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## Senate

The Senate met at 2 p.m. and was called to order by the Honorable GORDON H. SMITH, a Senator from the State of Oregon.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Precious Lord, we thank You for Your absolute holiness and justice, for You are the sovereign Judge of the universe. We praise You that Your kingdom cannot be shaken. You will never be voted out; no coup will ever dethrone You.

Thank You for the gifts and talents You have given to our Senators. You have blessed them with influence that can make a difference. You have supplied them with analytical skills to cut through the labyrinthine maze of complex issues. You have surrounded them with capable people who also labor for freedom.

Remind them often that to whom much is given, much is required. Make them good stewards of affluence and influence that they will use Your gifts to serve those on life's fringes. Prepare our hearts to respond to You and to live for Your glory. To You be the glory and the dominion forever and ever. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable GORDON H. SMITH led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 10, 2004.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable GORDON H. SMITH, a Senator from the State of Oregon, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Mr. SMITH thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. FRIST. Mr. President, today the Senate will conduct a period for morning business, with Senators to speak for up to 10 minutes each. Shortly, we expect to lock in an agreement for a vote at 5:30 this evening on the adoption of a Senate resolution relating to Iraqi prisoners. That will be the first rollcall vote of the day.

The Senate may also resume consideration of the FSC/ETI JOBS legislation. I filed cloture on that bill on Friday, and that cloture vote will occur Tuesday morning. We are still hoping

to work out an agreement to allow for a vote on the pending Cantwell amendment prior to that cloture vote. I will continue to talk with Members this afternoon about that agreement, and I will update Senators as to what to expect in the timing of those votes later in the day.

In any event, it is time that we bring the FSC/ETI JOBS bill to a close. We have been on that bill 12 days. We have considered and disposed of 20 different amendments on the floor of the Senate—9 rollcall votes and 11 voice votes.

Again, I remind my colleagues, if cloture is invoked, germane amendments will be offered. As we mentioned at the end of last week, those amendments would be discussed and debated for up to 30 hours postcloture.

For the remainder of the week, following the completion of the FSC/ETI bill, we will proceed to S. 1248, the IDEA, Individuals with Disabilities Education Act, legislation. We have an agreement as to how we will proceed on the IDEA bill. Therefore, we will be able to finish that bill this week.

Finally, I remind Senators that we have 2 weeks remaining before the next recess, and we have a number of items we must address prior to that recess, including the Defense authorization bill, the budget conference report, if available, bioshield, sending the highway bill, a very important bill, to conference, as well as nominations. Senators should be prepared for full weeks and busy sessions in order to finish our work before the Memorial Day recess.

### RECOGNITION OF THE ACTING MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic whip.

Mr. REID. Mr. President, I appreciate the distinguished majority leader yielding to me. I know he has some remarks he wishes to make. We are going to have a cloture vote sometime tomorrow. There is a possibility, as there

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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always is, that cloture could be invoked, especially if there is the ability for us to vote on unemployment insurance. We have not completely vetted that with the caucus.

One point that weighs favorably at least on this Senator's mind is that the distinguished majority leader said on more than one occasion that when and if cloture is invoked we would have the opportunity to debate germane amendments. We have a handful of germane amendments. No one will be trying to use a lot of time, but I think the time on most of our germane amendments would be 5 minutes, 20 minutes, 30 minutes—not very much time. So we could do those quickly.

One of the concerns—and certainly the majority leader has never done this, and it hasn't been done for a number of years—if it is possible even postcloture to cut off people from offering germane amendments. I think the majority leader said on Friday that germane amendments would be allowed. That is a step in the right direction, not only for completing this bill but for future work in the Senate. It would be a bad thing if cloture were invoked, people anticipating they could offer their germane amendments, and then we go into a 30-hour quorum call. That would not set the right tone.

I appreciate the attitude and the remarks of the Senator regarding what would happen if cloture is invoked. I think that weighs heavily in favor of some people perhaps voting for cloture on this bill.

The ACTING PRESIDENT pro tempore. The majority leader.

#### ORDER FOR FILING OF AMENDMENTS

Mr. FRIST. Mr. President, I ask unanimous consent that notwithstanding rule XXII, Senators have until 3:30 p.m. today in order to file first-degree amendments to S. 1637.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ABUSE OF IRAQI PRISONERS

Mr. FRIST. Mr. President, again, we will be voting somewhere around 5:30 p.m. today. We expect formal introduction of the resolution after more discussions over the course of the next several minutes.

I wish to take this opportunity to comment on the substance of the resolution that will condemn the abuse of Iraqi prisoners at Abu Ghraib prison and the details of the resolution we will talk about later on the Senate floor. It all focuses on the fact that this Nation, our colleagues, this body is shocked, is disturbed, is saddened by the incidents that have occurred at the Abu Ghraib prison in Iraq. These acts are deplorable. There is absolutely no excuse for what happened to those Iraqi prisoners.

The individuals who committed those despicable acts must be and will be

held accountable. Justice must be served in a swift manner, in a fair manner, and in a transparent manner, and it will be. It is crucial that we get all the facts out quickly and thoroughly, and that is underway—never as quickly as people would like, but everyone, I believe, in their heart of hearts understands the importance of getting the facts out quickly and thoroughly.

I commend the President of the United States for his efforts to reach out to the Arab world to address this matter, particularly the apologies he offered to the victims and their families.

I am sure all Americans share his sentiments which he articulated so well. The Senate, too, will do its part to ensure the administration fully investigates the abuses at Abu Ghraib. By investigating the abuses committed at the prison, we recognize specific individuals are responsible for specific acts. By doing so, we recognize the vast majority of men and women in uniform every day promote the values and the principles we all hold so dear.

I would also like to highlight the work of the Department of Defense. After receiving a report from a concerned soldier, the Department of Defense promptly took action to investigate the allegations of abuse. The first investigation was initiated in January. More investigations followed and many are still ongoing. The military is examining its policy, its procedures, and its training with regard to the handling of prisoners and the management of detention facilities. These are the right and proper actions to be taken.

We do not yet know the full story. That is frustrating. It is frustrating for us in this body and for members of the administration. That investigation is underway. From what people have said, more disturbing stories and pictures will, in fact, find their way into the public domain. I have faith the administration will fully investigate these incidents and will report to us its findings.

In the meantime, the Senate will continue to do its duty. We had several hearings last week. We will continue to maintain a close watch on the unfolding situation. The appropriate committees of the Senate will fulfill their proper oversight roles. The Intelligence Committee and the Armed Services Committee both conducted hearings last week. More are planned, and briefings are at this very moment being scheduled.

Success in our national security policy depends on regular communication between the executive branch and Congress and ultimately the American people. I pledge to work with my colleagues and the administration to ascertain the truth and take action to ensure such appalling acts will never, ever happen again.

America is a nation governed by the rule of law. We hold accountable those who break the law. As the President has said, democracy is not perfect and

indeed we make mistakes, but openness is a hallmark of that democracy, and as a democracy we will investigate and we will correct those mistakes.

The people of Iraq did not know justice under Saddam. His regime was born in violence and ruled by fear. Let us take this opportunity to show the Iraqi people and the world that America protects the rights of individuals. Let us show the world we can and will administer justice swiftly, fairly, and openly. We cannot undo the abuse those Iraqi prisoners suffered, but through our actions now we can show the Iraqi people the transgressions of a few do not represent America. They do not represent what we stand for as Americans.

Today the Senate will take up a bipartisan resolution which commends the noble work of our forces and condemns in the strongest manner possible the few who have disgraced themselves and brought shame to their fellow Americans. I urge my colleagues to unanimously pass this resolution this afternoon. I believe it is imperative that we speak with one voice, united in strength and united in purpose.

By passing this resolution, this body will show its resolve to pursue the truth and protect our national security. We will also show the world America believes such acts as occurred at Abu Ghraib must never happen again. Our soldiers are risking their lives in Iraq to bring peace and freedom to a country that has known neither. Our service men and women have worked tirelessly to build schools, rebuild hospitals, repair electricity grids and water lines, and to ensure food and water are available. We have seen innumerable acts of kindness and bravery from our soldiers on behalf of the Iraqi people. That is who we are and this resolution acknowledges their service.

We are engaged in a noble cause. We must see it through. The Iraqi people are depending on us to stay the course and the American people are depending on us to show courage, resolve, and leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

#### PLAN OF OBSTRUCTIONISM

Mr. DORGAN. Mr. President, like all of my colleagues, I am enormously proud to serve in the Senate. It is a unique and special privilege. I come from a small town of 300 people in the southwestern ranching country of North Dakota. Some of my colleagues come from big towns, some of them from family farms. We come from different parts of America to convene here and do public policy. I am enormously proud of this institution, but there are times when I see what is rancid, partisan, bare-knuckle politics played in this town that begin to bother me.

I am big enough to understand politics can be tough. I have been in politics a long while and I think most of