

the Commander's Emergency Response Program has been so successful is that it is administered by the local battalion or brigade commander on the ground who is living and interacting with the citizens of his or her area of responsibility on a daily basis.

Who can better identify the immediate needs that can be addressed through low-cost, high-impact projects than the soldiers right there on the ground?

With all due respect for the policy people here in Washington, they cannot see the potholes in the roads, they cannot see the dilapidated buildings and infrastructure that has degenerated for years under the tyrannical dictatorship of Saddam Hussein. Our troops on the ground see these obstacles every day, and the Commander's Emergency Response Program lets them address these problems immediately and effectively with the cooperation and assistance of the Iraqi people.

Let me be clear—very clear: In most cases, the actual work is done by Iraqis themselves, so that in addition to yielding immediate and visible results, projects funded from the CERP provide jobs to Iraqis who are eager to rebuild their country and to stimulate the Iraqi economy.

Some people might be concerned that our commanders are walking around Iraq and Afghanistan with thousands of dollars of cash in their pockets, spending it without congressional oversight. Let me assure those people that is not so. The coalition has instituted strict controls to ensure complete accountability of the funds from the Commander's Emergency Response Program.

The Commander's Emergency Response Program is a low-cost, high-impact program, the effects of which will be felt throughout Iraq. It has been instrumental in gaining the confidence of the Iraqi people and in generating a tremendous amount of good will toward our troops on the ground.

Sometimes all it takes to improve the lives of Iraqi citizens and to build relationships is to repair a door that was damaged in a raid, or to provide a power generator to a factory so its Iraqi employees can get back to work. These are the types of small, yet meaningful, projects our commanders can tackle with the Commander's Emergency Response Program. These projects do not cost much in terms of dollars, but the return is tremendous. It is critical we continue to incorporate this approach into our reconstruction efforts in Iraq. Our commanders need reasonable, sound financial flexibility to match the speed of their operations and the dynamic nature of our battlefields.

The Commander's Emergency Response Program provides our commanders with a flexible tool to respond quickly and decisively to humanitarian problems. If fixing a well quickly solves a local problem and shows a neighborhood the coalition is improv-

ing their lives, then that is an important tool for our troops to have.

Initially, this program was funded from seized Iraqi assets. I am proud to say we gave the Department of Defense the authority to continue the Commander's Emergency Response Program in the current fiscal year 2004 supplemental appropriations bill. I look forward to again supporting the Department as we pass the fiscal year 2005 Department of Defense appropriations bill.

I close with a final thought. Our men and women in uniform liberated 25 million Iraqi people in a military campaign with swiftness, precision, and success—success unparalleled in history. We can attribute this success to the foresight and creativity that allowed us to prepare and equip a total force the world has never seen. Now we are applying that same foresight and creativity as we tackle the difficult task of reconstructing and stabilizing Iraq.

The Commander's Emergency Response Program provides visible, high-impact support to the Iraqi people so they can create a foundation for a free and stable society. It is a true success story in Iraq. I am proud of the troops who use it to help the Iraqi people every day, and I am proud to support this very important program.

Kate Kaufer and Sid Ashworth of the Appropriations Subcommittee on Defense prepared these remarks for my presentation.

I thank the Chair. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

#### PENTAGON RESPONSE TO IRAQI PRISONER ABUSE

Mr. BENNETT. Mr. President, last week, along with a number of my colleagues, I went up into the room on the fourth floor in the Capitol where the Defense Department, the State Department, and the CIA come to brief us on classified information. I sat in a darkened room where we saw a slide show of the photographs that had been taken of Americans inflicting abuse on Iraqi prisoners. The pictures were revolting, they were disgusting, and they left us all with a sense of outrage that this had gone on, outrage that Americans had been involved in anything such as this.

I did not look forward to the experience. Indeed, I made the initial decision not to go. Then I decided: No, if I am going to be involved in examining what is here, I have to see the evidence, as revolting as it may be.

The sense of outrage that I and my colleagues felt about this was shared by all Americans, but in one sector of American society it seems to be even greater than anyplace else. There are some in this society who might not be able to guess what that sector is. But I would say the outrage that has been the strongest has come from those who serve in the American military.

Duty, honor, country—these are the watch words of the American military, and they were violated by those who took those actions in the prison in Baghdad. They did not do their duty. They dishonored the uniforms they wore as they abused those prisoners, and they brought disgrace on the country whose Constitution they had taken an oath to uphold and defend.

The sense of outrage is nationwide, but it is particularly focused among those who have sworn to uphold duty, honor, and country and saw their fellows in uniform violate those principles.

I rise to discuss this today because today is the first court-martial coming as a result of the investigations that have been conducted into this activity. This morning in Baghdad, Army SPC Jeremy Sivits pled guilty, was convicted, and sentenced to a 1-year imprisonment, reduction in rank, and a bad conduct discharge.

Now, there are those in our society who have less faith in the military, who say: These courts-martial are a part of a coverup; this is an attempt to gloss over what has happened; one cannot trust the military to investigate themselves; and we need a whole series of investigations by outside groups.

I believe the facts are that we will find out more what happened from the courts-martial than we would find out from any degree of investigation conducted elsewhere. I offer as a demonstration of the fact that the military can be trusted to act in matters of this kind the following chronology of what has happened with respect to this incident.

We now know that the abuse of the prisoners took place in the last quarter of 2003. We do not know the exact dates, but sometime toward the end of that year the alleged detainee abuse occurred. On January 13, 2004, SPC Joseph Darby opened an e-mail thinking he was going to see pictures that he described as a travelogue; a history of the performance of a particular unit. Instead, what had been downloaded on his computer were the photographs that my colleagues and I saw in room 407 of this building.

Specialist Darby was absolutely stunned. What did he do? Here were his fellow soldiers engaged in activity that was clearly in violation of everything he had been taught, people he wanted to feel close with and identified with, people who, perhaps, were his friends. What would he do? He did his duty, and he provided a CD of the abuse photos to the Army Criminal Investigation Command, or the CID, on January 13, 2004. On January 14, the CID began its investigation—no attempt to cover up. No attempt to hide or turn away from the fact that there was a potential difficulty. They began the next day, and they notified people up the chain of command of what they were doing.

On January 16, just 2 days later, Brigadier General Kimmitt announced that there would be an investigation by

Central Command. It had gone up all that way, that quickly. In just 3 days they were at the top levels of Central Command.

Two days after that, BG Janis Karpinski, who was the commander at Abu Ghraib prison, was admonished and suspended from her command. She was relieved just 2 days after this reached the attention of Central Command.

Additionally, the Abu Ghraib chain of command was suspended, from the battalion commander, a lieutenant colonel, all the way down. Just 2 days after this was brought to the attention of Central Command, the entire group was relieved.

Now, on January 19, a combined joint task force requested that Central Command appoint an investigating officer, and on January 31, Major General Taguba was appointed to conduct the investigation.

On February 10, the Secretary of the Army tasks the inspector general to conduct an analysis of the internment detention policies, practices, and procedures. It goes beyond just the prison: Look at the whole Army and our procedures to see what can be done to prevent this from happening again.

On March 12, General Taguba completed his investigation and briefed the commander of joint task force 7, Lieutenant General Sanchez. Also on March 12, Lieutenant General Helmly, who was the commander of the U.S. Army Reserve Command, directed that Command's inspector general to conduct an assessment of training for Reserve personnel on the issues of detainee treatment, ethics, and leadership to see if the training had broken down in a way that would cause this to happen. All of this was going on—the military acting on its own.

On March 20, the first charges were preferred against six accused and announced by Brigadier General Kimmitt at a press conference. This is not something that got discovered by some investigative reporter digging in behind the scenes. This was something that was announced by the military after they had done a careful examination and moved in a way to protect the rights of every individual.

At that announcement, no names or units were identified so that they would not compromise the due process of those who were being accused.

On April 15, Major General Fay, the Army Deputy Chief of Staff for Intelligence, appointed an investigative officer to examine the circumstances with respect to the 205th Military Intelligence Brigade. That is the group where the commander was relieved within 2 days of discovering that there was an allegation of a problem.

On May 1, Lieutenant General Sanchez issued a memorandum of reprimand to six general officers and one letter of admonition to a member of the 800th Military Police Brigade as recommended by Major General Taguba. This is not something that

they passed off to the GIs, the sergeants, the corporals, and the privates. This is something they took care of at the general officer level. Six general officers received a memorandum of reprimand. That is a career-ending experience for a general officer.

Then on May 7, Secretary Rumsfeld announced the independent review panel headed by former Defense Secretary Jim Schlesinger, including retired Air Force General Chuck Horner, former Representative Tillie Fowler, and former Defense Secretary Harold Brown. And then, today, on May 19, the first court-martial has taken place and Specialist Sivits was found guilty and sentenced.

The lesson that comes from this list of actions is a lesson that the world should heed. The lesson for Iraqis and other nations is that this is how democracies handle their problems. This is how Americans face the difficulties that arise when there is a breakdown that occurs within our military. We do not hide it. We do not pretend it did not happen. We do not strive to find excuses. We act in the way consistent with the rule of law.

I hope everyone in the world would recognize the difference between the way we have responded to this and the way al-Qaida has responded to this. We have responded to it by exercising the rule of law and seeking those responsible. They have responded by taking an innocent American civilian, who had nothing whatever to do with any of this, and cutting off his head, live and in color on international television. That is the difference between Americans and al-Qaida when faced with a problem.

So that is the first lesson I hope the world will take from the way we are handling this. The lesson that the military should take from this is that the rules are there to be obeyed. The lesson that should go forward from Specialist Sivits' court-martial, from the six general officers who got the memorandum of reprimand and from the investigations that are still going forward is that if the rules are broken, you end up in Fort Leavenworth. That is the lesson that should come out of this for the American military, and I believe it is being received there.

The lesson for the commanders, those who are now responsible and who have taken over to replace those who were relieved, is this. It comes from a statement by General Eisenhower, who knew something about military discipline. He said: "Areas that are not inspected deteriorate."

Let's go back to Specialist Sivits for a moment and find out from his statements relating to his court-martial what really happened. I am quoting now from the Washington Post:

Sivits told investigators that the abuse would not have happened had higher-ranking members been present. "Our command would have slammed us," he said. "They believe in doing the right thing. If they saw what was going on, there would be hell to pay."

That statement echoes testimony given by one of the initial investigators on the case. During a session similar to a grand jury proceeding, Tyler Pieron, an Army criminal investigator, said the abuses occurred, "after the chain of command had changed shifts and gone home."

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Sivits said he did not report the abuse to his commanders because [he was told not to by a friend] "and I try to be friends with everyone. I see now where trying to be friends with everyone can cost you."

I spoke with Secretary Rumsfeld this morning about this lesson, the lesson of command. It is fine to change the command, but we must examine what caused the problem and change the procedures. Even though the rules were there, the procedures broke down. There was not a duty officer on duty. We have been told that this abuse took place between 2 and 4 in the morning when no one was around. I raised with Secretary Rumsfeld the importance of seeing to it from now on that the new commanders of the prison make sure there is a duty officer there all night long.

Back to Eisenhower's dictum, there should be snap, surprise inspections. People in the prisons should never know when someone might drop in, unexpected and unannounced, to see what is going on. Secretary Rumsfeld concurred. I believe that is the lesson that command should receive from this experience, and I believe it is the lesson they will learn and they will follow.

As sorry as this chapter is in our proud military history and as deep as this stain has become upon America's honor, it is not the first time we have seen such chapters. It is not the first time we have endured such stains. I wish I could say it is the last time this will happen, but even in this morning's news we are hearing that there are more pictures, that it may have been more widespread than we thought. With human beings as imperfect as they are, it is inevitable that at some point in the future someone else will break the rules, violate his oath, and take actions that will cause all Americans to mourn, as we do over these actions.

Given that history, that it has happened before and perhaps will happen again, we should remember what we did as a nation when it happened before and what we are doing now. We dealt with it. We went after those who were responsible, discovered who they were, gave them their full due process, but when they were convicted, they were punished. They were dealt with. Then we made the changes that were necessary to see to it that it wouldn't happen again. Then we got past it.

We have not allowed those past chapters in our history to deter us from our destiny as a nation. We should do the same thing now. We are in the process of discovering who the guilty are. We are in the process of conducting court-martial. Specialist Sivits is just the first. Charges have been proffered against others and additional courts-

martial will be forthcoming. We are in the process of making the changes—not just the change of command but the change in procedures to see to it that this will not happen again.

As we have done in the past, we must get through this and not let it deter us from our overall goal of why we are in Iraq. We must not fixate on this stain on our honor to the point that we become so muscle-bound that we cannot proceed forward in our mission.

What is our mission? Speakers who have addressed this before me have made that clear. Our mission is to provide freedom and security for the people of Iraq. I believe that means freedom and security for the Middle East generally. I believe that means transforming the world in which Americans live and an increase of freedom and security for our Nation as well. These are worthy, indeed noble goals, and we must not be deterred from seeking them by preoccupation with this particular outrage.

I close with a conversation I had over the weekend. Like many of us over the weekend, I went home to Utah and I participated in Armed Forces Day. It was a poignant Armed Forces Day for a variety of reasons, because many of the people who were there were families of those in the military who were there without their family member—that is, children, husbands, wives, mothers and fathers of Utahns who are serving in this war and who are not home with their families to enjoy the delightful spring day at Murray City Park where everyone was having a picnic and a good time. Set up in that area was a series of flags, one flag for each individual who had fallen in either Iraq or Afghanistan. Of course, the majority of flags were American flags, but I was struck by the number of British flags, Italian flags, Polish flags, Spanish flags—one I did not recognize, an Ukrainian flag, an Estonian flag. We are providing the leadership, but many countries in the world are responding to us as we launch on this mission.

On Armed Forces Day I sat next to a colonel. He was not a Utahn; he had come to participate in the activities. We visited over lunch. With the Army, he has been in Kosovo, he has been in Bosnia, he has been in Afghanistan, he has been in Iraq, and he was on his way back to Iraq.

I said to him: Colonel, tell me what it is like. You have been there, you have been on the ground. Tell me what it is like. He gave me an answer we hear a lot. Indeed, it was the first sentence out of his mouth that comes out the same as many others. He said: Well, things are not nearly as bad as the U.S. press would have you believe. Things are really going fairly well in many parts of the country. But we have problems.

We talked about some of the problems. He made this observation that I think should keep us thoughtful as we address our mission in Iraq. He said: You know, whether it is Bosnia,

Kosovo, Afghanistan, or Iraq, the same thing is true: Those people are just like us in that all they want is to have their children be able to walk out of the door and be safe on the street, to be able to go to school without intimidation and learn what they need to learn to get a decent job and live a decent life. That is all they want in Kosovo, Bosnia, Afghanistan, or Iraq—just like us. That is what we want in America. To bring that to Iraq and give the people of Iraq that opportunity, with their wives and their children and their grandchildren, unfortunately requires force of arms. Americans, British, Italians, Poles, Spaniards, Ukrainians, Estonians, are willing to risk their lives to bring about that goal. We must never lose sight of the importance of that mission or of the sacrifice that has gone into achieving it. We must never turn back simply because there are those who have put a stain on American honor by the way they have behaved.

I pay tribute to the Armed Forces. I pay tribute to the chain of command that is dealing with these challenges. I pay tribute to those who are willing to face the problems and not back away from them or cover them up. We must support them in their efforts. We must not smear the entire establishment because of the actions of a few.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SMITH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

#### OREGON'S ECONOMY

Mr. SMITH. Mr. President, yesterday I had the privilege to sit in that chair during much of the morning hour and I heard many of the speeches of our colleagues and friends on the other side. The theme of the day was, Are you better off today than you were 4 years ago? Those are the words of Ronald Reagan and Jimmy Carter. Now they are being applied to George W. Bush. I can say as an Oregonian that the answer in my State is yes, we are now better off than we were 4 years ago.

When I watched George W. Bush take his oath of office on a cold and rainy January day 3½ years ago, I was very mindful that Oregon was not going into recession; we were deep into recession. We had spent 8 years of the Clinton administration watching the dismantling of 70,000 family-wage jobs in many of the natural resource industries in my State, specifically, timber industry, fishing, farming, and others.

We were told we did not need low tech, we had high tech. But the bubble of high tech had already popped in Oregon. Billions of high-tech values, equities, were disappearing because they

were no more than the blue sky in the end than they were in the beginning.

Then we should have known it, but the tourism industry that we were told would take the place of our basic industries was in risk of peril that maybe we could not have imagined. When September 11 occurred, tourism evaporated, as well. And my State, because of the policy of the 1990s, coupled with the incredible shocks of the high-tech bubble popping, September 11, corporate scandals, began to register some of the highest unemployment rates in America.

Today those rates are falling and falling fast in Oregon. They are nowhere near as good as they ought to be, but with lower taxes, healthy forest initiative, an effort to preserve our hydroelectric dams in the Pacific Northwest, Oregon is coming back, tourists are coming back, high-tech is being restabilized, and trade is being advanced. These are all issues that will be and are part of the Presidential election.

As one Oregonian, I ask, Are we better off than we were 4 years ago? By most indicators, the answer is emphatically, yes. The rule of thumb is it takes 6 months between the kind of economic news we are beginning to enjoy now before that news is fully understood by the American people. If that holds true this time, a majority of Oregonians will be able to answer with me that, yes, we are better off now than we were 4 years ago.

It is not perfect. Gas prices, as my colleague from Oregon, RON WYDEN, pointed out, are too high. There are many reasons for that. I don't know that they will ever come down to what they were. But I do know the contender for the Presidency does not have the answer on this. The truth is, we have to explore for more and we have to conserve more. It is not all one and it is not all the other. It is both.

I understand he is complaining he does not see the President jawboning down the prices. Yet I think what Mr. Woodward said, that the President was talking to Prince Bandar, the men and women would not stand for it. You cannot have it both ways all the time.

The other half of the equation of, Are you better off now than you were 4 years ago, is the whole issue of our foreign policy and our domestic security. Having spent 6 years on the Foreign Relations Committee, I watched President Clinton, well motivated in foreign policy, trying to reconcile what to do with American power in a world in which we were the only superpower.

I learned a great lesson from him as it relates to Kosovo. I was one of the few Republican Senators who voted with him on Kosovo, consistently believing it was in American interests because it was consistent with an American value that we end genocide in Europe's back door. But for our intervention, at the urging and pleading of our NATO allies, they would have lost Kosovo to Mr. Milosevic without American power, President Clinton's leadership, and the support of this Congress