

Guantanamo must stop. Torture is illegal. It was never permitted at Guantanamo. And torture has never been sanctioned by the United States.

In discussions about torture, we have heard a lot of rhetoric that attempts to draw a straight line between what happened at Abu Ghraib and the legal, enhanced interrogations at Guantanamo. But let's be clear about the distinction: At Abu Ghraib, a few brutal prison guards abused inmates. In doing so, they violated American law and military regulations. And for that they rightly received Army justice.

The methods of legal interrogation used at Guantanamo, which have wrongly been characterized by some as "torture," were used on a few of the most hardened terrorists after all other efforts failed.

At Guantanamo, all credible allegations of detainee abuse are investigated, and the military has not hesitated to prosecute or discipline any guards who violate those standards, regardless of provocation.

Navy RADM Mark Buzby, commander of the Joint Task Force at Guantanamo, said, in 2007, the facility's practices have been in keeping with DOD policies:

We tend to get wrapped up in the greater discussion of detainees down here with those detained elsewhere. There have been many, many investigations conducted of the conditions in Guantanamo . . . and they found no deviations from standing DOD policies.

"No deviations from standing DOD policies."

Then there is the idea that has been floated by the President, Senator DURBIN, and others that keeping Guantanamo Bay open serves as a "recruitment tool" for al-Qaida. By this logic, our fight against the Taliban or our targeted airstrikes against terrorists in Pakistan could be dubbed "recruitment tools" for al-Qaida, since both policies involve planting U.S. forces in Muslim nations to fight jihadists.

This "recruitment tool" idea is the latest incarnation of what Ambassador Jeane Kirkpatrick dubbed the "blame America first" mentality. It makes excuses for the terrorists and heaps scorn on the United States for fighting back.

Recall that al-Qaida was swelling its ranks throughout the 1990s—before the war on terror and well before the prison at Guantanamo Bay was even created. During that decade, it struck the World Trade Center, the Khobar Towers in Saudi Arabia, and the U.S. Embassies in Kenya and Tanzania. Then, in October 2000, it attacked the USS *Cole* off the coast of Yemen.

So by the time the 19 hijackers boarded the four planes that crashed on September 11, 2001, al-Qaida had already identified numerous grievances with America, including its contempt for women and men, and our support for free speech and the exchange of ideas.

I have sent a letter to the National Security Advisor asking for evidence that keeping Guantanamo Bay open

has created more terrorists than the facility has housed. That was a statement that President Obama made, that the existence of the Guantanamo prison has created more terrorists than the facility has housed. It is an incredible assertion, but it is at the foundation of his claim that we need to close Guantanamo because somehow it represents a valid symbol of American torture or oppression that hurts our efforts abroad. Anything we do is going to cause recruitment of terrorists who hate us. Whether we close Guantanamo or not, the terrorists will still have plenty of reasons to recruit fellow jihadists. I wish to ask again, today, that the administration provide us with the information that backs up the President's claim on this issue.

Ultimately, the debate over Guantanamo has become a debate over geography. Both the new Attorney General and the new Solicitor General have endorsed the government's right to detain suspected terrorists indefinitely. That is correct. Whether we detain them at Guantanamo or at prisons on U.S. soil does not change the fundamental reality that this administration, like its predecessor, will be holding certain individuals without trial.

We have been told that Guantanamo must be closed for symbolic reasons. But America should never make national security decisions based on symbolism or false moral arguments.

I hope as we continue to debate this issue of the prison at Guantanamo, and as the President has been asked to provide a plan for how that base would be closed, and how much it would cost, and as he continues to ask Congress to provide the funding to carry out that plan, we keep in mind these critical points.

The first is you cannot legitimately make the argument that anything has occurred at Guantanamo for which the United States should be embarrassed, should apologize, or should, at the end of the day, close the facility because of some embarrassment that the United States has about our activities there.

Our soldiers who are involved in protecting our interests by guarding those terrorists, the medical personnel, and all of the others who are involved, have done a job which, frankly, we should be thankful for. And rather than slapping them in the face and insinuating they have done something wrong—which makes us have to close that prison down—is a terrible indictment on the military men and women who have worked hard to do their very best at that facility and, as I pointed out, have in all respects conducted themselves in accordance with Army procedures.

At the end of the day, you cannot lie prostrate at the feet of your enemies—in this case, the terrorists—and say: We are sorry that we do some things to offend you, we will stop doing those, and then maybe you will no longer be offended. To suggest that will cause them to no longer recruit colleagues and plan attacks against us is fantasy.

Therefore, I challenge the administration again: Supply the facts on which the President made the allegation that the existence of Guantanamo created more terrorists than have ever been housed there. It is a palpably false statement, and he should not be able to argue to the American people and to the Congress, from which he is requesting money, that we have to give money to shut down Guantanamo because of that false fact. I urge my colleagues, as we continue to debate this issue, to challenge the administration to provide that information to us.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### "CAR CZAR" AWARD

Mr. ALEXANDER. Mr. President, I am here to present the "Car Czar" award for Monday, June 8, 2009. It is a service to taxpayers from America's newest automotive headquarters: Washington, DC.

This is the first in a series of "Car Czar" awards to be conferred upon Washington meddlers who distinguish themselves by making it harder for the auto companies your government owns to compete in the world marketplace.

Today's "Car Czar" award goes to Congressman BARNEY FRANK of Massachusetts for interfering in the operation of General Motors. Congressman FRANK is chairman of the Financial Services Committee of the House of Representatives. One might call it the "House Bailout Committee." Congressman FRANK's phone call to General Motors always is likely to be returned since the U.S. Treasury recently purchased 60 percent of GM and 8 percent of Chrysler with \$62 billion of your tax dollars.

According to the June 5 Wall Street Journal:

The latest self-appointed car czar is Massachusetts's own Barney Frank, who intervened this week to save a GM distribution center in Norton, Mass. The warehouse, which employs some 90 people, was slated for closing by the end of the year under GM's restructuring plan. But Mr. FRANK put in a call to GM CEO Fritz Henderson and secured a new lease on life for the facility.

The Congressman's spokesman said that Mr. FRANK was "just doing what any other Congressman would do" in looking out for the interests of his constituency—precisely the reason for these "Car Czar" awards. As the journal put it:

. . . that's the problem with industrial policy and government control of American business. In Washington, every Member of Congress now thinks he's a czar who can call ol' Fritz and tell him how to make cars.

I will continue to confer “Car Czar” awards until Congress and the President enact my Auto Stock for Every Taxpayer legislation which would distribute the government’s stock in General Motors and Chrysler to the 120 million Americans who paid taxes on April 15. That is the fastest way to get ownership of the auto companies out of the hands of meddling Washington politicians and back into the hands of Americans and the marketplace.

It also may be the fastest way for Congressmen to get themselves re-elected. According to the National Tennesseean, an AutoPacific survey reports that 81 percent of Americans polled “agreed that the faster the government gets out of the automotive business, the better.” And 95 percent disagreed “that the government is a good overseer of corporations such as General Motors and Chrysler.” And 93 percent disagreed “that having the government in charge of (the two automakers) will result in cars and trucks that Americans will want to buy.”

There should be plenty of material for these “Car Czar” awards. For example, last week auto executives spent 4 hours testifying before congressional committees about dealerships. I assume the executives drove to Washington, DC, from Detroit in their congressional approved modes of transportation—probably hybrid cars—leaving them very little time on that day to design, build or sell cars and trucks.

I have counted at least 60 congressional committees and subcommittees with the authority to hold hearings on auto companies, and no doubt most will. Car executives trying to manage complex companies will be reduced to the status of some Assistant Secretary hauling briefing books between subcommittees answering questions—under oath, of course—about models, sizes, paint colors, plant closings, fuel efficiency, and why the GM Volt’s battery is being made in South Korea.

And should Congressmen run out of reasons to meddle, the President and his aides stand ready. Already, the administration has warned General Motors it is making too many SUVs and that its Chevy Volt is too expensive. The President himself has weighed in on whether General Motors should move to Warren, MI, and has fired one president of General Motors.

Now, here is an invitation for those who may be listening: If you know of a Washington “Car Czar” who deserves to be honored, please e-mail me at CarAward@alexander.senate.gov, and I will give you full credit in my regular “Car Czar” reports here on the floor of the United States Senate.

And after you write to me, I hope you will write or call your Congressmen and Senators and remind them to enact the Auto Stock For Every Taxpayer Act just as soon as General Motors emerges from bankruptcy. All you need to say when you write or call are these eight magic words, “I paid for it. I should own it.”

Mr. President, I ask unanimous consent that the Wall Street Journal editorial from June 5, entitled “Barney Frank, Car Czar” be printed in the CONGRESSIONAL RECORD at this time.

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

[From the Wall Street Journal, June 5, 2009]

#### BARNEY FRANK, CAR CZAR

President Obama may have “no interest” in running General Motors, as he averred Monday. But even if that’s true, we are already discovering that he shares Washington with 535 Members of Congress, many of whom have other ideas.

The latest self-appointed car czar is Massachusetts’s own Barney Frank, who intervened this week to save a GM distribution center in Norton, Mass. The warehouse, which employs some 90 people, was slated for closure by the end of the year under GM’s restructuring plan. But Mr. Frank put in a call to GM CEO Fritz Henderson and secured a new lease on life for the facility.

Mr. Frank’s spokesman, Harry Gural, says the Congressman discussed, among other things, “the facility’s value to GM.” We’d have thought that would be something that GM might have considered when it decided to close the Norton center, but then a call from one of the most powerful Members of Congress can certainly cause a ward of the state to reconsider what qualifies as “value.” A CEO who refuses the offer can soon find himself testifying under oath before Congress, or answering questions from the Government Accountability Office about his expense account. To that point, Mr. Henderson spent Wednesday with Chrysler President Jim Press being castigated by the Senate Commerce Committee for their plans to close 3,400 car dealerships. Every Senator wants dealerships closed in someone else’s state.

As Mr. Gural put it, Mr. Frank was “just doing what any other Congressman would do” in looking out for the interests of his constituents. And that’s the problem with industrial policy and government control of American business. In Washington, every Member of Congress now thinks he’s a czar who can call ol’ Fritz and tell him how to make cars.

Mr. ALEXANDER. Mr. President, I yield the floor.

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

#### HEALTH CARE REFORM

Mr. SANDERS. Mr. President, let me be very clear. Our health care system is disintegrating. Today, 46 million Americans have no health insurance and even more are underinsured with high deductibles and copayments. At a time when 60 million people, including many with insurance, do not have access to a doctor of their own, over 18,000 Americans die every year from preventable illnesses because they do not get the medical care they should. This is six times the number of people who died at the tragedy of 9/11, but this occurs every single year, year after year. In the midst of this horrendous lack of coverage, the United States spends far more per capita on health care than any other Nation, and health care costs continue to soar. At \$2.4 tril-

lion and 18 percent of our GDP, the skyrocketing cost of health care in this country is unsustainable, both from a personal and macroeconomic perspective.

At the individual level, the average American spends about \$7,900 per year on health care—\$7,900 per individual every year. Despite that huge outlay, a recent study found that medical problems contributed to 62 percent of all bankruptcies in 2007. From a business perspective, General Motors spends more on health care per automobile than on steel—more on health care than on steel—while small business owners are forced to divert hard-earned profits into health coverage for their employees rather than new business investments. Because of rising health care costs, many businesses are cutting back drastically on their level of health care coverage or they are doing away with it entirely.

Further, despite the fact that we spend almost twice as much per person on health care as any other Nation, our health care outcomes lag behind many other countries. We get poor value for what we spend. According to the World Health Organization, the United States ranks 37th—37th—in terms of health system performance, and we are far behind many other countries in terms of such important indices as infant mortality, life expectancy, and preventable deaths. In other words, we are spending huge amounts of money, but what we are getting for that investment does not compare well to many other countries that spend a lot less than we do.

As the health care debate heats up in Washington, we as a nation have to answer two fundamental questions.

First, should all Americans be entitled to health care as a right and not a privilege? That is the way every other major country treats health care and the way we respond to such other basic needs as education, police, and fire protection. One hundred or more years ago, this country decided that every young person, regardless of income, is going to get a primary and secondary education because that is the right thing to do and good for the country. But unlike every other major industrialized Nation, we have not come to that same conclusion that health care is a right.

Second, if we are to provide quality health care to all, the next question is, how do we accomplish that in the most cost-effective way possible? We can provide health care to all people in a lot of ways, but some of those ways will essentially bankrupt this country. What is the most cost-effective way to provide quality health care to every man, woman, and child in this country?

In terms of the first question I asked: Should all Americans be entitled to health care as a right, I think the answer to that question is pretty clear and is, in fact, one of the reasons Barack Obama was elected President of the United States. Most Americans do