

serve the State as president of the Alaska School Board Association and then as our State's Lieutenant Governor.

Mr. Burke Riley served as the Territorial Secretary of Alaska and served two terms in the Alaska Territorial Legislature. As a delegate to the Alaska constitutional convention, Mr. Riley served as the Rules Committee chairman. Mr. Riley also served as a chief of staff to Governor Egan and assisted in setting up the government of the State of Alaska during Governor Egan's extended illness.

And Seaborn Buckalew served in the Territorial House. After the convention, Mr. Buckalew was appointed to the superior court where he served many years. He was also an Active National Guard member.

The result of the hard work of these delegates was a constitution that the National Municipal League said was "one of the best if not the best State constitution ever written." The Alaska constitutional convention would not have been a success without the assistance of staff and consultants. I mentioned the contribution of Thomas Stewart. There was also that from Katherine Hurley, Dr. George Rogers, and Doris Ann Bartlett. I also thank the two surviving consultants, Dr. Vincent Ostrum and Dr. Earnest Bartley, for their service to Alaska.

I was not yet born at the time that Alaska's Constitution was created, but that document continues to serve Alaska's leaders as a roadmap to our State's future. Alaska's constitutional convention didn't just set the wheels in motion toward statehood, it has guided my generation and my children's generation and will be a guide to future generations of Alaskans forward.

As Governor Gruening put it, "a shining and eternal example of what we want to call the American way of life."

#### HONORING OUR ARMED FORCES

##### DEATH OF ARMY SPECIALIST DARREN HOWE

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of Darren Howe of Beatrice, NE, a specialist in the U.S. Army. Specialist Howe died of wounds suffered after his Bradley fighting vehicle was struck by a roadside bomb on October 17, near Samarra, Iraq.

Though severely burned, Specialist Howe regained control of the Bradley, and helped evacuate soldiers in the rear of the vehicle. His efforts helped save the lives of his fellow soldiers. He was 21 years old.

Specialist Howe grew up in Beatrice, NE, and graduated from Beatrice high school in 2003. He joined the Army Reserve in High School, and upon graduation enlisted in the Army full time. Specialist Howe was a member of Company A, 1st Battalion, 15th Infantry Regiment, 3rd Infantry Division, Fort Benning, GA. Specialist Howe will be remembered as a loyal soldier who had a strong sense of duty, honor, and love

of country. Thousands of brave Americans like Specialist Darren Howe are currently serving in Iraq.

Specialist Howe is survived by his wife Nakia and their two children, Shaye-Maleigh, 3, and Gary-Dean, 1. He is also survived by his mother and stepfather, JoDee and Greg Klaus of Beatrice; father and stepmother, Steve and Beau Howe of Emporia, KS, brother Brandon Howe and step-brother Alex Klaus. Our thoughts and prayers are with them at this difficult time. America is proud of Specialist Howe's heroic service and mourns his loss.

I ask my colleagues to join me and all Americans in honoring Specialist Darren Howe.

##### TRIBUTE TO PRIVATE FIRST CLASS TYLER MACKENZIE

Mr. ALLARD. Mr. President, today I honor the life of PFC Tyler Ryan MacKenzie who was assigned to the 502nd Infantry Regiment, 2nd Brigade Combat Team, 101st Airborne Division. His service to the U.S. Army led Private MacKenzie of Evans, CO, to Fort Campbell, KY, and eventually Iraq. Last Wednesday his life, along with three of his fellow soldiers, came to an end when his vehicle was struck by a roadside bomb.

Today we have many remarkable men and women serving in our military with a strong sense of dedication to the United States. Tyler himself came from a line of military servicemen in his family and he too felt an obligation to serve in the Armed Forces. Private MacKenzie's family is proud of his service to our country.

The democratic milestones reached in Iraq in the last 2 years would not have been possible without dedication of our brave men and women in uniform and support provided by their loved ones. At this difficult time my heart goes out to Tyler's family and all those who take part in the noble cause of protecting freedoms that we all enjoy. I am thankful for Tyler MacKenzie and those that preceded him in making the ultimate sacrifice. Their lives should be honored by firmly resisting the enemy and completing the mission.

##### IN HONOR OF ARMY SPECIALIST DARREN HOWE

Mr. NELSON of Nebraska. Mr. President, I rise today to honor Army SPC Darren Howe of Beatrice, NE.

Specialist Howe, 21, began his service in the Army Reserve. He graduated in 2003 from Beatrice High School and decided to join the Army full-time. Specialist Howe was assigned to A Company, 1st Battalion, 15th Infantry Regiment, 3rd Infantry Division, Fort Benning, GA.

On October 17, 2005, SPC Darren Howe was mortally wounded when an improvised explosive detonated close to the Bradley fighting vehicle he was driving near Samarra, Iraq. He was treated in Germany before being taken to Brooke Army Medical Center in Texas, where he died on November 3, 2005.

Specialist Howe is survived by his wife, Nakia, who lives in Plymouth,

NE. Darren and Nakia are the parents of a 3-year-old daughter, Shaye-Maleigh, and a 1-year-old son, Gary-Dean. I would like to offer my sincere condolences and prayers to the family and friends of Specialist Howe. His noble service to the United States of America is to be respected and remembered by all. Every American and all Nebraskans should be proud of the service of brave military personnel such as SPC Darren Howe.

##### IN HONOR OF ARMY CAPTAIN JOEL CAHILL

Mr. President, I rise today to honor Army CPT Joel Cahill of Papillion, NE.

CPT Joel Cahill, 33, was a selfless and honorable man whose commitment and service to his country earned him the Soldier's Medal, which is awarded for selfless action in noncombat situations. He graduated from Papillion-La Vista High School before graduating magna cum laude in 1999 from the University of Nebraska at Omaha. He was serving his fourth tour of combat duty and in the 1st Battalion, 15th Infantry from Fort Benning, GA.

On November 6, 2005, Captain Cahill was patrolling an area in Anbar Province in western Iraq when a roadside bomb detonated, mortally wounding him.

Captain Cahill is survived by his wife, Mary; his parents, Larry and Barbara Cahill; and numerous other family members, friends and fellow soldiers. Joel and Mary are the parents of two children, Faith, 4, and Brenna, 3. I would like to offer my sincere condolences and prayers to the family and friends of Captain Cahill. His noble service to the United States of America is to be respected and remembered by all. Every American and all Nebraskans should be proud of the service of brave military personnel such as CPT Joel Cahill.

##### IN HONOR OF ARMY STAFF SERGEANT JASON FEGLER

Mr. President, I rise today to honor Army SSG Jason Fegler of Harrisburg, NE.

Staff Sergeant Fegler, 24, graduated from Banner County High School before serving for more than 4 years in the Marine Corps. He then joined the Army where he served in the 101st Airborne. He died November 4, 2005, following a month of service in Iraq.

Staff Sergeant Fegler is survived by his wife, Shianne, who is in the Navy and lives in Virginia Beach, VA. Jason and Shianne are the parents of a 2-year-old son, Aiden. He is also survived by his father, Jim Fegler, and numerous other family members, friends, and fellow soldiers.

I would like to offer my sincere condolences and prayers to the family and friends of Staff Sergeant Fegler. His noble service to the United States of America is to be respected and remembered by all. Every American and all Nebraskans should be proud of the service of brave military personnel such as SSG Jason Fegler.

## THE COMBAT METH ACT

Mr. LEAHY. Mr. President, methamphetamine abuse has increased exponentially in recent years, expanding geographically to reach all corners of the United States. In recent years, the problem has made its way to Vermont. I am concerned about escalating methamphetamine abuse and have worked with other interested Senators to find ways to combat this growing problem.

With Senator FEINSTEIN taking the lead, on July 28, 2005, the Senate Judiciary Committee unanimously reported out the Combat Meth Act, S. 103, with a committee amendment. I worked with Senator FEINSTEIN and the other members of the committee to reach this result.

In September, I worked with Chairman SHELBY and Senator MIKULSKI to take the unusual action of including the Combat Meth Act as an amendment to the Commerce Justice Science appropriations bill. I did this to accommodate Senator FEINSTEIN's request and to try to make progress on this measure. By that action the Senate approved the Combat Meth Act, S. 103, as reported by the Judiciary Committee, as an amendment and then in passage of the bill. House conferees would not agree to the Senate bill. Without agreement on such an authorization, it was not retained in the appropriations conference report.

Last Thursday, I honored the request of Senator FEINSTEIN and worked to clear the Combat Meth Act, S. 103, as reported by the Judiciary Committee, for passage by the Senate as a free-standing bill. It is clear on the Democratic side. It has been clear for days. All Senate Democrats are ready to pass that measure. It is being prevented from passage by an anonymous objection from the Republican side of the aisle.

The Senate's bipartisan bill focuses directly on providing law enforcement and prosecutors the tools they told us they needed. These include putting precursor chemicals behind the pharmacy counters, monitoring and regulating the quantities that can be bought in a 30-day period, and making it harder to smuggle such ingredients into the United States. The Senate bill focuses on prevention, regulation, monitoring, and treatment. Our bill would make it harder for people to enter the nightmarish world of methamphetamine use and abuse, harder for other countries and companies to profit from methamphetamine misery, and easier for law enforcement to combat this problem on the ground.

I know that Senator FEINSTEIN has been working tirelessly for years to do something about this important issue. She has been tenacious and dedicated, and I respect her leadership in this area. She and Senator TALENT know that I have tried to accommodate them and to facilitate passage of this legislation.

## ABUSE OF FOREIGN DETAINEES

Mr. LEAHY. Mr. President. The Bush administration has steadfastly refused to address the black mark on our Nation caused by its interrogation policies and practices and the resulting abuse of detainees. Some of us in Congress strongly believe that oversight and accountability are paramount to restoring America's reputation as a human rights leader. We have been stymied in our efforts to learn the truth about how this administration's policies trickled down from offices in Washington to cellblocks in Abu Ghraib, Guantanamo, and Afghanistan.

The administration's effort, led by Vice President CHENEY, to block any legislation that would regulate the treatment of detainees is wrong. Also wrong is the Bush administration's refusal to consider an independent commission to investigate the abuses. It would rather rely on internal, piecemeal investigations conducted within the Defense Department, none of which address the significant role of the Central Intelligence Agency in interrogations.

Given the failure of the Republican-controlled Congress to conduct effective oversight, I support the Levin amendment to the Defense authorization bill to establish an independent commission on the treatment of detainees in U.S. custody. I have spoken many times about the need for a comprehensive, independent investigation into the abuse of detainees. Such an investigation may not be without painful, but accountability is a necessary step if we are to recover from all that has transpired during this administration's watch.

I am not alone in calling for an independent commission. Several organizations, including the American Bar Association, Human Rights First, Amnesty International, and Human Rights Watch, have urged the creation of an independent, bipartisan commission to investigate the prisoner abuses. A letter from eight retired generals and admirals to President Bush asked him to appoint a prisoner abuse commission modeled on the 9/11 Commission. In that letter, the flag officers stated, "internal investigations by their nature suffer from a critical lack of independence. Americans have never thought it wise or fair for one branch of government to police itself."

The 9/11 Commission provides more than a structural model for a new commission; it also provides a lesson in how perseverance can overcome the Bush administration's inclination to secrecy and to refuse to acknowledge the facts. The Bush administration initially opposed the formation of the 9/11 Commission, just as it now opposes a prisoner abuse commission. The administration used the same argument against both commissions. It asserts that its own internal investigations are sufficient.

Ironically, Dr. James Schlesinger, the head of a panel established by Sec-

retary Rumsfeld to investigate the prisoner abuses, addressed this issue in his testimony to the Senate Government Affairs Committee in February 2002, as it debated the need for the 9/11 Commission. He argued for the creation of the 9/11 Commission because "to this point many questions have been addressed piecemeal or not at all. The purpose of the National Commission would be systematically and comprehensively to address such questions and to give a complete accounting of the events leading up to 9/11. In my judgment, such a Commission would serve a high, indeed indispensable, national purpose." This is exactly the same reason we need an independent commission to investigate the prisoner abuse scandals.

Ignoring the problem will not make it go away. Delaying the accounting will not solve the problems. Each week brings new allegations that reveal how much we still do not know. Human rights groups and journalists are doing what they can to bring the truth to light. It is past time for Congress to hold a thorough, oversight investigation. The least Congress should finally do is establish an independent commission to investigate these matters. Rather than wait to read about the latest discovery of abuse in tomorrow's paper, let us at least do that.

After months of delay from the Republican Senate leadership, the Senate finally had an opportunity last month to vote on clear guidance for treatment of detainees in U.S. custody. When we did, the Senate voted overwhelmingly, 90 to 9, in favor of Senator MCCAIN's amendment to the Defense appropriations bill, which I was glad to cosponsor along with Senator DURBIN and others.

That same amendment was adopted a second time to the Defense Authorization bill and I, again, cosponsored it.

Our credibility and reputation as a world leader in human rights has suffered greatly during the last few years. The scandals have put our own troops at risk and undermined their efforts in Afghanistan and Iraq.

Many of us have been working on these issues for years. I first wrote to Condoleezza Rice in 2003, after reports of deaths of detainees were reported from the Bagram base in Afghanistan in late 2002. Like so much we have learned, those first reports came from the press and human rights groups, not the Bush administration.

The Bush administration has threatened to veto any legislation that would regulate the treatment of detainees. Vice President CHENEY is reported to be personally lobbying on this matter.

A group of 28 senior military officers, including GEN John Shalikashvili, recently wrote to Senator MCCAIN in support of his amendments addressing detainee treatment. That letter states:

The abuse of prisoners hurts America's cause in the war on terror, endangers U.S. service members who might be captured by the enemy, and is anathema to the values