

(Mr. GARRETT of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### EXCHANGE OF SPECIAL ORDER TIME

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from California (Mr. GEORGE MILLER).

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

There was no objection.

#### THE TRIAL OF THE CENTURY

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

Mr. McDERMOTT. Mr. Speaker, if this were a sermon, I would use as the text Romans 12:19 which says, and I want to remind the House that we are a Christian Nation, that says, Avenge not yourselves, for it is written, vengeance is mine. I will repay, saith the Lord.

Now we are in the process of beginning a trial which is going to be the trial of the century. I think the United States people and the Congress should think about what it is we are setting out to do. On Wednesday, the trial of the century will begin. It will start at a secret Green Zone location by an anonymous court and under extreme U.S. military-imposed security measures.

It is a made-in-the-USA affair in administrative and financial terms. The court and the training and the whole proceedings cost us \$75 million of our taxes. About 300 people, all hired by the Americans, are working on the trial. The five secret Iraq judges, Shiites and Kurds, no Sunnis, are paid by the Americans, are living inside the Green Zone and are protected by the Americans from being either kidnapped or killed. They have received special training from U.S. and British and Australian legal experts, and they have even staged a mock trial.

If the defendant in this case is convicted, he will be able to file appeals and then will, within 30 days of those appeals being denied, be hung in that country in which he lives.

Now, this special Iraq tribunal was substituted by former American consul, Mr. Bremer, in December 2003, curiously almost 3 days before Saddam was captured, supposedly. Now, that is

the view of this case from the Arab world. That comes from an article in the Asia Times by a reporter named Pepe Escobar, and it is called "The Occupiers' Trial." This is how it is seen from the Arab world.

Now, you say, well, you know, that is just those Arabs. Pick up today's New York Times and there is the story on the editorial pages of the New York Times: "Saddam and Iraq on Trial," and here is what it says: "The opportunity created by the trial of Saddam Hussein to introduce the rule of law and the ideal of national reconciliation into Iraq has been largely squandered . . . At almost every turn, ill-conceived decisions by the United States and Iraqi-dominated Shiite religious and Kurdish nationalist parties have put politics and score-settling first."

Remember that quote about vengeance:

"The cost has been an indifference to legal scrupulousness and they are waging a costly vendetta by Kurdish and Shiite victims against Sunni Arabs who were once their oppressors."

That is the New York Times talking to our President who insists on doing this.

Now, the question you might ask yourself is, Why did they do it this way? I mean, any reasonable person might ask that. Well, this trial was set up this way for a variety of reasons. It should have been a scrupulously fair trial where you would have at least one Sunni among the judges. I mean, Saddam Hussein is a Sunni. We insist on a jury of your peers, and we have gone to a lot of trouble in this country to make sure there are peers on the juries, but not in this case.

We are looking to prove him personally accountable. Now, in the case in Iraq where legal training and appointments have been bent for decades to the political whims of the political, they should have called for enlisting help from international legal experts and used relevant precedents in international criminal law.

Why did they not do that? Why did they not call in an international tribunal like they did at Nuremberg at the end of the Second World War? This is the New York Times talking. Bush administration and its Iraq allies strongly oppose that step because it would have precluded the death penalty. They want a public hanging.

Now, once that decision was made, Iraq lawyers and American lawyers were the ones they were going to rely on. They were not going to get anybody national. They should have been well insulated, those people who were doing, this from political pressures. Instead, this special tribunal who organized the trial has been subject to constant manipulation and intimidation by Ahmad Chalabi. Remember him? The ceaselessly conspiring emigre politician who wants to make anti-Baathist vendettas his latest political platform.

We are setting ourselves up for a serious problem.

[From the New York Times]

SADDAM AND IRAQ ON TRIAL

The opportunity created by the trial of Saddam Hussein to introduce the rule of law and the idea of national reconciliation into Iraq has been largely squandered even before the courtroom proceedings begin. At almost every turn, ill-considered decisions by the United States and Iraq's dominant Shiite-religious and Kurdish-nationalist parties have put politics and score-settling first. The cost has been an indifference to legal scrupulousness, as well as a failure to distinguish between pursuing the specific crimes of a dictator that must be punished in a court and waging a collective vendetta by Kurdish and Shiite victims against the Sunni Arabs who were once their oppressors.

There is still time to shift this exercise in victor's Justice to a more constructive course because the trial will adjourn for several weeks after today's televised opening. For that to happen, the Iraqi lawyers and judges will have to stand-up to intense and continuing pressures from their political masters for a choreographed proceeding that seems timed to gain short-term advantages at the expense of national healing and an airing of recent Iraqi history.

When invading United States forces drove Mr. Hussein from power two and a half years ago, Americans naively expected rejoicing throughout Iraq and rapid efforts at democratic reconstruction. One main reason that did not happen, apart from the well-known mistakes by the American occupation authorities, was the arbitrary, violent and fragmented nature of the society left behind by the dictator, who had ruled through murder, fear and persecution.

One of the best ways to repair such a damaged society is a systematic judicial investigation of the regime's crimes. That should be followed by a scrupulously fair trial of those found personally accountable. In the case of Iraq, where legal training and appointments had been bent for decades to the political whims of the dictatorship, that should have called for enlisting help from international legal experts and using relevant precedents in international criminal law. The Bush administration and its Iraqi allies strongly opposed that step because it would have excluded the death penalty.

Once the decision was made to rely on Iraqi lawyers and American Advisers, they should have been well insulated from political pressures. Instead, the special tribunal organizing the trial has been subjected to constant manipulation and intimidation by Ahmad Chalabi, the ceaselessly conspiring emigre politician who has made anti-Baathist vendettas the latest political platform.

Finally, this prosecution would have been conducted differently if it were a serious attempt to uncover the murky lines of authority and responsibility within the Baathist regime and establish Mr. Hussein's clear personal responsibility for at least some of the roughly 300,000 murders committed in his name. It would have built up its case methodically, from the field operatives carrying out the killings to the officials who gave them their orders and on up the chain of command to Mr. Hussein himself.

Instead, today's trial will begin with what prosecutors and politicians decided was the easiest case to prove, a mass execution in a Shiite town that followed a failed 1982 assassination attempt against Mr. Hussein. These killings ought to be prosecuted. But if the aim is to uncover the broader criminal conspiracy in order to punish the truly guilty and absolve those guilty only by association, other trials should have come first.

What we have is a narrow sectarian government, still struggling to come up with a

nationally inclusive constitution, that is conducting what looks like a show trial, borrowing noxious elements of Baathist law to speed the way toward an early and politically popular execution.

#### THE OCCUPIERS' TRIAL

(By Pepe Escobar)

Occupied Iraq has virtually no security, electricity, water or jobs. Last Saturday, instead of basic necessities for a decent life, Iraqis had a referendum—already suspected of massive fraud—on a constitution few have even seen.

Starting on Wednesday, Iraqis, and the rest of the world for that matter, get a running soap opera—the trial of Saddam Hussein, under whose regime, for all its terror, and then 12 years of economic sanctions, Iraqis at least had security, electricity, water and jobs.

This “trial of the century”—or at least the early 21st century—starts at a secret Green Zone location, by an anonymous court, and under extreme, U.S. military-imposed security measures. It's a made in U.S.A. affair—in administrative and financial terms.

The court, the training and the whole proceedings cost U.S. \$75 million—courtesy of U.S. taxpayers (the budget was allocated in May 2004). About 300 people—paid by the Americans—work on the trial machinery. The five “secret” Iraqi judges—Shi'ites and Kurds, no Sunnis—are paid by the Americans, live inside the Green Zone and are protected by the Americans from, being kidnapped or killed.

They have received special training from U.S., British and Australian legal experts and have even staged a mock trial in London. They are supposed to be “independent” in a country on which “the United States continues to wield vast influence”, according to the understated Associated Press. Human Rights Watch has warned on the record that the trial may be “violating international standards for fair trials”.

The initial charges against Saddam will focus on the killing of 143 Shi'ites in the village Dujail, north of Baghdad, in 1982, after an assassination attempt against him. Recently disclosed images from Iraqi TV at the time show Saddam touring Dujail in triumph—but not the hostility of the crowd.

The assassination attempt was claimed by the Shi'ite Da'wa Party. Current Prime Minister Ibrahim Jaafari happens to be a leader of the Da'wa Party. As far as he's concerned, Saddam should be pronounced guilty in no time. “We are not trying to land on the moon here . . . It's enough [to try Saddam] on Dujail and Anfal. The tribunal is just and open, he has a defense lawyer and the verdict will match the crime . . . I don't want to intervene in judicial proceedings, but why do we say now that more time is needed?”

Six other people are being tried alongside Saddam. They include his half-brother Barzan al-Tikriti—who was the head of the terror-inflicting Mukhabarat intelligence services; his notorious henchman Taha Yassin Ramadan; Awad Hamed al-Bander, the judge who sentenced many in Dujail to death; and four Ba'ath Party officials. The prosecution charges that Saddam himself, as head of state, certified the executions pronounced by an Iraqi special tribunal presided by Bander.

This won't be an American-style courtroom drama. There's no jury. The chief judge will question a number of witnesses. Many have already been interviewed before the trial. The five judges decide whether Saddam and his six co-defendants are innocent or guilty. Saddam will have the right to call witnesses.

If he is convicted, his defense team will be able to file a number of appeals before the

sentence—expected to be death—is applied. If it's death row, Saddam must be executed—in fact hanged—within 30 days of the ruling on his last appeal. The description of the trial procedures is provided, once again, not by Iraqis, but by Americans—at the National Security Council and the State Department.

This special Iraqi tribunal was instituted by former American proconsul Paul Bremer in December 2003—curiously only three days before Saddam, according to the official Pentagon version, was captured in his hole on the ground. The tribunal is supposed to judge crimes committed by Iraqis—inside and outside the country—between July 17, 1968 (when the Ba'ath Party took power) and May 1, 2003, as well as war crimes perpetrated during the Iran-Iraq War (1980-1988) and the invasion of Kuwait (1990-1991).

So a string of trials may be in the offing—concerning, for starters, the Anfal campaign of 1987-1988 which killed at least 5,000 Kurds, the invasion of Kuwait in 1990, the suppression of the Shi'ite uprising of 1991 (which may have killed 200,000 people) and the widespread assassination of Shi'ite religious leaders, like the Grand Ayatollah Baqr al-Sadr.

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

(Mr. MARCHANT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1700

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### TRIBUTE TO COAST GUARD IN EFFORTS DURING HURRICANES KATRINA AND RITA

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

Mr. BUTTERFIELD. Mr. Speaker, I rise today to recognize the extraordinary efforts of our Coast Guard in the aftermath of hurricanes Katrina and Rita. The Coast Guard again demonstrated just how well they live up to their Latin motto, which means: “Always Ready.”

Several days before Katrina made landfall, the Coast Guard activated emergency response plans, while maintaining communications with both the Atlantic and Pacific commands and headquarters in Washington. As the disaster drew near, if something did

not work, the Coast Guard modified its plans to meet the needs.

The first images we as Americans saw on television depicting this disaster were those of Coast Guard helicopters rescuing stranded citizens from rooftops amid rising flood waters. In the face of high winds and flying debris, daytime temperatures nearing 100 degrees and downed utility lines, our brave men and women heeded the call of duty to perform selfless acts of courage.

During around-the-clock flight operations over a 7-day period, our Coast Guard helicopters operating over New Orleans saved an astonishing 6,470 lives. They also helped to save thousands of other victims by delivering tons of food and water to those who could not be evacuated immediately. In all, the Coast Guard rescued 33,500 people in its response to Katrina, six times the number of people it rescued in all of 2004.

Mr. Speaker, I am extremely proud of the Coast Guard air crew rescue swimmers, many of whom trained at the Coast Guard Aquatic Training Facility, located in my congressional district at the Coast Guard station in Elizabeth City, North Carolina. The Coast Guard rescue swimmers faced some very adverse conditions, including flooded houses and buildings, steep slippery roofs, foul and contaminated water, and the need to hack through attics with axes or break out windows to free the survivors. Despite these obstacles, these brave men and women saved many American lives.

The Coast Guard's responses to Katrina and Rita should serve as a model for our governmental agencies and our first responders in the face of future disasters. These brave men and women succeeded in keeping these devastating events from becoming even greater tragedies. I thank the Coast Guard for their dedicated service, and I ask my colleagues to join me in congratulating them and supporting my future efforts to upgrade their training facility in my congressional district.

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

(Mr. STUPAK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. RYAN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### THE BUDGET

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