

then, it has evolved into the most comprehensive international security organization the world has ever known and has become a reliable cornerstone of America's national security.

As many of my Senate colleagues know, I was an active proponent of NATO expansion in 1999 and again in 2004. For me, the debate over whether to expand NATO had deep personal resonance. For many of the countries aspiring to join NATO at that time, freedom did not come to every nation in Europe at the end of the Second World War. For those countries caught behind the Iron Curtain, the end of the Second World War marked the beginning of a long struggle for freedom and democracy. Even after the Iron Curtain fell, their freedom and security was not ensured. For many of those countries, joining NATO in the expansion rounds in 1999 and 2004 provided true security for the first time.

For me, growing up as a Polish American in east Baltimore, I learned about the burning of Warsaw. I knew about the occupation of Poland by the Nazis. I learned about the burning of Warsaw at the end of World War II, when the Germans burned it because of the Warsaw uprising. Soviet troops stood on the other side of the Vistula River and watched it burn. I learned about the Katyn massacre, where Russians murdered more than 4,000 military officers and intellectuals in the Katyn Forest at the start of the Second World War, so there would not be an intellectual force in Poland, ever, to lead it to democracy. I learned that these terrible events must never be permitted again. When the Senate voted to ratify the accession of Poland, the Czech Republic, and Hungary into NATO, I knew that Poland could finally emerge from the shadow of the Cold War to join the family of Western nations.

In the 60 years since it was created, NATO has been an unprecedented success in deterring conflict and promoting peace and stability. To remain relevant and successful in the future, NATO must keep its doors open to those European democracies ready to bear the responsibilities, as well as the burdens, of membership. We must all remember that for many nations that have been occupied and oppressed over the last 100 years, NATO represents an institution that will guard against a repeat of the despicable and inhumane practices of the old century.

#### LETTER TO PRESIDENT OBAMA FROM CUBAN PATRIOTS

Mr. MARTINEZ. Mr. President, I wish to share with my colleagues a recent letter from 17 courageous activists within Cuba who are calling for democracy for their country. These individuals represent peaceful local movements across the nation. They represent Cuba's future more than the aged military elite now ruling that country alongside Raul Castro. They

are asking for the support of the United States, including a policy that does not "sacrifice the moral leadership of the United States in the face of commercial temptations."

Though Cubans have suffered oppression under the Castro regime for more than 50 years, this is an especially appropriate time to raise awareness of the ongoing plight of the Cuban people. In recent weeks, the Cuban regime has tightened its grip on the reins of power and installed hard-line military officers in top government posts. Ironically, at a time with increasing harassment and imprisonments taking place in Cuba, there are efforts within this Congress to adjust U.S. policy in a way that would essentially reward the Cuban regime.

Before any Member of this body or the President considers loosening the sanctions we have on Cuba, I commend the following letter to their reading:

The material follows:

[Informal Translation]

DEAR PRESIDENT OBAMA, Your election is a formidable symbol of what civic determination can do to institute transcendental social and political change. By assuming and conducting your important Presidential duties, you honor the millions of Americans who have fought for liberty, social justice, civil rights and human dignity.

In Cuba, there is a movement representing a broad racial and religious spectrum, formed by women, men, workers, and young people that—despite being the object of terrible repression by the regime in power—is conducting a peaceful civic struggle for democracy and human rights.

Our movement includes the desire for CHANGE by thousands of Cubans who have defied the repression, the intimidation and have overcome the fear to sign their names in petitions for constitutional reforms and academic freedom. Thousands more have refused to join in the attacks or "actos de repudio" ordered by the political police against those who aspire for peaceful political change. We are sustained by the inspiration of the more than 1.4 million Cubans that boycotted the elections of a single party and candidate organized by the regime in January and February 2008. Every day, in subtle and not so subtle ways, in visible and invisible ways, the Cuban people increasingly deny their support to the regime in power through acts of civil disobedience.

A great majority of Cubans, including many within the government, yearn for deep democratic changes in Cuba.

The great example of the civil rights movement in the United States is a ray of hope that the full dignity of every Cuban will be restored. We want to determine our future through democratic means.

It is our understanding that your administration will redirect the policy of the United States on Cuba and the regime. We ask that you do not put commercial considerations ahead of political freedom for our people. The regime's repression has increased considerably during the last year, and the militarization at high levels of government is a clear signal of the government's lack of will to initiate real changes. Today, hundreds of political prisoners languish in terrible conditions in Castro's jails. Their only crime has been to fight for the same freedoms that Americans such as Abraham Lincoln and Dr. Martin Luther King, Jr. gave their lives for. Have no doubt Mr. President Obama that their fight is our fight now.

We ask that you consider an international, multilateral strategy that would compel the regime to open itself to its own people by freeing the political prisoners, restoring the civil rights of the Cuban people and organizing free elections with international supervision. Such a policy would reinforce and strengthen the work of many groups of Cubans dedicated to the peaceful political change.

This movement for change seeks to peacefully and deeply transform the political scene of Cuba.

We invite you to not sacrifice the moral leadership of the United States in the face of commercial temptations. Your presidency is a tribute to everything that can be conquered when a cause is just and correct. We dedicate our lives to the movement for the freedom of Cuba and expect—one day—to have a democratically-elected Cuban president who would welcome you to Havana.

Do not forget us. We need your support. We, too, "have a dream" of freedom.

Attentively,

1. Jorge Luis García Pérez "Antúnez", Presidio Político Pedro Luis Boitel

2. Néstor Rodríguez Lobaina, Movimiento Cubano de Jóvenes por la Democracia, La Habana

3. Rolando Rodríguez Lobaina, Alianza Democrática Oriental, Guantánamo

4. Idania Yáñez Contreras, Coalición Central Opositora, Villa Clara

5. Juan Carlos González Leiva, Consejo de Relatores de Derechos Humanos, La Habana

6. Iris Pérez Aguilera, Movimiento Feminista de Derecho Civiles Rosa Parks, Villa Clara

7. Alejandro Tur Valladares, Jagua Press, Cienfuegos

8. Ana Margarita Perdígón Brito, Presidio Político Pedro Luis Boitel, Sancti Spiritus

9. Joaquín Cabezas de León, Movimiento Cubano Reflexión, Villa Clara

10. Ricardo Pupo Sierra, Plantados hasta la Libertad y la Democracia, Cienfuegos

11. Enyor Díaz Allen, Movimiento Cubano de Jóvenes por la Democracia, Guantánamo

12. Cristián Toranzo, Movimiento Cubano de Jóvenes por la Democracia, Holguín

13. Marta Díaz Rondón, Movimiento Feminista de Derecho Civiles Rosa Parks, Holguín

14. Margarito Broche Espinosa, Consejo de Relatores de Derechos Humanos de Cuba, Villa Clara

15. María de la Caridad Noa González, Comisión de Derechos Humanos y Reconciliación Familiar, Villa Clara

16. Virgilio Mantilla Arango, Fundación Cubana de Derechos Humanos, Camagüey

17. Yorledis Duvalón Gibert, Movimiento Cubano de Jóvenes por la Democracia, Santiago de Cuba

#### COMMISSION OF INQUIRY

Mr. LEAHY. Mr. President, since I last came to the floor to discuss a proposal for a Commission of Inquiry, Americans have learned disturbing new facts that underscore the need for such a nonpartisan review. In the last 8 years, expansive views of Presidential authority and misguided policies have dominated the question of how best to preserve and protect national security. As Senators, we each take an oath to "support and defend the Constitution of the United States." In the months and years following 9/11, driven by an inflated view of executive power, the Bush-Cheney administration compromised many of the very laws and

protections that are the heart of our democracy. Their policies, which condoned torture, extraordinary renditions, and the warrantless wiretapping of Americans, have left a stain on America's reputation in the world.

In recent weeks, we have also seen a few more opinions previously issued by the Office of Legal Counsel after 9/11 that had been kept secret until now. I commend the new Attorney General on their release. I have asked that more be released, and it is my hope that they will be soon. These opinions sought to excuse policies that trample upon the Constitution and our duly enacted legal protections. These opinions arise from an arrogant rationale that the President can do anything he wants to do, that the President is above the law. The last President to make that claim was Richard Nixon. We saw the results of that policy in Watergate. It was through efforts like the Church Committee that we revised our laws and moved forward. In my view, it is time to do so again.

Perhaps the most persuasive new revelation that demonstrates why we cannot just turn the page without reading it is Mark Danner's account of a leaked copy of a report on the treatment of detainees at Guantanamo Bay. The report, compiled by the International Committee of the Red Cross, is nothing short of chilling. One detainee interviewed describes: "Two black wooden boxes were brought into the room outside my cell. One was tall, slightly higher than me and narrow. The other was shorter, perhaps only [3½ feet] in height. I was taken out of my cell and one of the interrogators wrapped a towel around my neck, they then used it to swing me around and smash me repeatedly against the hard walls of the room. . . . I was then put into the tall black box for what I think was about one and a half to two hours. . . . They put a cloth or cover over the outside of the box to cut out the light and restrict my air supply. It was difficult to breathe."

The report continues to describe how these men were kept naked, shackled to a chair for weeks in freezing cold temperatures, forced with cold water to stay awake for days on end, bombarded with loud music, starved, and beaten over and over again. In one interview, a man describes how he was waterboarded: He was "dragged from the small box, unable to walk properly and put on what looked like a hospital bed, and strapped down very tightly with belts." As they poured water on him, he said "I struggled against the straps, trying to breathe, but it was hopeless. I thought I was going to die."

The report concludes that from those descriptions, this was torture. And there is mounting evidence to suggest it was a Bush administration policy. Media reports suggest that the CIA briefed high-level administration officials on the interrogation plan. Vice President Cheney admitted in an interview with ABC News that he supported

the plan that authorized these measures, including waterboarding. In fact he continues to claim, without any basis, that the Bush administration's interrogation tactics, including torture, were appropriate and effective.

This past Sunday, a Washington Post article described how the waterboarding of Abu Zubaida failed to produce any useful intelligence. Of course, Zubaida is a detainee who many Bush administration officials had long claimed provided useful intelligence only after he was subjected to harsh interrogation techniques. According to Post interviews of former senior government officials, "not a single significant plot was foiled as a result of Abu Zubaida's tortured confessions . . . . Nearly all of the leads attained through the harsh measures quickly evaporated, while most of the useful information from Abu Zubaida . . . was obtained before waterboarding was introduced."

Jack Goldsmith refers to the August 2002 "Bybee memo" as the "golden shield," because it redefined torture in order to shield decisionmakers from liability for these tactics. The release of related memos is needed. Whether they end up shielding decisionmakers from prosecution, they should not shield them from accountability. Accountability does not only happen in a courtroom. We need to know what was done. Transparency and accountability can help restore our reputation around the world. Most importantly, to reestablish the trust of the American public in their government, they deserve to know and understand what happened.

Just last week, we heard about the Bush administration's attempt to silence Binyam Mohammed, a British citizen held for years as an enemy combatant at the detention facility at Guantanamo Bay. He claims that he was tortured during the course of his detention. Bush administration officials apparently demanded that he sign a secret plea bargain which would have prohibited him from ever suing the United States over his alleged torture in order to be sent back to the United Kingdom. He did not and now Britain is investigating his allegations. When asked about the involvement of a particular British intelligence agent, Mr. Mohammed said, "I feel very strongly that we shouldn't scapegoat the little people. We certainly shouldn't blame 'Witness B,' he was only following orders."

One of my concerns in proposing the Commission of Inquiry is that we not scapegoat or punish those of lesser rank. Such a commission's objective would be to find the truth to provide accountability for the past. People would be invited to come forward and share their knowledge and experiences, not for purposes of constructing criminal indictments, but to assemble the facts, to know what happened and to make sure mistakes are not repeated. We have had successful oversight in some areas, but on issues including

harsh interrogation tactics, extraordinary rendition and executive override of the laws, the last administration successfully kept many of us in the dark about what happened and who ordered it.

One month ago, the Judiciary Committee held a hearing to explore my proposal. A bipartisan panel of respected witnesses explained why we need such a commission. Since that time, this idea has received a wide range of support from people all across this country. I am not interested in a panel comprised of partisans intent on advancing partisan conclusions. I regret that Senate Republicans have approached this matter to date as partisans. That was not my intent or focus. Indeed, it will take bipartisan support in order to move this forward.

I continue to talk about this prospect with others in Congress, and with outside groups and experts. I continue to call on Republicans to recognize that this is not about partisan politics. It is about being honest with ourselves as a country. We need to move forward together.

I recently heard from the Nobel Prize recipient Bishop Desmond Tutu about this proposal. Bishop Tutu, respected throughout the world for his efforts for peace and justice in his own country of South Africa, offered his support for what we are trying to do.

The legacy of the last administration left us facing crises in more areas than just the economy, the wars in Iraq and Afghanistan, and the worst recession since the Great Depression. There is no question that those are all pressing issues. But we cannot ignore the failures of government forever. We do so at our peril.

We are tackling tough issues in these difficult and uncertain times. The Judiciary Committee has a full legislative agenda, having reported bipartisan legislation to fight fraud, public corruption and to aid the economy through patent reform. But the fact remains that under the most remarkably broad expansion of executive authority in my lifetime, we have seen policies on detention and interrogation that undermined our values, our reputation and, many believe, our efforts to ensure national security.

The country will need to have an honest discourse about what happened and what went wrong. I continue to feel strongly that a Commission of Inquiry would provide us the best non-partisan setting in which to undertake that study and national conversation. I think we should proceed sooner rather than later. I am continuing to reach out and to work on the proposal. But a conversation is not something I can undertake unilaterally. As strongly as I feel, it will take the cooperation and commitment of others for this proposal to serve its intended purpose so that we can join together to move past the mistakes of the recent past.

### RECOGNIZING HOSTELLING INTERNATIONAL USA

Mr. UDALL of New Mexico. Mr. President, today I wish to recognize Hostelling International USA for 75 years of service to intercultural understanding and youth travel.

Since 1934, Hostelling International USA has hosted 22 million visitors in its 70 hostels across the country. These visitors came from across the country and around the world. Hostels made their trips affordable and gave them the opportunity to see more of our country. My State of New Mexico is the proud home of 10 hostels that give visitors the opportunity to see our beautiful landscape and experience our unique culture.

HI-USA works because of the many volunteers who help educate travelers, find sites for new hostels, and promote youth travel.

Please join me in celebrating 75 years of Hostelling International USA.

### DENOUNCING THE IMPRISONMENT OF MIKHAIL KHODORKOVSKY

Mr. CARDIN. Mr. President, last October marked the fifth anniversary of the arrest of Mikhail Khodorkovsky, the former head of Yukos, Russia's largest oil company. The Council of Europe, Freedom House, and Amnesty International, among others, have concluded he was charged and imprisoned in a process that did not follow the rule of law and was politically influenced. This miscarriage of justice in 2003 is significant because it was one of the early signs that Russia was retreating from democratic values and the rule of law.

Last month, Russian authorities decided to go to trial with a second set of charges first introduced in 2007 when Khodorkovsky was to become eligible for parole. Despite credible reports that he was a model prisoner, parole was denied on apparently flimsy and contrived technical grounds. Yet the Russian judiciary recently saw fit to grant parole to Colonel Yuri Budanov, who was serving a sentence for raping and murdering a Chechen girl. I would also like to note that it was Stanislav Markelov, a courageous attorney who was instrumental in putting Budanov behind bars. But Budanov is now free and Markelov was gunned down, along with Anastasia Baburova a journalist for Russia's premier independent newspaper Novaya Gazeta, in broad daylight in central Moscow last January. The message this sends is loud and clear and profoundly disturbing.

Based on the observations of many independent international lawyers and organizations, there was no compelling evidence that Khodorkovsky or any of his associates were guilty of the crimes for which they were originally charged or that the legal process reflected the rule of law or international standards of justice. Even Russian officials have acknowledged that Khodorkovsky's ar-

rest and imprisonment were politically motivated. As reported by the Economist, Igor Shuvalov, First Deputy Prime Minister of Russia, admitted that Khodorkovsky was in a Siberian prison camp "for political reasons." He added that "Once you behead someone, you give a good example (to other Russian tycoons) of how to behave." In other words, freedom for Russia's businessmen is determined by the Kremlin's political expediency. As reported by The Washington Post and the Boston Globe, Shuvalov has called the trial and continued imprisonment of Khodorkovsky a "showflogging" intended to serve as an example to others on the political consequences of challenging the Kremlin's economic ambitions.

The current charges against Khodorkovsky amount to legal hooliganism and highlight the petty meanness of the senior government officials behind this travesty of justice. The charges and verdicts have been inexplicable to Russian and Western lawyers, leading international organizations, courts, and human rights groups to condemn the trial as politically inspired. The second set of charges against Khodorkovsky should be dropped and the new trial should be abandoned.

I strongly support President Obama's call to reset the U.S.-Russian relationship and welcome the statement that emerged from his meeting in London with Russian President Medvedev. We have many common interests with Russia and must seek to improve the atmosphere and substance of our ties with Moscow. But the Helsinki process is predicated on the idea that domestic politics and inter-state relations are linked. I hope that President Medvedev, a trained jurist from whom many hope to see evidence of a reformist approach, will make that connection. The case of Mikhail Khodorkovsky is a good place to start.

### IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find

solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Due to the price of gas, my husband might get laid off. He shuttles the railroad employees around Idaho. At this time I do not have a job due to being laid off from St. Al's, so gas prices have and will continue to affect our family until something is done about it!

SARAH.

In short, the fuel prices are making small farming extremely difficult. I have been retired for seven years, and have a small farm to help supplement our income. I have empathy for all citizens in this fine country who are struggling. The time is far spent; our resources need to be utilized now. The environmental hacks and the tree huggers as well as the nuke protestors [have caused harm to our country]. America is hurting because of political gaming. My grandchildren desire to see my wife and me; however, we can no longer afford the fuel for long trips. I am thankful for being able to plant two gardens with intentions of helping less fortunate with food items as they struggle to make ends meet. I have discontinued use of any recreational outings to help stave off the discomfort of tight budgets. A sad commentary after working and saving for over 45 years, and this is the kind of retirement that has been foisted upon millions of us seniors.

RALPH, Mountain Home.

Thank you for asking: Here is the data—I spend \$85 a week or \$340 a month driving to work. I spend an equal amount for health care; or that amounts to two paychecks in a month leaving me and family two paychecks for food and housing. Simple math makes one question—in whose interests are our elected leaders working?

FLOYD, Pocatello.

When we talk about energy, most people think of two things; Gasoline and the power and gas for their homes. When I hear you politicians talk about weaning ourselves off of fossil fuels, it makes me cringe. How far are from having the technology to produce electric engines that will fly an airplane and what will it cost to produce them? Right now we are at least 50 years from become free of fossil fuels unless I am not up to speed on things, (which is possible). Let us not forget also all the other petroleum-based products we use in our everyday lives. Plastics, foam, etc., are all going to still be wanted and they are also going up in price. I like where you stand on nuclear energy, but until we can quiet the environmental extremists on this point, we will not soon get there. As long as this country is held hostage by special interest environmental groups we will continue to slide economically. I hope [conservatives have not] moved so far left already to start curbing some of this.

My husband and I live in Oakley, which is a small farming community located 20 miles from the nearest town of Burley. Our farmers are getting hit extremely hard due to the cost of diesel, which also raises the cost of shipping. We owned a trucking company that we were forced to close due to the rising costs of fuel. My husband is also a disabled Viet Nam veteran and must drive to the VA hospital every week for various treatments. That is a distance of 200 miles. Since we are on a very small fixed income, we are soon going to be unable to afford to pay our basic living expenses. Our elderly parents live on the coast, and we have had to cancel all plans to visit them this summer. Please stop