

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

There was no objection.

#### TIME TO HOLD PENTAGON LEADERSHIP ACCOUNTABLE

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

Mr. VAN HOLLEN. Mr. Speaker, we are at a critical juncture. The horrible photographs of abused and humiliated Iraqi prisoners being beamed around the world have seriously wounded our already tattered credibility in Iraq, the Middle East, and around the world. The damage done to our effort to win the hearts of the Iraqi people may be irreversible, but we owe it to the 130,000 American troops putting their lives on the line every day in Iraq to show the world that America will not tolerate such abuse. We must take strong action to demonstrate that we understand the severity of the problem and blunt the damage to our image and reputation around the world. Failure to send a strong signal will further strengthen the hand of al Qaeda and the terrorist groups who will use these photographs to bolster recruits and promote their cause.

It is easy to try and dismiss the abuse as the acts of a few bad apples acting alone. But the fact that a situation developed where such abuse could occur in a facility under the total control of the United States represents a failure of leadership at the highest levels of the Pentagon. It is inexcusable that the Secretary of Defense and the top civilian leadership of the Pentagon did not foresee the possibility of such abuses happening and take steps to prevent it. The fact that some are now trying to brush aside these abuses on the grounds that sometimes terrible things happen to prisoners of war only reinforces the fact that such abuses were foreseeable and could have been prevented.

Before the war began, we know that experts on Iraq warned that the toughest fight would not be the military conquest over the forces of Saddam Hussein, but the battle to win the peace. A fundamental miscalculation of our civilian leadership was their belief that removal of the hated Saddam would automatically leave the Iraqi people to embrace the United States. And the Bush administration has since made many miscalculations that have increased the number of Iraqis who view us as occupiers, including the continued detention of many Iraqis without proof of wrongdoing.

In a battle where we knew that the greatest challenge was to win the hearts and minds of the Iraqi people, political considerations are often more important than military calculations. Making sure those considerations are taken into account is the responsibility of the President and his leader-

ship team. It should have been obvious to everybody that the negative fallout from any hint of abuse of Iraqi prisoners would be a huge setback to our efforts throughout the Middle East.

Secretary Rumsfeld should have ensured that the procedures were in place to better screen the Iraqis being thrown into prison and taken extra precautions to ensure the physical well-being of those who were detained. Instead, just as the Bush administration has ignored the international concerns about prisoners held at Guantanamo Bay, it has shown a cavalier attitude when international human rights groups and Iraqis raised issues about the treatment of Iraqi prisoners.

We will be learning more about the facts in the days ahead, but the lawyers representing the American soldiers who were directly involved have already warned that these prosecutions will "open up a can of worms" that will show that these abusive practices were not only tolerated, but encouraged by some of their superiors as a useful part of interrogation.

Nothing, nothing could be more damaging to U.S. credibility in Iraq than to have Iraqis abused by Americans in the same Abu Ghraib Prison where Saddam tortured prisoners. The awful symbolism is devastating to U.S. efforts around the world, and reports that Iraqi women may have been subject to sexual abuse will further inflame the problem. It is hard to think of a more serious blow to our international reputation as we seek to promote human rights, freedom, and democracy in Iraq, Afghanistan, and the Middle East.

The tragedy, the real tragedy is that the heroic efforts of our soldiers who have performed so courageously in Iraq have now been compromised by the negligence of the Secretary of Defense and the Pentagon civilian leadership. Throughout the war, President Bush has used the rhetoric of leadership, but has failed to hold leaders in his administration accountable for bad decisions and serious omissions. Indeed, those who did raise prescient questions about the true costs and required troop levels were publicly rebuked, while those who have been consistently wrong in their predictions have received no sanction.

This is a critical moment. The world is watching. If we do not want al Qaeda and our enemies to gain an even bigger public relations victory than they already have, the President must show the world that America will not stand for such abuse. The President was right to go on Arabic-speaking television stations in the Middle East to express his outrage at the abuses that occurred and make it clear that they are unacceptable to the American people, but that is not enough to repair the severe damage that has been done. We must take additional steps and, Mr. Speaker, I will include in the RECORD five additional steps that we must take to blunt the damage that has been done as a result of this.

First, it is not enough for the President to allow a few very bad apples to shoulder the

entire blame for actions that have seriously undermined our efforts in Iraq and around the world. Leadership begins at the top and these abuses are the result of failed leadership. Even if Secretary Rumsfeld had no actual notice of prisoner abuse, Secretary Rumsfeld should have taken steps to ensure the safety of Iraqi prisoners. But Secretary Rumsfeld was on notice. He and his deputies at the Pentagon had access to numerous reports of alleged prisoner abuse and did nothing. That failure to act has now undercut the brave efforts of our men and women in Iraq; their failure to act has violated the trust of our soldiers and the trust of the American people. The President owes it to our troops and the American people to act quickly to remove those individuals who should have acted early to prevent this debacle.

Second, the Administration must stop being so contemptuous of international law and norms and immediately grant an independent third party, such as the International Committee for the Red Cross, full and unimpeded access to all the prisoners being detained in Iraq. It has become fashionable in this Administration to argue that the United States should no longer be constrained by international law and norms. Indeed, Secretary Rumsfeld overrode previous U.S. practice in the handling of detainees overseas when he ruled that the U.S. would no longer be bound by the Geneva Conventions. That decision and other statements by the Secretary sent exactly the wrong signal. At a time when both U.S. values and U.S. foreign policy interests demanded tight procedures to prevent abuse of prisoners, Secretary Rumsfeld discarded the rules that had been in place. The result was sadly predictable and avoidable. We must now work to repair our credibility by providing the appropriate international agencies total access to prisoners being held.

Third, the Congress must take its constitutional responsibilities seriously. Formal congressional oversight by the relevant committees of this House has been virtually nonexistent regarding the conduct of the war in Iraq. Congress has a constitutional responsibility to oversee the actions of the Executive Branch and to hold it accountable. Yet, unfortunately, especially when it comes to Iraq, the House leadership gets its talking points straight from the White House. It has abdicated its institutional responsibilities as a separate branch of government and become a rubber-stamp for Administration policy. It is time for this House to fulfill its duty to our troops and the American people by putting aside short term election year politics and taking its responsibilities seriously.

Fourth, we should immediately close the Abu Ghraib prison. It remains a symbol of the brutal repression under Saddam's regime. Regional experts had previously recommended against using that hated facility to hold Iraqi prisoners because of the terrible message it sent to the Iraqi people. The Administration ignored their advice. It is time to shut it down.

Fifth, the Administration and the Congress must immediately focus on the role of civilian contractors in Iraq. There are up to 20,000 private contractors operating in Iraq, carrying out military roles from logistics and local army training to guarding installations and convoys. It is stunning that the Defense Department would contract out the interrogation of prisoners of war to private firms. A number of

these contractors have been implicated in the abuses of Iraqi prisoners. The legal status of these contractors in war zones is a murky area. How do we hold these contractors accountable?

The abuse of prisoners in Iraq has severely damaged our standing in the world and undercut our efforts in Iraq, Afghanistan and the Middle East. The real tragedy is that it was avoidable. Our troops and the American people have been let down by a failure of leadership. Real leadership is now required to attempt to limit the damage that has been done.

#### ON THE NOMINATION OF JON DUDAS TO BE UNDER SECRETARY OF COMMERCE

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

Mr. HYDE. Mr. Speaker, it gives me great pride to inform my colleagues that Jon Dudas, former counsel to the Speaker, and former key member of my staff when I was Chairman of the House Judiciary Committee has been nominated by the President to the crucial post of Under Secretary of Commerce.

I include my testimony in support of his nomination before the Senate Judiciary Committee for the information of my colleagues.

STATEMENT OF THE HONORABLE HENRY J. HYDE

Mr. Chairman and Members of the Committee,

It is a pleasure to be here today to support the President's excellent choice for the crucial position of Under Secretary of Commerce, Jon Dudas.

I have known Jon for almost a decade. After he graduated from law school at the University of Chicago, he came to Capitol Hill and worked in my congressional office as a legislative counsel. When I first became Chairman of the House Judiciary Committee, Jon moved over as counsel to the Subcommittee on Courts and Intellectual Property which has jurisdiction over the complex issues of patent law. Shortly thereafter, I named him Staff Director and Deputy General Counsel of the full Judiciary Committee. During those extremely busy and trying years for the Congress and the Committee, I came to know Jon very well, and I became personally acquainted with his strong leadership, tremendous loyalty, unwavering integrity and the ability to accomplish his assigned mission under tremendous pressure.

When I first got to Congress, I learned an important lesson. If you want something done, you talk to the Member, and then you go to the "staffer who makes the Member look good." During his service on Capitol Hill, Jon was one of the people who made me look good.

In his position on the Judiciary Committee staff, Jon helped me manage the most productive committee in the Congress—more than one out of five bills considered by the House during the 105th and 106th Congresses went through the Judiciary Committee. Our Conference relied upon him to help achieve some of their most important goals during that period.

With mixed feelings, I encouraged Jon to leave the Committee staff when the Speaker asked him to serve as his chief floor manager and legal policy advisor to the House Leadership. Jon played a critical role in advancing legislation to support the war on terror.

Jon left the Hill when our former colleague, Jim Rogan, was appointed to be

Under Secretary of Commerce and Director of the United States Patent and Trademark Office. As the Assistant Secretary immediately under Jim Rogan, Jon played an integral part in implementing the President's Management agenda and in developing the 21st Century Strategic Plan—a comprehensive map to move the Patent and Trademark Office from its crisis situation to one of improved quality, quicker issuance of patents and increased efficiency. His ability to relate and work well with others and his good relationships with Members of Congress will be critical in achieving the difficult task of passing the Administration's fee bill that will implement the strategic plan. Just as important, because he has been serving as Under Secretary Rogan's right hand for the last two years and currently as Acting Under Secretary, Jon will provide continuity at the Patent and Trademark Office.

The issue of this government's position on patents is a critical one in this ever-expanding world of scientific progress. I can think of no one better qualified to lead the Patent and Trademark Office. I urge the Committee to confirm this fine public servant as Under Secretary of Commerce so that he may continue to serve the best interest of the American people.

Thank you again for this opportunity to appear before you today.

#### ORDER OF BUSINESS

Mr. BURNS. Mr. Speaker, I ask unanimous consent to take my special order at this time.

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

There was no objection.

#### HONORING THE TEACHERS OF AMERICA

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

Mr. BURNS. Mr. Speaker, I rise today to extend my appreciation to the teachers of America. As we celebrate National Teacher Appreciation Week, it is important that we recognize the good people of this Nation who hold the keys to our future and the future of our children, the unselfish, dedicated teachers who spend their days taking care of America's future.

Our teachers help our children in many ways. They are leaders. They are inspirations that provide students with the foundation that they take with them for a lifetime, and they learn to believe in themselves. When we succeed, they are guiding us to our next great accomplishments. When we fail, they are the understanding hearts that lift us back up. Teachers are truly noble professionals.

In 1944, Mattye Whyte Woodridge, an Arkansas teacher, began corresponding with political educational leaders about establishing a national observance to honor members of the teaching profession. This effort came to fruition when Congress proclaimed National Teacher Day in 1953.

I encourage those with children in school to offer their support and their

thanks for the work done by our children's teachers. As a former educator, I know that your appreciation for their efforts will be most welcome.

I want to express my gratitude and thanks to the teachers who helped me many years ago. Inez Grovenstein, who got me through first grade; Mary Brunson, who guided me through fifth grade after I lost my mother tragically at the age of 10; and Mary Catherine Counts, who solved the mysteries of high school math too many years ago.

These are teachers much like teachers around our Nation who have made a lasting impression on the minds of young America and whose lessons I greatly appreciate.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### ORDER OF BUSINESS

Mr. STUPAK. Mr. Speaker, I ask unanimous consent to take my special order at this time.

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

There was no objection.

#### RUMSFELD TERMINATION/ INVESTIGATION

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

Mr. STUPAK. Mr. Speaker, I rise today for two reasons: to call for President Bush to fire Secretary of Defense Donald Rumsfeld for failing to act upon reports of the disgusting photographs and inhumane treatment of Iraqi prisoners, and I also call upon the U.S. House of Representatives to hold hearings into the role private contractors may have played in these incidents.

Mr. Speaker, President Bush has repeatedly allowed the United States' reputation with the international community to be tarnished and has not held his appointees accountable for this damage. Whether it was going to war based upon inaccurate intelligence information, or White House officials exposing the identity of one of our own CIA operatives, or the most recent revelation about the inhumane treatment of prisoners at Abu Ghraib Prison in Iraq, President Bush refuses to hold his people accountable.

According to recent media reports, administration officials, including Secretary Rumsfeld, have known about these abuses for months, yet they failed to act on repeated recommendations to improve conditions for thousands of Iraqi detainees. In response,