

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

my colleagues understand politics is a tough business, but the Senate is different. It does not mean there ought not be politics in the Senate, but it means we ought to be reasonably serious about doing good things for our country and creating good public policy.

Last week we had a visit to the Senate floor by some colleagues, and I noticed an article in the *National Journal* that said the following: "House, Senate Republicans coordinate anti-Daschle message, Pryce"—I believe this is the chairperson of the Republican Conference in the House—"acknowledged Wednesday that the respective conferences are coordinating their current message against so-called Democratic obstructionism . . ."

Today, I want to talk a little bit about this targeting that goes on, about the notion of obstructionism, because we had a discussion last week by one of our colleagues that talks about the "price for obstructionism," "the pain of obstructionism," and Democratic obstructionism specifically. Then we see this, the anti-Daschle obstructionism plan.

I will talk about some of this partisanship that boils up and boils over. I came to the Congress when Tip O'Neill was Speaker of the House and I served in the other body. Bob Michel was minority leader. The two of them liked each other. They spent a lot of time together, played golf together, worked together, did good things for America together. That was a different time and a different era. They respected each other and worked closely together. In my judgment, that is the way it ought to be.

I might say that changed about in the mid-1980s. My former colleague, Newt Gingrich, formed something called GOPAC. This is a letter signed by Newt, "Dear friend," and the letter describes his version of American politics and says:

I have also included a new document entitled "Language: A Key Mechanism of Control," drafted by our GOPAC political director.

The letter then describes the words that should be used to describe the opponent and the words that should be used to describe one's self, signed by Newt Gingrich.

Here is what Newt then counseled back in the mid 1980s: When you are talking about your opponents, use words like destroy, sick, pathetic, lie, betrayed, incompetent, greed, anti-family, anti-child, anti-flag, anti-job, corrupt, shame, disgrace. That is what Newt Gingrich counseled candidates across the country to use when they described their opponent. He said, by the way, when you describe yourself you really ought to use words, which we have tested, like courage, children, family, liberty, vision, success.

Again, the rancid ignorance of excessive partisanship has its root about two decades ago in GOPAC—my former colleague, Mr. Gingrich, describing how

people ought to play their politics in this country. I wouldn't do that in a million years. It ruins the political system, in my judgment.

We saw some of that recently in the last campaign for Congress. I had a colleague in the Senate who left three limbs on the battlefield in Vietnam. In his campaign, his courage, patriotism, his commitment to his country was questioned—a man who lost three limbs on the battlefield had his patriotism and courage and his commitment to his country and his country's national security questioned.

Now, the standard bearer on the Democratic side of the aisle is a man who has three Purple Hearts, a Silver Star and a Bronze Star, and they question his patriotism. They question his commitment to our country.

Let me talk a little bit about this message last week from those who concoct a political menu that says lets just try to be involved in this search-and-destroy mission if we can—how House and Senate Republicans coordinate the anti-Daschle message. Let me talk a little about this "so-called Democratic obstructionism."

Let me say, no one here—certainly not me—will ever apologize for deciding that our role in selecting people for a lifetime appointment on the bench is to say no when appropriate. We have said yes over 96 percent of the time when the President has sent us the name of a Federal judge he wants to sit on the Federal bench for a lifetime. But on those rare occasions when we say no, we have a constitutional right to do so and we will not apologize for keeping bad people off the Federal bench.

No one on this side of the aisle, I think, is prepared ever to apologize for opposing bad fiscal policy, the kind of policy that has turned the largest budget surpluses in history into the largest Federal deficits in history. You won't hear an apology for not supporting or for trying to stop bad fiscal policy. You will not hear an apology from this side of the aisle.

But I want to talk for a moment about this issue of obstruction. Senator DASCHLE doesn't need a defender on the floor of the Senate. His actions and his votes defend themselves. So is the case with my colleagues on the floor of the Senate. I respect differences of opinion. I think I served with some of the most talented and creative men and women in the Republican and Democratic caucus that I have ever had an opportunity to spend time with. I respect all of them. But let me talk for a moment about another kind of obstruction, and that is the obstruction of good public policy that ought to change this country for the better but that we can't get through the U.S. Congress because we have people who think they are just a set of human brake pads, that their sole mission in life is to stop good things from happening.

No one here works at the bottom of the economic wage scale. No one here

is on minimum wage. No one in the Senate understands what it is like to live on the minimum wage. Yet for 7 years there has not been an adjustment in the minimum wage. Yes, there are people who work long hours, many of them with two jobs at the minimum wage, trying to raise a family. Yes, there are people trying to raise a family on the minimum wage. They have not had an adjustment in 7 years. We can't get a minimum wage increase through this Congress. Why? Because it is obstructed by those who control the Congress—the House, the Senate, the Presidency.

How about a simple little issue, country-of-origin labeling. We can't get that done. You know where your shirt was made; there is a label there. You know where your socks are made. You know where your shoes are made. You know where your belt is made. They are all labeled, except meat. Try to find out where your next piece of beef steak was produced. Did it come from a Mexican plant, Canada, the United States? You don't know.

By the way, if you want a description of the FDA inspector who inspected the Mexican beef, I will give you the description. Then you really ought to want to know where that meat came from. Can you get labeling on meat? No, you can't get it done. Why? Because the administration and the House and the Senate don't want it done. Obstruction.

How about the price of prescription drugs, the reimportation of prescription drugs. Why is that not now the law of the land, allowing the market system to work; allowing the American people to buy the less expensive, FDA-approved prescription drug from Canada; allowing the people who are on Lipitor, who pay \$1.01 per tablet when they buy it in Canada, and for the same tablet, same pill, put in the same bottle, made by the same company, the U.S. consumer pays \$1.81 per pill, and they ask the question why should the American public be charged nearly double for the same pill? Why haven't we fixed that?

It is not because we on this side of the aisle haven't pushed and pushed and pushed. It is because the majority in the House and the Senate and the President don't want it. They have obstructed it.

How about a highway bill. Last week I heard—in fact, the discussion on the floor last week about obstructionism on the part of this side of the aisle, and on the part of Senator DASCHLE, was about the highway bill. What a load of nonsense that is. The problem with the highway bill is not that anyone here is obstructing anything. We passed a highway bill. It passed with wide bipartisan support in the Senate. The reason we don't have a highway bill is because the Republicans—yes, I say Republicans—in the Congress and the Republican in the White House will not and cannot agree on what the number ought to be. So as a result of that, we

don't have a highway bill, and we have people on the other side of the aisle come out here and want to blame Senator DASCHLE for it. What a load of nonsense. It is simply not true. We don't have a highway bill because the majority party that controls the Senate and the House and the Presidency cannot agree and are having this internal feud on how big the bill ought to be, how much we invest in this country's highways.

Mr. President, I ask unanimous consent to continue for 10 additional minutes.

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

Mr. DORGAN. What about an energy bill. We ought to have an energy policy. You look at the price of gas at the gas pumps these days and ask yourself, Do we want to continue to be more and more dependent on foreign sources of oil? It went from 50 percent to 60 percent. Does that make sense for our country? Our economy will be belly up at some point if, God forbid, terrorists shut off the supply of oil to our country. Yet we rely on the Saudis, Iraqis, and so many others from troubled parts of the world for our supply of oil. We need an energy bill.

Don't point at Senator DASCHLE and don't point at the Democrat Caucus with respect to that issue. That bill failed the Senate by two votes, and my colleague, Senator DASCHLE, voted for it, as did I and others. The reason that bill failed in the Senate by two votes was because the majority leader of the House stuck a provision in it that he was warned would kill that bill, a retroactive waiver for liability for something called MTBE, a pernicious provision that he knew—he should have known; he was warned—would kill the bill. So they stick in a giveaway provision that kills the bill because it costs them four or five votes in the Senate, and then they want to come to the floor and point at the Democratic leader, Senator DASCHLE, as the problem. He is not the problem. The problem is the majority party that controls the House and the Senate and the White House.

We need an energy policy. In fact, we should have had the energy bill back on the floor of the Senate 2 weeks ago, but we don't control the Senate. We don't schedule the Senate.

Appropriations bills: I am a member of the Appropriations Committee. Last year we had to put seven appropriations bills into one big omnibus appropriations because we didn't get the appropriations bills done. Then in the middle of all that, the appropriations bill, with well over \$300 billion—smack dab in the middle of that, those of us who were trying to overturn the FCC rules which would allow big broadcasters to become even bigger, and fewer and fewer people would control what you see, hear, and read in this country—they stuck right in the middle of this big appropriations bill some-

thing that upended our attempt to deal with the FCC rules. They stuck, right in the middle of this, something that interrupted the ability to affect the country-of-origin labeling for meat and other food products.

I tell you, it is a hollow claim, it seems to me, that there is obstructionism from this side of the aisle. It is a hollow claim that Senator DASCHLE is somehow guilty of obstructionism. The obstructionism on things that would improve this country, public policy dealing with—yes, the minimum wage increase, with country-of-origin labeling, with an energy bill, with a highway bill that means new jobs and new investment, with lowering prescription drug prices, with extending unemployment benefits to people whose benefits have run out during a time of economic trouble—all of those issues, all of those things that, in my judgment, would make this a better country and would improve things in this country have been stopped.

They have been stopped because one party controls the House, the same party controls the Senate, the same party controls the White House, and they have stopped these things dead. It is as simple as that.

Abraham Lincoln once said, "Die when I may, I want it said by those who know me best that I have always plucked a thistle and planted a flower where I thought a flower would grow." I must say there are precious few thistle pluckers or flower planters these days in this political system. There are a lot of political flame throwers and those who decide everything they don't like ought to be put at the feet of the minority Caucus in the Senate and the minority leader of the Senate, Senator DASCHLE.

The Constitution of this country begins, "We the people." Some in the Senate think the Constitution is a rough draft—something they ought to change every month, every week. We are apparently going to vote on three constitutional amendments very soon in the Senate because that work which occurred over two centuries ago and which has been amended outside of the Bill of Rights only 17 times needs, according to the majority, to be amended again and again and again. I think that Constitution of ours is pretty important. That Constitution provides an opportunity for a minority in Congress to stop bad things from happening. But it also empowers the minority to push good public policy.

We have as a Caucus offered a substantial amount of good public policy that would improve things in this country, provide hope and opportunity, and do what every American would want to have happen; that is, leave a country for their children that is better than the country they found when they were born into this great country of ours. All of us are lucky to be here and lucky to be here now. There is only one place on this Earth—only one place—named the U.S.A. This big, old

globe of ours spins with 6 billion people on it. There is only one location on this big globe with 6 billion people called the U.S.A. We are lucky to be born here and lucky to be born now with all the opportunities and all the bounties that are offered to us as Americans. But with those bounties come responsibility. The responsibility is, in my judgment, to work together.

I am weary and tired of those who continue to point the finger of obstructionism and who continue to organize these "anti" messages, anti-Daschle, anti-Democrat, anti-this, anti-that. I have no time at all for those who, as my former colleague Newt Gingrich did, put out word lists to pollute the political process in this country and say to those who aspire to serve in public service the way you ought to refer to your opponent is with words like "sick," "pathetic," "betray," and "poison." Shame on them. That is not the best this political system has to offer. John F. Kennedy used to say every mother hopes her child might grow up to be President as long as they do not have to be active in politics. But, of course, politics is the basis for making public decisions in our country. It is an honorable occupation. The practice, in the main, is by people who care a great deal about this country's future.

I hope all of us will understand this isn't about trying to figure out who is setting up roadblocks and who is obstructing. Let us try to sort out between good and bad public policy and then pass the good.

Let me say again this message—this organizing for anti-Daschle, anti-Democratic Caucus, obstruction message—to those who spend time doing that, this country is at war. This country has an economy that is still troubled. This country needs an energy policy. This country has so many needs that require so much attention from all of us. Stop this nonsense. Let us decide to work together to make this country work better for our children.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

#### UNEMPLOYMENT COMPENSATION

Mr. KENNEDY. Mr. President, we are in a period of what we call morning business. But we know when we go back to what is referred to as the JOBS bill we will be on the Cantwell amendment which is to extend unemployment compensation to workers who have worked hard over the course of their lives and contributed into the unemployment compensation fund, the fund that today is approximately \$14 billion in surplus. The Cantwell amendment is about \$5 billion and, if passed, would certainly ensure the funds would be retained in a very robust financial situation. It would help us address the fact there are 85,000 workers every single week who are losing their unemployment compensation funds. As a result of losing their compensation funds,