condemnation of behavior we do not accept under any circumstances.

We need to maintain a focus that says to the American people and even more importantly the rest of the world that in a free society, where men and women can come to the well of the House and express their opinion on any subject, there are many countries around the world where freedom does not exist, but in our free society, the home of the free and the land of the brave, we have the right to stand up and speak out when something goes wrong.

In the land of freedom, we have responsibility. People are accountable for their actions, and the perpetrators of these deeds will be punished. This is the issue today. So now is the time to stand up and express our joint outrage for what has happened.

We also need to make sure, and ironically, as I waited to speak, I received a message from Daniel Metzdorf, an 82nd Airborne trooper who lost a leg fighting for the freedom that we all want for Iraq, got a message, wanted to know how I am doing. He is the one that lost a leg.

We cannot lose the focus today, as we speak out against this contemptible behavior that 99.9 percent plus are wonderful men and women in uniform who are seeking to bring freedom to Iraq, to give them the opportunity to express their opinion. Yes, the rest of the world, we have made a mistake here and we all agree but we will not accept it.

Whatever steps are necessary to follow up our condemnation today of these despicable acts, we will, as Republican, Democrats, in a bipartisan manner, we will get to the bottom of it. The perpetrators will be punished. We will see that it does not happen again. Justice will be served. Freedom will be protected.

We are here to do the right thing. That is what America is about, but please do not lose sight of what is being done for us, for Iraq, the rest of the world by these men and women in uniform who are seeking to provide freedom and justice for all the world.

Mr. Speaker, again I thank the gentleman from Washington (Mr. HASTINGS) for the time.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I rise to speak against this rule. We can do better. We can do much better as a Nation and as a people.

Mr. Speaker, I rise today with a heavy heart, but my conscience is clear. I am so sick and tired of seeing so many of our young men and our young women die in Iraq. I am deeply troubled by the acts that some of our soldiers committed against the prisoners of war in Iraq.

Mr. Speaker, I say to my colleagues today, we must take a good and hard look at the leadership of this Nation, the leadership of this government, the leader of this government, the person who was in charge. I say to my colleagues today, we must hold the leadership, the President, the Secretary of Defense, the Vice President, hold them accountable for mistake after mistake we have committed in this war, and we must hold them accountable for the unjust torture of prisoners of war.

Mr. Speaker, it is not a question of who committed these unbelievable acts. It is not a question of who, but what. What led to this flagrant disregard for the humanity of our fellow human beings? Those at the highest level of this government, the President, the Vice President, the Secretary of Defense, they all have created the climate and the environment that led to these abuses. What happened to those prisoners is a reflection on our soul, on our values.

American citizens smiling as they humiliate citizens of Iraq! There must be a sense of righteous indignation in America about what happened in those prison cells, and there must be a sense of righteous indignation in this Congress against these unspeakable acts. Does it profit a great Nation to gain a whole world or win a war and lose a soul?

Mr. Speaker, I have said it in the past and I say it again today. War is messy. It is bloody. It tends not to just hide the truth, but to sacrifice the truth. Why did it take so long, so long for us to get this information? Why did not Mr. Rumsfeld, why did not the President inform the Congress? Why did officials at the highest levels of government try to hide these criminal acts against humanity? Why did they try to cover it up?

Mr. Speaker, we have made mistakes, yes, but it is not enough to issue an apology. It is not enough to say we are sorry—and we should apologize. We should say we are sorry.

The handwriting is on the wall, Mr. Speaker. It is time for us to close this very dark and sordid chapter of our history. It is time for the Secretary of Defense to go. He must leave.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule.

Last night, I stood here in the well following the speech that my friend from Georgia gave and he has delivered the same speech, and I want to say to my friend from Georgia, while addressing the Speaker according to the rules of the House, that righteous indignation is something that every single one of us, every single one of us has demonstrated by the support of this resolution. We are all outraged at the photographs that we have seen, and we believe that it is reprehensible that these kinds of actions should take place.

Dating back to 1785, the framers of our Constitution, Benjamin Franklin, Thomas Jefferson, Alexander Hamilton and others, focused at that point on the importance as we deal with conflicts of recognizing the human rights of even our adversaries, and that is why it is so important for the United States of America, which is the only Nation on the face of the earth that could do this kind of work, to step forward, and yes, liberate the people of Iraq, send a positive message for the cause of freedom throughout the entire world, but at the same time, recognize those important rights that do date back to 1785 and the founding of the United States of America.

We do, as my friend from North Carolina (Mr. HAYES) stated very eloquently, need to realize why it is that

we are in Iraq. We are there because of the global war on terrorism. We are there because this is part and parcel of the global war on terrorism.

There are 135,000 American troops who are part of this very important international coalition, and we have seen tremendous success.

□ 1215

It is important for us to support this resolution, but it is also very important for us to realize that any sign of weakness from the United States of America as we proceed with resolve in dealing with these terrorists in Iraq, any sign of weakness emboldens those terrorists. That is why, yes, we are going to ensure that anyone who is responsible for this and is convicted under the Uniform Code of Criminal Justice is in fact going to go to jail because they are criminals.

At the same time, we must realize that, as the gentleman from North Carolina (Mr. HAYES) said, there are 135,000 courageous men and women in the U.S. Armed Forces who are seeking to win this war and we need to, with this resolution that the gentleman from California (Mr. HUNTER) has put together, underscore and demonstrate the solidarity and resolve of the American people and the United States Congress behind our men and women.

Support this rule, support this resolution, and let us move forward and make sure that we do resolve this very difficult situation.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, well, it is obvious from this resolution to me that the days of the "buck stops here" are dead and gone. Oh, yes, it takes occasion to single out those individuals who do have blame for abusing in the most horrendous way our prisoners. But nowhere in here does it say that those who are in the leadership of this mission in Iraq hold any responsibility whatsoever.

I looked through this carefully, and it seems that they want to limit it to a few individuals that they will go after. And by the way, not just the right individuals. There is no mention in this of the private military contractors, individuals who for profit are in those prisons that we know are under investigation, may even have been giving orders, companies like Titan and CACI that were hired to be in those prisons that are not part of the Uniform Code of Military Justice. Where are we going to point our fingers at them and hold them accountable?

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. HUNTER), the distinguished chairman of the Committee on Armed Services and the author of this resolution.

Mr. HUNTER. Mr. Speaker, I think it is time for us to refocus. The focus should be on the fact that we have had over 300,000 Americans in uniform serv-

ing in this theater. The vast majority of them have served honorably and courageously, I would say to my colleague who just spoke who said, sure, we have some criminal acts, but why can we not convict more people up the chain of command for those acts.

The facts are in this country when somebody commits a criminal act, they are held accountable for that act. They are being held accountable. I want to remind my colleagues once again of the numbers. The numbers are 300,000 Americans serving honorably in Iraq. The numbers further at this point are that six of them have been recommended for criminal prosecution under UCMJ for these acts.

Once again, I saw in The Washington Post this morning that picture of that same lady undertaking a reprehensible act with respect to a prisoner. We have seen thousands of pictures. The ones that I have seen at least that have come forward all have the same several individuals. My point is 300,000 people serving honorably, over 3,000 Purple Hearts awarded, thousands of Bronze Stars awarded, 127 Silver Stars awarded for valor, four Distinguished Service Crosses or Navy Crosses awarded for valor in this war, and our troops in contact right now.

So while we have potentially six bad apples, and I want to set the record straight, three have been recommended to the court martial convening board for court martials. It is the convening board's decision whether or not those court martials go forward and when. So three out of the six who have been recommended for court martial under article 32 are now before the court martial convening authority. That is six people.

Sure, investigations may show more people, but they do not show thousands of people. They do not show tens of thousands of people, and what the record in Iraq does reflect is 300,000 courageous Americans serving our country.

One other thing that we put in this resolution, while all of this national media and international media is going to the six, to the six bad apples who have been identified so far, and the careers have been ended of about seven superior officers up through the chain of command up to the general who is the brigade commander, not because they knew anything about it, in fact, in some cases probably because they did not know anything about it, but because it was on their watch it happened, those careers have been ended.

We have thousands of acts of compassion and nation-building and government-building carried on by the men and women who wear the uniform of the United States. They have started city councils, repaired sewage lines, and inoculated kids so they will not get sick. They have done great things, and we put that in this resolution because they deserve a little attention, not just the six bad apples.



Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Washington (Mr. McDERMOTT).

(Mr. McDERMOTT asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. McDERMOTT. Mr. Speaker, we all know what is going on out here today. We are passing a CYA resolution to limit the damage. The Christian Science Monitor carries the story of Mr. Miklaszewski from NBC News who asked the question of a Pentagon official about the soldiers involved. He said, "You mean the six morons who lost the war?"

The decision has been made in the Pentagon what they are going to do to those six, but this resolution does not go wide and deep like it ought to. This was not six young people that we are going to blame and make scapegoats and send them out in the wilderness. This has to go all of the way to Mr. Rumsfeld, the Secretary of War.

A Scottish newspaper, the Sunday Herald, said, "The pictures that lost the war. The grim images of American and British soldiers torturing Iraqi prisoners has taken the moral high ground from Blair and Bush." And the article finishes with a quote from Lieutenant Colonel Retired Bill Cowan of the United States Marines, "We went to Iraq to stop things like this from happening; and, indeed, here they are happening under our tutelage. If we do not tell this story, these kinds of things will continue and we will end up getting paid 100 or 1,000 times."

The other side can try and limit the damage here with this and say let us keep it in the Secretary of the Army, but the fact is that the world knows much more broadly.

[From the Sunday Herald, May 2, 2004]

#### THE PICTURES THAT LOST THE WAR

(By Neil Mackay)

It's an image that would do Saddam proud. A terrified prisoner, hooded and dressed in rags, his hands out-stretched on either side of him, electrodes attached to his fingers and genitals. He's been forced to stand on a box about one-foot square. His captors have told him that, if he falls off the box, he'll be electrocuted.

The torture victim was an Iraqi and his torturers were American soldiers. The picture captures the moment when members of the coalition forces, who styled themselves liberators, were exposed as torturers. The image of the wired and hooded Iraqi was one of a series of photographs, leaked by a horrified U.S. soldier inside Saddam's old punishment centre, Abu Ghraib—now a U.S. POW camp.

When the images were flashed around the world by America's CBS television network last Wednesday, there was a smug feeling within the U.K. that British troops would never behave like that to their prisoners. But on Friday night, the U.K. was treated to images—courtesy of the Daily Mirror—of British soldiers urinating on a blood-stained Iraqi captive, holding guns against the man's head, stamping on his face, kicking him in the mouth and beating him in the groin with a rifle butt.

The pictures of U.S. soldiers torturing their captives have the added horror of sex-

ual abuse. In five of the 14 images that the Sunday Herald has seen, a female soldier—identified as Lynndie England, a 21-year-old from a West Virginia trailer park—is playing up to the camera while her captives are tortured. In one picture, she's smiling and giving the thumbs-up. Her hand rests on the buttocks of a naked and hooded Iraqi who has been forced to sit on the shoulders of another Iraqi prisoner.

In another, she is sprawled laughing over a pyramid of naked Iraqis. A male colleague stands behind her grinning. Later, she's got a cigarette clenched between grinning lips and is pointing at the genitals of a line of naked, hooded Iraqis. A third snap shows her embracing a colleague as a naked Iraqi lies before them.

In other pictures, two naked Iraqis are forced to simulate oral sex and a group of naked men are made to clamber on to each other's backs. One dreadful picture features nothing but the bloated face of an Iraqi who has been beaten to death. His body is wrapped in plastic.

Other pictures, which the world has not seen, but which are in the hands of the U.S. military, include shots of a dog attacking a prisoner. An accused soldier says dogs are "used for intimidation factors".

There are also pictures of an apparent male rape. An Iraqi POW claims that a civilian translator, hired to work in the prison, raped a male juvenile prisoner. He said: "They covered all the doors with sheets. I heard the screaming . . . and the female soldier was taking pictures."

The British pictures show a hooded Iraqi aged between 18-20 on the floor of a military truck being brutalized. According to two squaddies who took part in the torture, but later blew the whistle, the Iraqi's ordeal lasted eight hours and he was left with a broken jaw and missing teeth. He was bleeding and vomited when his captors threw him out of a speeding truck. No one knows if he lived or died.

One of the British soldiers said: "Basically this guy was dying as he couldn't take any more. An officer came down. It was 'Get rid of him—I haven't seen him'." The other whistle-blower said he had witnessed a prisoner being beaten senseless by troops. "You could hear your mate's boots hitting this lad's spine . . . One of the lads broke his wrist off a prisoner's head. Another nearly broke his foot kicking him."

According to the British soldiers, the military police have found a video of prisoners being thrown from a bridge, and a prisoner was allegedly beaten to death in custody by men from the Queen's Lancashire Regiment. Although there is a debate about the veracity of the images, Armed Forces Minister Adam Ingram said that if the pictures were real, they were "appalling". A Downing Street spokesman said Tony Blair expected "the highest standards of conduct from our forces in Iraq". The U.K.'s most senior army officer, General Mike Jackson, said that if the allegations were true then those involved were "not fit to wear the Queen's uniform." The Defense Ministry is in crisis over the pictures as top brass know they ruin any hope of U.K. forces winning Iraqi hearts and minds.

The U.S. torture pictures were taken by members of the American 800th Military Police Brigade sometime late last year. Following an investigation, 17 soldiers were removed from duty for mistreating captives. Six face court martial. Brigadier General Janice Karpinski, who ran Abu Ghraib and three other U.S. military jails, is suspended and faces court martial. Prior to the revelations, Karpinski assured the U.S. media that Abu Ghraib was run according to "international standards".

Brigadier General Mark Kimmitt, deputy director of coalition operations in Iraq, said he was "appalled". He added: "These are our fellow soldiers. They were the same uniform as us, and they let their fellow soldiers down. Our soldiers could be taken prisoner as well—and we expect our soldiers to be treated well by the adversary, by the enemy—and if we can't hold ourselves up as an example of how to treat people with dignity and respect . . . we can't ask that other nations do that to our soldiers as well. This is wrong. This is reprehensible. But this is not representative of the 150,000 soldiers over here."

But these soldiers aren't simply mavericks. Some accused claim they acted on the orders of military intelligence and the CIA, and that some of the torture sessions were under the control of mercenaries hired by the U.S. to conduct interrogations. Two "civilian contract" organizations taking part in interrogations at Abu Ghraib are linked to the Bush administration.

California-based Titan Corporation says it is "a leading provider of solutions for services for national security". Between 2003-04, it gave nearly \$40,000 to George W. Bush's Republican Party. Titan supplied translators to the military.

CACI International Inc. describes its aim as helping "America's intelligence community in the war on terrorism". Richard Armitage, the current deputy U.S. secretary of state, sat on CACI's board.

No civilians, however, are facing charges as military law does not apply to them. Colonel Jill Morgenthau, from CentCom, said that one civilian contractor was accused along with six soldiers of mistreating prisoners. However, it was left to the contractor to "deal with him". One civilian interrogator told army investigators that he had "unintentionally" broken several tables during interrogations as he was trying to "fear-up" detainees.

Lawyers for some accused say their clients are scapegoats for a rogue prison system, which allowed mercenaries to give orders to serving soldiers. A military report said private contractors were at times supervising the interrogations.

Kimmitt said: "I hope the investigation is including not only the people who committed the crimes, but some of the people who might have encouraged the crimes as well because they certainly share some responsibility."

Last night, CACI vice-president Jody Brown said: "The company supports the Army's investigation and acknowledges that CACI personnel in Iraq volunteered to be interviewed by army officials in connection with the investigation. The company has received no indication that any CACI employee was involved in any alleged improper conduct with Iraqi prisoners. Nonetheless, CACI has initiated an independent investigation."

However, military investigators said: "A CACI investigator's contract was terminated because he allowed and/or instructed military police officers who were not trained in interrogation techniques to facilitate interrogations which were neither authorised nor in accordance with regulations."

One of the U.S. soldiers facing court martial is reservist Staff Sergeant Chip Frederick—the equivalent of a part-time territorial army squaddie. In civvy street, he was a prison warden in Virginia. Frederick has said he will plead not guilty and blame the army for the torture at Abu Ghraib. "We had no support, no training whatsoever," he said, claiming he had never been shown the Geneva Convention. "I kept asking my chain of command for certain things like rules and regulations and it just wasn't happening."

Frederick also blamed the intelligence services for encouraging the brutality.



Among the agencies coming to the prison were "military intelligence", said Frederick, adding: "We had all kinds of other government agencies, FBI, CIA."

In letters and e-mails home, he wrote: "Military intelligence has encouraged and told us 'Great job.'" He added: "They usually don't allow others to watch them interrogate. But since they like the way I run the prison, they have made an exception . . . We help getting [the PoWs] to talk with the way we handle them . . . We've had a very high rate with our style of getting them to break. They usually end up breaking within hours."

Frederick said prisoners were made to live in cramped windowless cells with no clothes, running water or toilet for up to three days. Others were held for 60 days before interrogation. He said one prisoner with a mental health condition was "shot with non-lethal rounds". An interrogator told soldiers to "stress one prisoner out as much as possible [as] he wanted to talk to him the next day". Frederick also said one prisoner was "stressed so bad that the man passed away". Prisoners were covered in lice and some had tuberculosis. None were allowed to pray. Frederick said his commander sanctioned all this.

The former commander of Guantanamo Bay prison, Major General Geoffrey Miller, has now been made deputy commander for containment operations to overhaul the Iraqi detention centres.

Frederick, unlike mercenaries, faces jail and being thrown out of the army. His lawyer, Gary Myers said: "The elixir of power, the elixir of believing that you're helping the CIA, for God's sake, when you're from a small town in Virginia, that's intoxicating. And so, good guys sometimes do things believing that they are being of assistance and helping a just cause . . . and helping people they view as important."

Kimmitt admitted: "I'd like to sit here and say that these are the only prisoner abuse cases that we're aware of, but we know that there have been others."

This also applies to Britain. A Sunday Herald investigation has found that at least seven civilians have died in British custody in Iraq.

Describing the images of abuse as an "atrocious", Abdel Bari Atwan, editor of the newspaper Al-Quds Al-Arabi, said: "The liberators are worse than the dictators." His sentiments have been echoed around the world. It is hard to find a country or agency that hasn't condemned the torture of Iraqi prisoners. From the Red Cross to the UN and from Amnesty to the coalition's loyal "deputy in the Pacific", the Australian premier John Howard, the world is united in horror against the actions of the US and UK forces.

The awful cost of these acts of barbarism by Britain and America is summed up by ex-US Marine Lieutenant Colonel Bill Cowan: "We went to Iraq to stop things like this from happening, and indeed, here they are happening under our tutelage . . . If we don't tell this story, these kind of things will continue, and we'll end up getting paid back 100 or 1000 times over."

[From the Christian Science Monitor, May 4, 2004]

"SIX MORONS WHO LOST THE WAR"

(by Tom Regan)

Regardless of the outcome of the now multiple investigations into prisoner abuse at Baghdad's Abu Ghraib prison, politicians and media around the world say the United States' image has suffered a serious blow. Sen. Joe Biden (D) of Delaware said on Fox News Sunday that "This is the single most significant undermining act that's occurred in a decade in that region of the world in terms of our standing."

The Associated Press reports that a senior Bush administration official, speaking on condition of anonymity, said the photos (of U.S. soldiers abusing Iraqi prisoners) hurt the U.S. efforts to win over an audience that is already deeply skeptical of U.S. intentions. Arabs and Muslims, the official added, "are certain to seize upon the images as proof that the American occupiers are as brutal as ousted President Saddam Hussein's government."

Officials at the Defense Department are also said to be "livid," and well aware of the damage that has been done by the incident, according to NBC News' Pentagon reporter Jim Miklaszewski. Speaking on the Imus in the Morning radio/MSNBC program Tuesday, Mr. Miklaszewski said he asked a Pentagon contact about the soldiers alleged to be involved, to which the Pentagon official replied, "You mean the six morons who lost the war?"

The Chicago Tribune reports that other experts agree with this assessment. "The United States already had a huge perception problem in the Arab world," said Stephen Walt, a professor of international affairs at Harvard's Kennedy School of Government. "This is only going to reinforce the belief that the United States is anti-Arab and anti-Muslim, whether it's true or not."

As the Financial Times noted, even before the incidents at Abu Ghraib, opinion polls taken in Iraq and other Muslim and non-Muslim nations "indicated an almost global nadir of U.S. credibility and popularity." And the Times reports that the U.S.'s much hailed public relations campaign in the Middle East is "floundering."

The New York Times reported late last week that Margaret Tutwiler, the woman who was put in charge of the program to make changes in the U.S.'s "public diplomacy effort" announced she was leaving the job to take a position with the New York Stock Exchange. The Financial Times also reports that experts on the Middle East say public relations programs or new pro-US TV channels will not change the way people in the Arab world feel. "It is not the case that Arabs and Muslims feel antipathy towards the U.S. because they are being brainwashed by Al Jazeera or reading state-controlled media in Egypt—it's American policy," said Samer Shehata, professor of Arab politics at Georgetown University. "Regardless of how many radio stations you have that play great music, or TV stations like al-Hurra, as long as U.S. policy—whether it be in Iraq or Palestine—remains the same you are not going to win hearts and minds."

Rashid Khalidi, director of the Middle East Institute at Columbia University, echoes this view. "I think the United States is less respected at the end of these 13 months than it has ever been," he said. "Never has a country with such unlimited power been so pitifully unable to affect outcomes. Ruthless, murderous terrorists can strike at will in the United States and the U.S. can't take Fallujah?"

In the same article, by Agence-France Presse, Robert Leiber, professor of government and foreign service at Georgetown University, argues, however, in favor of keeping "things in perspective." "The photographs and, more importantly, the acts themselves are harmful to the cause of helping the Iraqis form a stable and democratic country," Leiber said, but he noted that such treatment is contrary to U.S. policy. "We must keep in mind that, although this has been an ugly business, it pales in comparison to what Saddam (Hussein) did to his own people over 30 years," he said.

Unfortunately, many others believe that the damage has already been done. The allegation of mistreatment of prisoners "makes

the U.S. and coalition forces a legitimate enemy in the eyes of more Arabs than was the case before," said Anthony Cordesman, an expert on Middle East security issues at the Center for Strategic and International Studies.

Mr. Cordesman, in another interview with Reuters, said the mistreatment of Iraqi prisoners also hurts the war on terror. "Those Americans who mistreated the prisoners may not have realized it, but they acted in the direct interests of Al Qaeda, the insurgents, and the enemies of the U.S." "These negative images validate all other negative images and interact with them," he [Cordesman] said in a statement, citing "careless U.S. rhetoric about Arabs and Islam," failures to stabilize Iraq, continued Israeli-Palestinian violence and fears the United States is out to dominate the Middle East.

The Miami Herald, in an editorial, writes that the exposure of abuse at Abu Ghraib can "seriously damage" the success of US operations, both militarily and otherwise, in Iraq. It is too bad that the response so far, from President Bush's perfunctory indignation to General Myers' blaming a few wayward soldiers, badly misses the mark. The whole premise of the US invasion of Iraq (as currently construed) is to rid the Iraqi people of a brutal dictator and create a foothold for democracy in the Middle East. The senseless humiliation and abuse of Iraqi prisoners—many of whom were civilians and have since been released without charges—is an indelible stain on that endeavor.

Yet in the end, The Christian Science Monitor reported Monday, this latest incident may not have made all that much difference to many in the Arab world because their opinion of the US had already sunk as low as it could. That is why, argues Rami Khouri, a Jordanian political analyst and editor of Lebanon's Daily Star, the only thing that will substantially change the US's image in the Muslim world, is a change of policies. "They [the US] have to be more even-handed in the Arab-Israeli issue, be less militaristic in addressing regimes they don't like, be more consistent in promoting democracy everywhere not only in a few places," Khouri says. "They can turn their image around, but only if they turn their policies into more consistently fair and reasonable ones."

Mr. MCGOVERN. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I agree that the great majority, overwhelming majority of Americans serving in Iraq, military and civilian, are honorable people who have gone to great risk. They are among the victims of these outrages. It is a shameful thing that their bravery, their good work, their integrity has been besmirched. We owe it to them to do a full investigation.

We heard reference to the six. I hope it is only six, but I am skeptical. Months ago I would have said it would not be six. Had these accusations been made months ago, I would have said, no, Americans do not act like that. We now have to acknowledge, tragically, sadly, heartsickeningly, that we do; and we owe it to everyone to have a full investigation. But we owe something more. We owe the people of this country and the people of adherence to the democratic process.

What troubles me about this resolution is the persistence of the Republican majority in a pattern of using the

rules of this House and their small majority to frustrate open democratic procedures. We have had a terrible blow to this country. We hope it was perpetrated only by a few, but the incompetence and indifference of superiors clearly contributed to it.

We owe ourselves and the American people a full investigation. We are not even allowed under the majority's rules to put forward a motion calling for such an investigation. The other side of the aisle has already decided it is only the six. We are abusing the democratic process here.

We are trying to teach the people of Iraq about democracy. One of the things we have been worried about is that a particular majority, the Shia, might not understand the importance of minority rule. We are trying to get them to understand how you do that difficult thing of reconciling majority control and majority's right to decide with full minority participation.

The majority, Mr. Speaker, are giving them exactly the wrong example of how to do that. I suppose we ought to say to the people of Iraq who watch this narrow majority, for partisan purposes refuse to allow an open debate on this extraordinary issue. Please do not try this at home. We are giving them exactly the wrong example of how to proceed. This is a chance to show democracy. Yes, some people made a mistake. Let us throw this open and do everything possible to purge ourselves of this error and not appear to be cutting it off.

So we are compounding the terrible misdeeds of that certain number of people, and we do not know how many in the prisons, by a partisan manipulation of the process. The other side of the aisle is doing a terrible thing.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, let me just answer the gentleman who has just spoken. There are three investigations going on right now. There is a CENTCOM investigation, a criminal investigation going on right now. If there are other people involved beyond these six, those people will be picked up in that investigation. There is also a Department of the Army investigation and a Department of the Navy investigation going on.

Further, let me say to my friends, the ranking member, the gentleman from Missouri (Mr. SKELTON), and I worked on this together. The Committee on Armed Services was the appropriate standing committee to do this. We worked on this until late last night, and the people who vetoed what we thought we had an agreement on were the Democrat leadership.

Let me tell Members the two paragraphs they vetoed. They wanted to kick out the two paragraphs that referred to the good works in terms of providing food, providing education, providing medical capability to the Iraqi people that were given by our

people in uniform. I thought it was appropriate since we have 300,000 people who have done right to continue to mention the fact that they have done some good things in Iraq. I think the gentleman from Missouri (Mr. SKELTON) agreed with that also.

The Democrat leadership did not want to include those good things in this particular resolution, and that is why this had to come forward not under unanimous consent agreed to by the gentleman from Missouri (Mr. SKELTON) and myself, but it had to come forward through the rules process.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I would say two things. First, the gentleman from California (Mr. HUNTER) and the cosponsor, the gentleman from Missouri (Mr. SKELTON), are entitled to their decisions; but so is the whole House. It is the House that should decide whether paragraphs go in or out. I do not understand why the majority does not allow the House to vote.

Secondly, I appreciate that some investigation is going on; but I am not a great believer in people investigating themselves and nobody else. I believe an outside investigation is necessary.

Mr. HUNTER. Mr. Speaker, reclaiming my time, I would simply say, before we knew about this, the criminal procedures were going forward. It was the United States Army soldier, not a press, not an IG who brought this forward. It was a United States Army soldier who brought this forward. Criminal investigations are going on, undertaken by the Army. The court martial process is in process.

Mr. MCGOVERN. Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, the gentleman from California (Mr. HUNTER) apparently thinks that the Army has been the exemplar of good self-investigation. Many of us do not.

But aside from that substantive issue, why is this not in a democracy a subject for full debate of the House, not a 1-hour constricted debate with no amendments allowed constructed by the majority?

Mr. HASTINGS of Washington. Mr. Speaker, I yield 15 seconds to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, let me say to my colleague that when the publicity flush is finished on what was done by who we have identified as some six individuals now, they will have received thousands and thousands, as much time and publicity as the 300,000 good Americans who have served this country, and as much attention from this Congress.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, all Americans have been horrified by the pictures and ac-

counts of inhumane treatment of detainees in Iraq. The conduct in those pictures is absolutely intolerable, and the United States must take swift and decisive action to investigation and resolve this terrible incident and make sure it never happens again.

While this resolution calls on the Secretary of the Army to conduct a full and thorough investigation into the allegations of mistreatment, take corrective action against those responsible and ensure that it never happens again, I believe Congress must also do its job and conduct its own investigation.

□ 1230

Mr. Speaker, Congress was never notified about the problems at Abu Ghraib prison, even though the Department of Defense had a report outlining the conditions there 3 months ago. As a partner in the War on Terror, Congress absolutely has not only the right, but the responsibility to investigate what went wrong up and down the chain of command.

So today, Mr. Speaker, I urge a "no" vote on the previous question. If the previous question is defeated, I will offer an amendment to the rule allowing for the consideration of an amendment offered by the gentleman from Missouri (Mr. SKELTON) affirming the need for bipartisan congressional investigations into these allegations are of abuse, including those by U.S. civilian contractor personnel or other U.S. civilians, and into the chain of command and other deficiencies that contributed to such abuse.

Let me be clear, Mr. Speaker, voting "no" on the previous question will not prevent this House from voting on the underlying resolution, it will simply allow for the consideration of the Skelton amendment and allow the House to conduct a bipartisan investigation. It will allow us to do our job, what the people we represent expect us to do.

Congress is a full partner in the war on terror. We need to do our job. We cannot call for accountability by others and then shirk our own responsibility. Let us do our part to resolve this awful situation and restore confidence and trust in our Nation and in our military.

I urge a "no" vote on the previous question.

Mr. Speaker, I include the following material for the RECORD.

[From the New York Times, May 6, 2004]

RESTORING OUR HONOR

(By Thomas L. Friedman)

We are in danger of losing something much more important than just the war in Iraq. We are in danger of losing America as an instrument of moral authority and inspiration in the world. I have never known a time in my life when America and its president were more hated around the world than today. I was just in Japan, and even young Japanese dislike us. It's no wonder that so many Americans are obsessed with the finale of the sitcom "Friends" right now. They're the only friends we have, and even they're leaving.

This administration needs to undertake a total overhaul of its Iraq policy; otherwise, it is courting a total disaster for us all.

That overhaul needs to begin with President Bush firing Secretary of Defense Donald Rumsfeld—today, not tomorrow or next month, today. What happened in Abu Ghraib prison was, at best, a fundamental breakdown in the chain of command under Mr. Rumsfeld's authority, or, at worst, part of a deliberate policy somewhere in the military-intelligence command of sexually humiliating prisoners to soften them up for interrogation, a policy that ran amok.

Either way, the secretary of defense is ultimately responsible, and if we are going to rebuild our credibility as instruments of humanitarian values, the rule of law and democratization, in Iraq or elsewhere, Mr. Bush must hold his own defense secretary accountable. Words matter, but deeds matter more. If the Pentagon leadership ran any U.S. company with the kind of abysmal planning in this war, it would have been fired by shareholders months ago.

I know that tough interrogations are vital in a war against a merciless enemy, but outright torture, or this sexual-humiliation-for-entertainment, is abhorrent. I also know the sort of abuse that went on in Abu Ghraib prison goes on in prisons all over the Arab world every day, as it did under Saddam—without the Arab League or Al Jazeera ever saying a word about it. I know they are shameful hypocrites, but I want my country to behave better—not only because it is America, but also because the war on terrorism is a war of ideas, and to have any chance of winning we must maintain the credibility of our ideas.

We were hit on 9/11 by people who believed hateful ideas—ideas too often endorsed by some of their own spiritual leaders and educators back home. We cannot win a war of ideas against such people by ourselves. Only Arabs and Muslims can. What we could do—and this was the only legitimate rationale for this war—was try to help Iraqis create a progressive context in the heart of the Arab-Muslim world where that war of ideas could be fought out.

But it is hard to partner with someone when you become so radioactive no one wants to stand next to you. We have to restore some sense of partnership with the world if we are going to successfully partner with Iraqis.

Mr. Bush needs to invite to Camp David the five permanent members of the U.N. Security Council, the heads of both NATO and the U.N., and the leaders of Egypt, Jordan, Saudi Arabia and Syria. There, he needs to eat crow, apologize for his mistakes and make clear that he is turning a new page. Second, he needs to explain that we are losing in Iraq, and if we continue to lose the U.S. public will eventually demand that we quit Iraq, and it will then become Afghanistan-on-steroids, which will threaten everyone. Third, he needs to say he will be guided by the U.N. in forming the new caretaker government in Baghdad. And fourth, he needs to explain that he is ready to listen to everyone's ideas about how to expand our force in Iraq, and have it work under a new U.N. mandate, so it will have the legitimacy it needs to crush any uprisings against the interim Iraqi government and oversee elections—and then leave when appropriate. And he needs to urge them all to join in.

Let's not lose sight of something—as bad as things look in Iraq it is not yet lost, for one big reason: America's aspirations for Iraq and those of the Iraqi silent majority, particularly Shiites and Kurds, are still aligned. We both want Iraqi self-rule and then free elections. That overlap of interests, however clouded, can still salvage something

decent from this war—if the Bush team can finally screw up the courage to admit its failures and dramatically change course.

Yes, the hour is late, but as long as there's a glimmer of hope that this Bush team will do the right thing, we must insist on it, because America's role in the world is too precious—to America and to the rest of the world—to be squandered like this.

[From the Washington Post, May 6, 2004]

WHO SHOULD HAVE KNOWN?

(By Richard Cohen)

This week the United States Army did the oddest thing in this Age of Bush: It reprimanded six soldiers in connection with the Iraqi prisoner abuse scandal—not for what they did but for not knowing what others were doing. An Army spokesman put it this way: "They should have known . . ." If that's the standard, then half the Bush administration will soon be gone.

Maybe first to get the accountability ax will be Defense Secretary Donald Rumsfeld. He certainly should have known that a scandal was brewing in Iraqi prisons, and he should have bothered to read the Pentagon report detailing what went wrong. Instead, the Pentagon tried to delay CBS's "60 Minutes II" from showing pictures of prisoner abuse and then, in an amazing public relations offensive, sent the chairman of the Joint Chiefs, Gen. Richard B. Myers, on three Sunday talk shows to announce—a little bugle call here—that he had not read the report either. It has been available since March.

As is almost always the case, the Pentagon did not tell the State Department that a wee spot of trouble was coming its way because, as we know, the Pentagon doesn't tell the State Department anything. Who cares if a billion or so people in the Islamic world have a snit? The Bushies hardly do diplomacy anyway. It's for sissies. At a certain level—a very high one—the Bush administration is as dysfunctional as it is cocky.

But if accountability is going to be the new order of the day, there's no telling where things will wind up. What will happen to CIA chief George Tenet, who assured the president that Iraq was a virtual storehouse of weapons of mass destruction? It was "a slam dunk," the spy chief said. He should have known otherwise, but he did not. No matter. Instead of a reprimand, Bush always expresses confidence in him and probably has given him a nickname, Slam Dunk George.

Or take Condoleezza Rice. Should she have known that Bush was blowing smoke when he told the Nation that Iraq had tried to buy uranium from Niger? Yes, indeed. There was no such nuclear program in Iraq, and it hadn't attempted to make that uranium purchase. The CIA knew that, yet Bush said otherwise. Once again, no reprimand. Instead, she was rewarded with more sleepovers at Camp David.

What about Dick Cheney? He was the leading hawk in the White House, so anxious to go to war with Iraq that Secretary of State Colin Powell characterized him as feverish. The vice president repeatedly insisted that Iraq had "reconstituted" its nuclear weapons program. Should he have known better? To revert to Cheney talk, you betcha.

Should Rumsfeld have known that stabilizing Iraq would require more troops than he allotted? Gen. Eric K. Shinseki had said so, but the Army chief of staff was brushed aside and treated as an eccentric.

Should Rummy and his deputy, Paul Wolfowitz, have known that U.S. troops might not be universally greeted with flowers, kisses and donations to the Bush reelection campaign? It would have been prudent planning.

Should they have known that Iraqi oil might not cover the cost of the occupation? Probably. Should they have had enough troops on the ground to prevent looting and a general breakdown of law and order? Well, some might think so—but not, apparently, the president.

You and I can argue the wisdom of going into Iraq some other time. What is not arguable, I think, is that the invasion and occupation were marked every step of the way by incompetence, smugness and repeated mistakes. Yet the only people to feel the opprobrium of the White House are those, such as Richard Clarke or Joseph Wilson, who had the nerve, the gall, the immensechutzpah to question administration policy.

The new accountability could be a wonderful thing. It comes a bit late in the game, maybe, and will almost surely be limited to expendable underlings, but a supine Congress just might get the idea and start asking some hard questions about how things went so bad in Iraq. It might begin with Rumsfeld and ask him a more pertinent version of that famous question—not what did you know and when did you know it but why, damn it, didn't you know it in the first place?

[From USA Today]

WHY WAS PATTERN OF ABUSE IGNORED FOR SO LONG?

The Bush administration swung into full damage-control mode Wednesday, trying to quell a rising furor at home and abroad over the shocking abuse of prisoners in Iraq by U.S. military personnel.

The general in charge of U.S.-run prisons in Iraq apologized to the Iraqi people. Secretary of Defense Donald Rumsfeld made the rounds of TV shows, claiming that the mistreatment of prisoners at Abu Ghraib prison was an aberration and pledging that those involved would be dealt with swiftly and firmly. President Bush gave interviews to two Arabic-language TV stations, calling the behavior depicted in the photos broadcast on TV last week "abhorrent" and counter to American values.

The question none answered: What took so long?

Documented complaints of mistreated prisoners in Iraq, Afghanistan and at Guantanamo Bay, Cuba, date back two years, including the cases of two Afghans whose deaths in 2002 were recently ruled homicides.

Unlike the Abu Ghraib mistreatment, those incidents were not caught on film. The abuse was further obscured by the still-lingering horror of the 9/11 terrorist attacks. But the nation now risks paying a mighty price for its failure to stand firmly in favor of international law and human dignity.

Otherwise-neutral Muslims are enraged, aiding terrorists and turning Iraqis against Americans. International support for the war on terrorism has been undercut. At home, support for Bush's attempt to bring peace and democracy to Iraq has eroded. A Gallup Poll today shows the public's disapproval of Bush's handling of Iraq has risen to 55%, the highest since the war began.

Ebbing support for the mission comes as the scandal keeps expanding. U.S. officials reported Wednesday that the number of prisoner deaths in Iraq and Afghanistan under investigation or already blamed on U.S. captors has risen to 14. The deaths of two Iraqi prisoners are now considered homicides, and 20 investigations are underway.

Warning signs about abuses of Iraqi detainees had been flashing for months:

The Pentagon acknowledged this week that enough concerns were raised last fall to prompt a "top-level review" of how its Iraqi detection centers were being run.

Abuses at Abu Ghraib were brought to the attention of commanders in Iraq by a tip from an unidentified soldier in January.

A damning report by a general assigned to investigate the charges has been lying around the Pentagon since March 3, apparently without getting the attention of any top decision-maker. The report documented "numerous incidents of sadistic, blatant and wanton criminal abuses."

The military brass could no longer ignore the problem last week, when photos of U.S. soldiers gloating over naked prisoners forced into degrading acts surfaced on CBS' 60 Minutes II. More details about the abuses, based on leaks from the then-secret military report, appeared in *The New Yorker* this week. Even then, the Pentagon shrugged off the story as a case of a few renegade soldiers who already had been punished. Worldwide outrage forced the Bush administration to address the matter seriously.

Some military personnel down the chain of command did the right thing, notably the troops who blew the whistle at Abu Ghraib and leaked photos to the media when superiors failed to take stern action. But top commanders seemed more concerned with keeping the scandal quiet than ensuring that those who committed abuses would be punished and the attitudes that allowed such behavior would not be tolerated.

Defenders of the military say the abuse was the work of a few sadistic prison officers and overzealous intelligence agents in Iraq, and some already are being disciplined.

Perhaps so. But their arguments do not explain a climate that resulted in abuses from Afghanistan to Guantanamo Bay.

Now that the Pentagon has finally acknowledged the problem, it needs to investigate thoroughly, punish those who committed or tolerated abuses and implement safeguards to prevent a recurrence.

Those steps could begin to repair the enormous damage the scandal has caused.

[From the Los Angeles Times, May 4, 2004]

WHEN WE'RE THE EVILDOERS IN IRAQ: WITH IMMORAL U.S. LEADERSHIP, IS IT SO SHOCKING TO FIND TORTURERS IN THE RANKS?

(By Robert Scheer)

President Bush is again refusing to take responsibility for any of the horrors happening on his watch. This time it is the abuse of Iraqi prisoners carried out by low-ranking military police working under the direct guidance of military intelligence officers and shadowy civilian mercenaries. Our president launched this war with the promise to the Iraqi people of "no more torture chambers and rape rooms. The tyrant will soon be gone." What went wrong?

The president has called the now-exposed pattern of violence an isolated crime performed by "a few people." Yet the Pentagon's own investigation of the incident shows that not only was the entire Abu Ghraib prison out of control, it was the MPs' immediate military superiors who "directly or indirectly" authorized "sadistic, blatant and wanton criminal abuses" of the prisoners as a way to break them in advance of formal interrogations.

"Military intelligence interrogators and other U.S. government agency interrogators actively requested that MP guards set physical and mental conditions for favorable interrogation of witnesses," says the report. The report, completed in March and kept secret until it was revealed on the *New Yorker* website Friday, also stated that a civilian contractor employed by a Virginia company called CACI "clearly knew his instructions" to the MPs called for physical abuse.

Furthermore, in a statement released Friday, Amnesty International reported that in its extensive investigations into human rights in post-invasion Iraq, it "has received frequent reports of torture or other ill treat-

ment by coalition forces during the past year," including during interrogations, and that "virtually none of the allegations of torture or ill treatment has been adequately investigated by the authorities."

Recall that a key excuse for the U.S. invasion was to ensure the safety of Iraqi scientists and others in the know so that they might feel free to reveal the location of weapons of mass destruction or evidence of Saddam Hussein's potential ties to Al Qaeda. Shockingly, some of those scientists are now in coalition prisons, even though the weapons clearly don't exist.

In this context, of course, it makes sense that U.S. interrogators would feel enormous pressure to use any means necessary to verify the absurd claims made so aggressively by the president and his Cabinet before the war. Far from the jurisdiction of the U.S. legal system, they apparently felt quite free to approve techniques clearly banned by war crimes statutes.

Yet, astonishingly, weeks after the Pentagon's own damning internal report on the torture at Abu Ghraib, and several days after CBS' "60 Minutes II" broke open the story worldwide by showing those horrific photos, Defense Secretary Donald H. Rumsfeld still had not been briefed on the report, a spokesman said Sunday. Similarly, the chairman of the Joint Chiefs of Staff, Gen. Richard B. Myers, admitted Sunday that he hadn't yet bothered to read the 53-page report filed by Army Maj. Gen. Antonio M. Taguba, even though he had successfully requested that CBS delay its "inflammatory" broadcast. This shows far more concern for public relations than for finding out the truth.

How could it be that the top officials responsible for the military were not themselves interested in keeping abreast of the investigation—even after the story had exploded into a global scandal?

After all, an ambitious promise to bring democracy and the rule of law to Iraq became the *ex post facto* rationale for the invasion, once it became clear that the earlier claims of weapons of mass destruction and Hussein ties to Al Qaeda were a fraud.

So it should have been a clear and high priority to make certain that Iraqi prisoners incarcerated in Hussein's most infamous prison did not receive the same brand of "justice" the dictator had been doling out for decades. That they did is now a deep and dirty stain on the reputation of this nation.

Yes, it's great that we are still worlds away from being Nazi Germany, Stalinist Russia or Hussein's Iraq.

We are a free society in which, it is hoped, truth eventually comes out, and thanks to what seems to be one brave whistle-blowing soldier and a responsible officer to whom he reported the torture, these crimes have come to light. Those are the acts of true heroes, and we should be proud of them.

Yet, before we go overboard in celebrating our virtues, let's admit that Americans too can be "evildoers," especially when we embrace, as the president consistently has done, the terribly dangerous idea that the ends justify the means.

The ultimate cost of a foreign policy based on blatant lies, and that equates military might with what is right, is that the brute in all of us will not inevitably lie dormant.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed in the CONGRESSIONAL RECORD immediately before the vote on the previous question.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

This is an important resolution, and I think it is fitting we have this debate on this. But I would remind my friends on the other side of the aisle that we have a system here where we break down this big body into committees. That is the proper way we get to the heart of some of the issues that confront us. And I just talked to the chairman of the Committee on Armed Services, and they are going to have hearings on this. There will be probably several hearings as this process goes through, and I suspect that there will be probably some other committees that will find out if they will have jurisdiction and will look at that.

So I just want to say that this is a start of a process that we need to address. Everybody is outraged by what happened over there with that small group of individuals in Iraq. That is not America, and we all know that. We all know that is not America, and that is why I think this resolution will be pass with strong bipartisan support.

And I would say this, Mr. Speaker: I thought the President, in his two interviews with the Arab TV stations, said it very well. He was very forthright. And in many respects, what we are just saying here today is a message to the Iraqis and to the Middle East that our form of government and the form of government they are struggling to have, does not condone what went on, and I think that is a very strong message.

Mr. MCGOVERN. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, I just want to point out a couple of things.

First of all, hearings are not investigations, and a lot of us feel that what we are doing here is just kind of shirking our responsibility. So a vote for the previous question means a vote against bipartisan congressional investigations. No one on the other side has yet explained to us why, in fact, a bipartisan investigation is a bad idea, why we should not be allowed to do our job. That is what we are asking for here.

Mr. HASTINGS of Washington. Mr. Speaker, reclaiming my time, I appreciate what the gentleman is asking for, and as I mentioned in my remarks, we do have a committee system. The chairman of the committee said that there are going to be those investigations, and I suspect there will be others that will look at it.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I appreciate the fact that we

have a committee system, but it is not a substitute for debate and amendment on the floor of the House, even to debate whether or not we do this and the substance. The committee system should not be something behind which you hide to avoid debate that you might find uncomfortable.

Mr. HASTINGS of Washington. Mr. Speaker, reclaiming my time, I would just remind my friend that we do not know what is going to come out of these hearings. There may be some legislation that comes out. It will go through the process, and if there is something, it will get to the floor and we will have that debate.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I would just say to the gentleman the committees are the servants of the House, not the other way around. The committees exist to do the will of the House. The full democratic House does not wait for the committees.

The material previously referred to by Mr. MCGOVERN is as follows:

In the resolution strike "and (2)" and insert the following:

"(2) the amendment specified in Section 2 of this resolution if offered by Representative Skelton of Missouri or a designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 60 minutes equally divided and controlled by the proponent and an opponent; and (3)"

At the end of the resolution add the following:

SEC. 2. The amendment referred to in the first section of the resolution is as follows:

At the end of H. Res. 627 strike "nation," insert in lieu thereof "nation;" and add the following:

"(1) affirms the need for bipartisan Congressional investigations to be conducted immediately into these allegations of abuse, including those by U.S. civilian contractor personnel, or other U.S. civilians, and into the chain of command and other systemic deficiencies, including the command atmosphere that contributed to such abuse."

The SPEAKER pro tempore. All time for debate has expired.

The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution, and then on the motion to instruct conferees on H.R. 2443 by the gentleman from California (Mr.

FILNER), and then on the motion to suspend the rules on H.R. 402 debated yesterday.

The vote was taken by electronic device, and there were—yeas 218, nays 201, not voting 14, as follows:

[Roll No. 147]

YEAS—218

Aderholt	Gerlach	Osborne
Akin	Gibbons	Ose
Bachus	Gilchrest	Otter
Baker	Gillmor	Oxley
Ballenger	Gingrey	Paul
Barrett (SC)	Goode	Pearce
Barrett (MD)	Goodlatte	Pence
Barton (TX)	Goss	Peterson (PA)
Bass	Granger	Petri
Beauprez	Graves	Pickering
Bereuter	Green (WI)	Pitts
Biggart	Gutknecht	Platts
Bilirakis	Hall	Pombo
Bishop (UT)	Harris	Porter
Blackburn	Hart	Portman
Blunt	Hastings (WA)	Pryce (OH)
Boehlert	Hayes	Putnam
Boehner	Hayworth	Quinn
Bonilla	Hefley	Radanovich
Bonner	Hensarling	Ramstad
Boozman	Herger	Regula
Bradley (NH)	Hobson	Rehberg
Brady (TX)	Hoekstra	Renzi
Brown (SC)	Hostettler	Reynolds
Brown-Waite,	Houghton	Rogers (AL)
Ginny	Hulshof	Rogers (KY)
Burgess	Hunter	Rogers (MI)
Burns	Hyde	Rohrabacher
Burr	Isakson	Ros-Lehtinen
Burton (IN)	Issa	Royce
Buyer	Istook	Ryan (WI)
Calvert	Johnson (CT)	Ryun (KS)
Camp	Johnson, Sam	Schrock
Cannon	Jones (NC)	Sensenbrenner
Cantor	Keller	Sessions
Capito	Kelly	Shadegg
Carter	Kennedy (MN)	Shaw
Castle	King (IA)	Shays
Chabot	King (NY)	Sherwood
Chocola	Kingston	Shimkus
Coble	Kirk	Shuster
Cole	Kline	Simmons
Collins	Knollenberg	Simpson
Cox	Kolbe	Smith (MI)
Crane	LaHood	Smith (NJ)
Crenshaw	Latham	Smith (TX)
Cubin	LaTourette	Souder
Culberson	Leach	Stearns
Cunningham	Lewis (CA)	Sullivan
Davis, Jo Ann	Linder	Sweeney
Davis, Tom	LoBiondo	Tancredo
Deal (GA)	Lucas (OK)	Taylor (NC)
DeLay	Manzullo	Terry
Diaz-Balart, L.	McCotter	Thomas
Diaz-Balart, M.	McCrery	Thornberry
Doolittle	McHugh	Tiahrt
Dreier	McInnis	Tiberi
Duncan	McKeon	Toomey
Dunn	Mica	Turner (OH)
Ehlers	Miller (FL)	Upton
Emerson	Miller (MI)	Vitter
English	Miller, Gary	Walden (OR)
Everett	Moran (KS)	Walsh
Feeney	Murphy	Wamp
Ferguson	Musgrave	Weldon (FL)
Flake	Myrick	Weldon (PA)
Foley	Nethercutt	Weller
Forbes	Neugebauer	Whitfield
Fossella	Ney	Wicker
Franks (AZ)	Northup	Wilson (NM)
Frelinghuysen	Norwood	Wolf
Gallegly	Nunes	Young (AK)
Garrett (NJ)	Nussle	Young (FL)

NAYS—201

Abercrombie	Bishop (GA)	Carson (OK)
Ackerman	Bishop (NY)	Case
Alexander	Blumenauer	Chandler
Allen	Boswell	Clay
Andrews	Boucher	Clyburn
Baird	Brady (PA)	Conyers
Baldwin	Brown (OH)	Cooper
Ballance	Brown, Corrine	Costello
Becerra	Capps	Cramer
Bell	Capuano	Crowley
Berkley	Cardin	Cummings
Berman	Cardoza	Davis (AL)
Berry	Carson (IN)	Davis (CA)

Davis (FL)	Kilpatrick	Pomeroy
Davis (IL)	Kind	Price (NC)
Davis (TN)	Klecicka	Rahall
DeFazio	Kucinich	Rangel
DeGette	Lampson	Reyes
Delahunt	Langevin	Rodriguez
DeLauro	Lantos	Ross
Deutsch	Larsen (WA)	Rothman
Dicks	Larson (CT)	Roybal-Allard
Dingell	Lee	Ruppersberger
Doggett	Levin	Rush
Dooley (CA)	Lewis (GA)	Ryan (OH)
Doyle	Lipinski	Sabo
Edwards	Lofgren	Sanchez, Linda
Emanuel	Lowe	T.
Engel	Lucas (KY)	Sanchez, Loretta
Eshoo	Lynch	Sanders
Etheridge	Majette	Sandlin
Evans	Maloney	Schakowsky
Farr	Markley	Schiff
Fattah	Marshall	Scott (GA)
Filner	Matheson	Scott (VA)
Ford	Matsui	Serrano
Frank (MA)	McCarthy (MO)	Sherman
Frost	McCarthy (NY)	Skelton
Gephardt	McCollum	Slaughter
Gonzalez	McDermott	Smith (WA)
Gordon	McGovern	Snyder
Green (TX)	McIntyre	Spratt
Grijalva	McNulty	Stark
Gutierrez	Meehan	Stenholm
Harman	Meek (FL)	Strickland
Hastings (FL)	Michaud	Stupak
Hill	Millender	Tanner
Hinchey	McDonald	Tauscher
Hinojosa	Miller (NC)	Taylor (MS)
Hoeffel	Miller, George	Thompson (CA)
Holden	Mollohan	Thompson (MS)
Holt	Moore	Tierney
Honda	Moran (VA)	Towns
Hooley (OR)	Murtha	Turner (TX)
Hoyer	Nadler	Udall (CO)
Inslie	Napolitano	Udall (NM)
Israel	Neal (MA)	Van Hollen
Jackson (IL)	Oberstar	Velázquez
Jackson-Lee	Obey	Visclosky
(TX)	Olver	Waters
Jefferson	Ortiz	Watson
John	Owens	Watt
Johnson, E. B.	Pallone	Waxman
Jones (OH)	Pascarell	Weiner
Kanjorski	Pastor	Wexler
Kaptur	Payne	Woolsey
Kennedy (RI)	Pelosi	Wu
Kildee	Peterson (MN)	Wynn

NOT VOTING—14

Baca	Jenkins	Saxton
Bono	Johnson (IL)	Solis
Boyd	Lewis (KY)	Tauzin
DeMint	Meeks (NY)	Wilson (SC)
Greenwood	Menendez	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1258

Mr. HOFFEL and Ms. ESHOO changed their vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 147 I was unavoidably detained. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

# APPOINTMENT OF CONFEREES ON H.R. 2443, COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2003

MOTION TO INSTRUCT OFFERED BY MR. FILNER

The SPEAKER pro tempore (Mr. LINDER). The pending business is the de novo vote on the motion to instruct conferees on H.R. 2443.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. FILNER).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FILNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 395, nays 19, not voting 19, as follows:

[Roll No. 148]

YEAS—395

Abercrombie	Chandler	Franks (AZ)
Ackerman	Clay	Frelinghuysen
Aderholt	Clyburn	Frost
Akin	Coble	Galleghy
Alexander	Cole	Garrett (NJ)
Allen	Collins	Gephardt
Andrews	Conyers	Gerlach
Bachus	Cooper	Gibbons
Baird	Costello	Gillmor
Baker	Cox	Gingrey
Baldwin	Cramer	Gonzalez
Ballance	Crane	Goode
Barrett (SC)	Crenshaw	Goodlatte
Barton (TX)	Crowley	Gordon
Bass	Cubin	Goss
Beauprez	Culberson	Granger
Becerra	Cummings	Green (WI)
Bell	Cunningham	Grijalva
Bereuter	Davis (AL)	Gutierrez
Berkley	Davis (CA)	Gutknecht
Berman	Davis (FL)	Hall
Berry	Davis (IL)	Harman
Biggert	Davis (TN)	Harris
Billirakis	Davis, Jo Ann	Hart
Bishop (GA)	Davis, Tom	Hastings (FL)
Bishop (NY)	Deal (GA)	Hastings (WA)
Bishop (UT)	DeFazio	Hayes
Blackburn	DeGette	Hayworth
Blumenauer	Delahunt	Hefley
Boehlert	DeLauro	Heger
Boehner	Deutsch	Hill
Bonner	Diaz-Balart, L.	Hinchey
Boozman	Diaz-Balart, M.	Hinojosa
Boswell	Dicks	Hobson
Boucher	Dingell	Hoefel
Bradley (NH)	Doggett	Hoekstra
Brady (PA)	Dooley (CA)	Holden
Brown (OH)	Doolittle	Holt
Brown (SC)	Doyle	Honda
Brown, Corrine	Duncan	Hooley (OR)
Brown-Waite,	Dunn	Hostettler
Ginny	Edwards	Houghton
Burgess	Ehlers	Hoyer
Burns	Emanuel	Hulshof
Burr	Emerson	Hyde
Burton (IN)	Engel	Inslee
Buyer	English	Isakson
Calvert	Eshoo	Israel
Camp	Etheridge	Issa
Cannon		Istook
Capito	Everett	Jackson (IL)
Capps	Farr	Jackson-Lee
Capuano	Fattah	(TX)
Cardin	Feeney	Jefferson
Cardoza	Ferguson	John
Carson (IN)	Filner	Johnson (CT)
Carson (OK)	Flake	Johnson (IL)
Carter	Foley	Johnson, E. B.
Case	Forbes	Jones (NC)
Castle	Fossella	Jones (OH)
Chabot	Frank (MA)	Kanjorski

Kaptur	Myrick	Schiff
Keller	Nadler	Schrock
Kelly	Napolitano	Scott (GA)
Kennedy (MN)	Neal (MA)	Scott (VA)
Kennedy (RI)	Nethercutt	Sensenbrenner
Kildee	Neugebauer	Serrano
Kilpatrick	Ney	Sessions
Kind	Northup	Shadeegg
King (IA)	Norwood	Shaw
King (NY)	Nunes	Shays
Kirk	Nussle	Sherman
Klecza	Oberstar	Sherwood
Kline	Obey	Shimkus
Knollenberg	Olver	Shuster
Kolbe	Ortiz	Simmons
Kucinich	Osborne	Simpson
LaHood	Ose	Skelton
Lampson	Otter	Slaughter
Langevin	Owens	Smith (MI)
Lantos	Oxley	Smith (NJ)
Larsen (WA)	Pallone	Smith (TX)
Larson (CT)	Pascrell	Smith (WA)
LaTourette	Pastor	Snyder
Leach	Paul	Souder
Lee	Payne	Spratt
Levin	Pearce	Stark
Lewis (CA)	Pelosi	Stearns
Lewis (GA)	Pence	Stenholm
Linder	Peterson (MN)	Strickland
Lipinski	Peterson (PA)	Stupak
LoBiondo	Petri	Sweeney
Lofgren	Pickering	Tanner
Lowey	Pitts	Tauscher
Lucas (KY)	Platts	Taylor (MS)
Lucas (OK)	Pombo	Terry
Lynch	Pomeroy	Thompson (CA)
Majette	Porter	Thompson (MS)
Maloney	Price (NC)	Thornberry
Manzullo	Pryce (OH)	Tiahrt
Markey	Quinn	Tierney
Marshall	Radanovich	Toomey
Matheson	Rahall	Towns
Matsui	Ramstad	Turner (OH)
McCarthy (MO)	Rangel	Turner (TX)
McCarthy (NY)	Regula	Udall (CO)
McCollum	Rehberg	Udall (NM)
McCotter	Renzi	Upton
McCrery	Reyes	Van Hollen
McDermott	Reynolds	Velázquez
McGovern	Rodriguez	Visclosky
McHugh	Rogers (AL)	Vitter
McInnis	Rogers (KY)	Walden (OR)
McIntyre	Rogers (MI)	Walsh
McKeon	Rohrabacher	Wamp
McNulty	Ros-Lehtinen	Waters
Meehan	Ross	Watson
Meek (FL)	Rothman	Watt
Mica	Roybal-Allard	Waxman
Michaud	Royce	Weiner
Millender-	Ruppersberger	Weldon (FL)
McDonald	Rush	Weldon (PA)
Miller (FL)	Ryan (OH)	Weller
Miller (MI)	Ryan (WI)	Wexler
Miller (NC)	Ryun (KS)	Whitfield
Miller, Gary	Sabo	Wicker
Mollohan	Sánchez, Linda	Wilson (NM)
Moore	T.	Wolf
Moran (KS)	Sanchez, Loretta	Woolsey
Moran (VA)	Sanders	Wu
Murphy	Sandlin	Wynn
Murtha	Saxton	Young (AK)
Musgrave	Schakowsky	Young (FL)

NAYS—19

Bartlett (MD)	Gilchrest	Sullivan
Blunt	Graves	Tancredo
Bonilla	Hensarling	Taylor (NC)
Cantor	Johnson, Sam	Thomas
Chocola	Kingston	Tiberi
DeLay	Portman	
Dreier	Putnam	
Baca	Green (TX)	Menendez
Ballenger	Greenwood	Miller, George
Bono	Hunter	Solis
Boyd	Jenkins	Tauzin
Brady (TX)	Latham	Wilson (SC)
DeMint	Lewis (KY)	
Ford	Meeks (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LINDER) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1307

Messrs. NEY, LINDER, TIAHRT and DOOLITTLE changed their vote from “nay” to “yea.”

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Chair will appoint conferees at a subsequent time.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 148, on motion to instruct on Coast Guard authorization, I was unavoidably detained. Had I been present, I would have voted “yea.”

## EXPRESSING SENSE OF HOUSE RE- GARDING NEED FOR FREEDOM AND DEMOCRATIC REFORM IN LAOS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 402.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. BURTON) that the House suspend the rules and agree to the resolution, H. Res. 402, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 1, answered “present” 1, not voting 23, as follows:

[Roll No. 149]

YEAS—408

Abercrombie	Brown-Waite,	Davis (IL)
Ackerman	Ginny	Davis (TN)
Aderholt	Burgess	Davis, Jo Ann
Akin	Burns	Davis, Tom
Alexander	Burr	Deal (GA)
Allen	Burton (IN)	DeFazio
Andrews	Buyer	DeGette
Bachus	Calvert	Delahunt
Baird	Camp	DeLauro
Baker	Cannon	DeLay
Baldwin	Cantor	Deutsch
Ballance	Capito	Diaz-Balart, M.
Ballenger	Capps	Dicks
Bartlett (MD)	Capuano	Dingell
Barton (TX)	Cardin	Doggett
Bass	Cardoza	Doolittle
Beauprez	Carson (IN)	Doyle
Becerra	Carson (OK)	Dreier
Bell	Case	Duncan
Bereuter	Castle	Dunn
Berkley	Chabot	Edwards
Berman	Chandler	Ehlers
Berry	Chocola	Emanuel
Biggert	Clay	Emerson
Billirakis	Clyburn	Engel
Bishop (GA)	Coble	English
Bishop (NY)	Cole	Eshoo
Bishop (UT)	Collins	Etheridge
Blackburn	Conyers	Evans
Blumenauer	Cooper	Everett
Blunt	Costello	Farr
Boehlert	Cox	Fattah
Boehner	Cramer	Feeney
Bonilla	Crane	Filner
Bonner	Crenshaw	Flake
Boozman	Crowley	Foley
Boswell	Cubin	Forbes
Boucher	Culberson	Ford
Bradley (NH)	Cummings	Fossella
Brady (PA)	Cunningham	Frank (MA)
Brown (OH)	Davis (AL)	Franks (AZ)
Brown (SC)	Davis (CA)	Frost
Brown, Corrine	Davis (FL)	Galleghy