

drugs. A few hours later, they released a "corrected version" that omitted the comparison, but the damage was obvious.

Whether the issue is the real cost of their Medicare plan or the savings from their drug cards, the Bush administration has made deception a tactic and distortion a habit.

The administration's hype won't fool senior citizens or the American people. It isn't fair for Americans to pay twice as much as foreigners pay for drugs made in America by American pharmaceutical companies. It is not right that the Bush administration is fighting to protect drug company profits instead of fighting for patients. It doesn't reflect American values that legislation designed to protect senior citizens should be turned into a bonanza for powerful Republican campaign contributors.

It is wrong for this administration to continually distort the facts and deceive senior citizens. We need a president and a Congress who will stand up to the drug companies and insurance companies and stand up for senior citizens.

#### THE PRISONER ABUSE RESOLUTION

Mr. KENNEDY. Mr. President, I want to comment about the resolution that will be before the Senate. We will vote on it in a very short time.

I support the resolution. The torture and other sadistic abuses of prisoners in Iraq have done immense damage already to America's reputation in the world, and the worst may be yet to come.

Protection of the Iraqi people from the cruelty of Saddam had become one of the administration's last remaining rationalizations for going to war. All of the other trumped-up rationalizations have collapsed. Saddam was not on the verge of acquiring nuclear weapons. He had no persuasive link to Al-Qaida. He had nothing to do with 9/11. We have found no weapons of mass destruction.

So it is human rights that the administration turned to in order to justify its decision to go to war. On December 24, 2003—the day Saddam was captured—President Bush said, "For the vast majority of Iraqi citizens who wish to live as free men and women, this event brings further assurance that the torture chambers and the secret police are gone forever."

On March 19, 2004, President Bush asked: "Who would prefer that Saddam's torture chambers still be open?"

Shamefully, we now learn that Saddam's torture chambers reopened under new management—U.S. management.

Every day brings new photos, new horrors from the same prison and the same torture rooms that Saddam used to commit crimes against humanity. Today, it's the photo of a naked Iraqi man, his hands clasped behind his head

in terror, facing snarling German shepherd dogs held on leashes by American soldiers. According to the New Yorker magazine, subsequent photos show the Iraqi man lying on the ground, writhing in pain, blood flowing from wounds on both his legs.

President Bush has presided over America's steepest and deepest fall from grace in the history of our country. The tragedy unfolding in Iraq is the direct result of a colossal failure of leadership.

We all agree that the guards and interrogators who committed these abuses at Abu Ghraib prison should be held accountable. They should be prosecuted to the fullest extent of the law. But the responsibility for these abuses does not lie with them alone.

On Friday, the Armed Services Committee held its first public hearing on the abuses. Secretary Rumsfeld and General Myers came to the hearing to tell us what had happened at the prison, but in several instances their answers were incomplete or misleading.

Secretary Rumsfeld testified that the guards at the prison had received training on detention procedures and had been instructed to abide by the Geneva Conventions. Yet in the report on his investigation of such abuses last winter, General Taguba found that the soldiers involved were poorly trained to manage such operations. He found that neither the prison camp rules nor the provisions of the Geneva Conventions were posted in English or in the language of the detainees.

Secretary Rumsfeld and General Myers testified that the abuses at the prison lasted from October to December 2003. They said that the military leadership's first indication of trouble was when a low-ranking soldier came forward in January 2004.

Yet, since the beginning of the war, the International Committee for the Red Cross had provided Pentagon officials with repeated reports of abuses at the prison. Some of these abuses, the Red Cross reported, were "tantamount to torture."

As early as May 2003, the Red Cross had sent Pentagon officials a memorandum describing more than 200 allegations of mistreatment during the capture and interrogation of Iraqi prisoners.

In October 2003, the Red Cross inspected the Abu Ghraib prison, including the unit where the worse abuses at the prison occurred. They saw prisoners being held naked in cells and forced to wear women's underwear. They saw evidence of burns, bruises, and other injuries consistent with the serious abuses that the prisoners had alleged.

After this October 2003 inspection, the Red Cross put officials at Abu Ghraib prison and at Central Command on notice that they were violating international humanitarian law. Yet October 2003 is when the military now says that the abuses at Abu Ghraib prison began, and that they didn't

know anything was wrong until 3 months later.

Clearly, the military leadership failed to respond properly to the reports and recommendations of the Red Cross. During 2003, both the State Department and the Coalition Provision Authority repeatedly appealed to top military officials to stop the mistreatment of military detainees. Secretary Powell himself raised this issue at cabinet meetings and elsewhere, pleading for proper care and treatment of detainees, but the Defense Department failed to act.

The military leadership is also responsible for putting troops in charge of the prison who were not trained to do the job. They assigned too few soldiers to the prison than were required to do the job right. They relied on civilian contractors to perform military duties, including the interrogation of Iraqi prisoners.

The military leadership failed to respond in a systemic way even after it had initiated 35 criminal investigations into the alleged mistreatment of detainees in both Iraq and Afghanistan; 25 of these investigations involved deaths. In December 2002, military doctors at the Bagram Air Base in Afghanistan ruled that two Afghan men in U.S. custody had died from "blunt force injuries." No one in the military has been held accountable for these homicides.

Since 9/11, top officials in the administration have shown an arrogant disregard for the protections of the Geneva Conventions in dealing with detainees. In January 2002, Secretary Rumsfeld was asked why he believes the Geneva Conventions do not apply to the detainees at Guantanamo. He replied that he did not have "the slightest concern" about their treatment in light of what had occurred on 9/11. In other words, they are terrorists, and torture is too good for them. The British magazine *The Economist* called his remarks "unworthy of a nation which has cherished the rule of law from its very birth."

It is clear that it is not enough for us merely to pass a resolution condemning the abuses. We need a full and independent investigation and fully accountability, including a comprehensive review of all detention and interrogation policies used by military and intelligence officials abroad, in Iraq, Afghanistan, Guantanamo, and elsewhere. The American people and the Iraqi people deserve answers, and they deserve them quickly.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Idaho is recognized.

#### NATIONAL ENERGY CRISIS

Mr. CRAIG. Mr. President, I come to the floor not to point fingers or make accusations about the tragedy that occurred in Iraq and continues to unfold. So while we are focused on international affairs and what may or may

not have gone on in the Abu Ghraib prison, what I am going to talk about for a moment is what the average American, taxpaying, consuming, voting public, has experienced this past weekend.

They went to the service station in their local community and filled up their gas tank with the highest priced gas in the history of this country. They paid anywhere from \$1.84 to over \$2.50 a gallon, depending on where one lives. When that credit card or that cash was handed out, that American consumer had paid more for gas at that moment on that day than ever in the history of this country. Yet this Senate, embroiled in Presidential politics at this very moment, fails to deal with this issue.

I am amazed that last month the American economy struggled along and created nearly 300,000 new jobs, and we may well end up the quarter with one of the strongest growth periods in the American economy than we have had in a decade, and yet in all of those struggles, the American economy is spending more for energy than ever in the history of this country.

I have not heard one speech on the floor about blame big oil, and the reason I have not is because I think there are a lot of Senators who are hiding at this moment or not wanting to address the fact they voted down a national energy policy some months ago and denied the American consumer a progressive Government policy that begins to promote investment and development in the energy sector of this country.

At the close of business on Friday of this past week, the futures for crude oil in some categories went to over \$38 a barrel. That will translate down the road to nearly \$3 a gallon at the pump in the United States. I bet I am one of the few who will come to the floor today and speak about the crisis in energy that is draining this economy while all of that money flows to the Middle East because we are so focused on the Presidential fingerpointing that is going on at this very moment.

Why don't we fingerpoint at ourselves for just a little bit? Why don't we blame big government and big politics at this moment for the failure of the Senate to address and pass a national energy policy for this country?

When we talk about growth and we talk about the average American family's needs, have we told the American family this year they are going to spend between \$400 and \$500 more for gasoline than they did a year ago? No, we have not told them that. I am telling them that today because that is what they are going to spend.

They are also going to spend a great deal more for a lot of their consumer goods that are made with petrochemicals. Carpeting in our homes today is synthetic and made as a derivative of the hydrocarbons or petroleum. Paint, plastics, all of those kinds of products are critically important to the American consumer, and the base resource

that makes them is petroleum. Yet this country has had a "no development" policy for well over two decades. We have run around and stuck our heads in the sand hoping that somehow we could just get through this while the world was becoming an ever larger consumer of hydrocarbons.

We have good conservation policies in place, and we would have better conservation policies in place had we passed a national energy policy. We would have pro-production policies in place and we would be sending the economy toward producing once again had we passed a national energy policy.

My guess is bids would have gone out for the development of an Alaska gas pipeline to bring billions of cubic feet of gas to the lower 48 had we passed a national energy policy.

We would have the legitimate right to say to the consumer that we have done something for you. Oh, yes, we were asleep at the switch for a decade fighting over the environment and fighting over the politics of who wins and who loses in energy production, but we cannot even say that today. We cannot even say we did the right things.

I was doing a radio talk show this morning and somebody said: Isn't this the President's fault? I reminded them that the first priority of the Bush administration when they came to office 3½ years ago was a national energy policy, and while the other side is trying to subpoena the records and pick the books and argue that this was somehow a clandestine gathering, what they failed to recognize is the multiple recommendations made by this study group, headed by the Vice President, was early on and was a priority of this administration.

We took those recommendations with the work the Energy Committee has done in the Senate, under the leadership of PETE DOMENICI, and we crafted a national energy policy. It was not about who was a winner and who was a loser. It was about getting this country back into the business of production so the American consumer would not have to pay \$2.50 a gallon at the pump for their gas. But, once again, we got embroiled in politics.

Somehow winners and losers wanted to be picked by some. Somehow we could not touch the pristine environment of ANWR of Alaska to bring that oil south to the lower 48 and to give us leverage power in the world market to tell the world producers that we were not going to be held hostage by their restrictive production that would drive up prices. We did none of that. Even though a majority of the Senate—Republicans and Democrats—voted for a national energy policy, a few dragged their feet, we missed that magic number of 60, and a national energy policy did not go forth.

What did I tell that phone caller today when he said, Shouldn't we blame the President? I said, no, he was the first to lead us. We simply would

not follow because, you see, our politics was better or smarter, and, in this instance, it might well have been dumber. So blame Congress and blame the Senate and check the voting records of your individual Senators to see where they were on the development of a pro-production, pro-conservation, multiple alternative, new technology energy policy for our country.

As the summer goes on, all of our refineries are operating at peak capacity at this moment, but that which they are refining, nearly 60 percent is produced by a foreign country, and those foreign countries are raking in U.S. gold today in the form of U.S. dollars like they never have before. All of our money flows overseas instead of developing in this country and producing jobs and improving our economy.

Call your Senator and say: Vote on a national energy policy. It is right there in front of you. Quit playing politics with this issue. I believe the American consumer grows angry that the price they pay at the pumps is the highest price they have ever paid for gas. This time they have only one group to blame, and that is the Congress of the United States, for failing, at the urging of the President and at the urging of consumer groups and all who have studied this issue over the years, they have us to blame because we could not produce a national energy policy for this country. It is big politics and a failing Senate.

While we continue the debate about the tragedies of Iraq—and we should get to the base of that issue, let's not forget there are other issues in this country that are very important to job creation, to the long-term economic stability of our country, and one of those will be the cost of energy and the cost of input into the economy of this great country.

Let's pass a national energy policy. Let's pass the tax incentive package that is within the FISA bill. Let's get at it, Senate, and do the work we were sent here to do and allow this country to get back into the production of energy so we can challenge the world market and provide our consumers with that which they deserve: an abundance of reasonably priced energy and a variety of alternatives to pick from in this great marketplace of ours.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak in morning business and use such time as I might consume.

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

#### CLOTURE VOTE ON THE JOBS BILL

Mr. BAUCUS. Mr. President, Albert Einstein once advised, everything should be made as simple as possible but not simpler. In other words, know when you have done enough.