

of a Senate resolution designating a week in May as National Substitute Teacher Recognition Week. For helping me to pass this simple resolution, I am grateful to Senator Clinton. More importantly, however, I am grateful that Senator Clinton was more interested in doing what was right for substitute teachers across our Nation. Even though this resolution probably never made a headline, Senator Clinton was one of the first in line to sign on as a cosponsor because she knew it was the least we could do for men and women across our country who give so much to our children through their education.

In closing, I share these two examples simply to illustrate the skill and compassion that defined Senator Clinton's service while she was here in the Senate. From the large legislative issues to the small acts of kindness and recognition, I know that Senator Clinton strived to do what she thought was right and what was best for our country. It is this example that we will all miss in the Senate as she begins the next chapter of her service at the State Department. Truly, their gain is our loss, yet it is without hesitation that I extend my deepest gratitude to Senator Clinton for her countless hours of service, her incredible example of compassion, and the years of friendship that she has extended to me, my colleagues, and the people of the United States. I am excited for what the future holds for Senator Clinton. I am certain that many great things still lie ahead in this next chapter of her life, and it is to Senator Clinton that I extend my congratulations as she begins her journey at the State Department.

KEN SALAZAR

Mr. COCHRAN. Mr. President, the resignation of the distinguished Senator from Colorado, Mr. Salazar in order to undertake the duties and responsibilities of Secretary of the Interior, has left us with a sense of pride and loss. We are very pleased the Department of the Interior will have the benefit of his leadership, but we regret that he will not be able to continue his excellent record of distinguished service in this body.

It has been a personal pleasure to serve with my friend from Colorado. His warm personality and his seriousness of purpose as a Senator have enabled him to serve as a very successful U.S. Senator.

I wish my friend well as he undertakes his new duties. I am sure we will see him often in the Senate working with us as we support him and the Department in carrying out their important responsibilities.

EXECUTIVE ORDER CLOSING DETENTION FACILITIES

Mr. DODD. Mr. President, I once again come to the floor to discuss an issue that goes directly to who we are as a country and what we stand for.

Specifically, I want to comment on the executive orders President Obama

signed today to close the Guantánamo Bay detention facility within a year, close secret prisons operated by the CIA, and review the procedures for detaining and trying accused terrorists. In so doing, he sends a long-overdue message not only to the world, but also to the American people here at home, reaffirming our values as Americans and our commitment to the rule of law.

As we speak, some 245 individuals are still being held as enemy combatants at Guantánamo Bay, and about 100 in secret prisons around the world, though we do not even know for sure. Several independent sources have alleged that these detainees have suffered from abuse.

All of the information we have indicates that most, if not all, of these people have engaged in a host of violent actions directed at the United States. They are not misguided innocents, but rather men committed to harming us. I rise today not to defend them and their actions in any way; they must be punished to the full extent of the law.

Rather, I rise to urge exactly that, the application of our great body of law for dealing with dangerous people intent on harming us. Indeed, some in our Government have failed to apply the law and failed to obey it.

According to a Red Cross report, prisoners in Guantánamo Bay were subjected to "cruel, inhumane and degrading" treatment that is "tantamount to torture." FBI agents have reported that many of those held at Guantánamo Bay were chained to the floor in a fetal position for 18 hours or more, and were subject to 100-degree heat and freezing cold. The CIA's secret facilities have never been inspected, so we don't know how prisoners have been treated in them.

These abuses are not just morally wrong, they are violations of American and international law. They weaken respect for the rule of law abroad and subject American citizens to greater risks of unlawful detention and torture in foreign countries. And they weaken our security even as they undermine our democratic ideals.

Guantánamo and the CIA's secret prisons has been an international embarrassment, a symbol of abuse and the breakdown of law, which is why I and others have come to this floor so often to discuss our moral responsibility to close them.

To be absolutely clear, I repeat that those who are a threat to America, who are guilty of crimes, must and will be punished to the fullest extent of the law. They must be tried and prosecuted. This decision is not about protecting those who wish to harm us.

Rather, this decision says, as President Obama did in his inaugural address this week, that the choice between security and liberty is a false choice, and we reject it.

As General George Washington answered when his soldiers asked him for permission to beat their prisoners, "Treat them with humanity. Let them

have no reason to complain of our copying the brutal example" of our enemies.

And so, I am grateful and relieved that President Obama has acted so quickly to remedy this very damaging policy.

This is, of course, only the first step. We must remain vigilant in working with the administration to implement these orders. And there remain many issues to be decided, from when and how Guantánamo and other detention facilities are closed to ensuring the interrogation methods employed by U.S. personnel never again cross the line into torture.

But this is a critical first step toward restoring not only the rule of law and our Constitution but also our moral authority. Today, we remind the world and ourselves that everyone is subject to the law and no one, not you, not I, stands above it.

I am convinced that today's orders will better secure our Nation and allow us to more effectively prevent, detain, and prosecute those who would seek to harm us.

I applaud President Obama for his decision to act without delay on these most important issues.

FREEDOM OF INFORMATION ACT

Mr. LEAHY. Mr. President, from the start of his transition to the White House, I have urged President Obama to make a clear commitment to open government. By issuing his directive to strengthen one of our Nation's most important open government laws, the Freedom of Information Act, FOIA, the President is turning the page and moving away from the overreaching secrecy of the last administration. I commend President Obama for recognizing that our Government is accountable to the people it represents. I also commend the President for taking immediate steps during his first full days in office to send this important message to the American people.

I was delighted with the answer of the President's nominee to be the next Attorney General of the United States, Eric Holder, when I asked him at his confirmation hearing last week about how he intended to implement the Freedom of Information Act. He, too, believes that the presumption should be toward disclosure and openness. In fact, that was the policy before Attorney General Ashcroft reversed it.

Today, our Government is more open and accountable to the American people than it was just a few weeks ago. With the President's new FOIA memorandum, the implementation of the first major reforms to FOIA in more than a decade in the Leahy-Cornyn OPEN Government Act, and the nomination of Eric H. Holder Jr., to be the Attorney General of the United States, the American people have more openness and accountability regarding the activities of the executive branch. I am pleased that the President also issued a

Presidential Memorandum on Transparency and Open Government that will promote accountability and transparency in government and an Executive Order on Presidential records that will provide the American people with greater access to Presidential records.

The right to know is a cornerstone of our democracy. Without it, citizens are kept in the dark about key policy decisions that directly affect their lives. Without open government, citizens cannot make informed choices at the ballot box. Without access to public documents and a vibrant free press, officials can make decisions in the shadows, often in collusion with special interests, escaping accountability for their actions. And once eroded, these rights are hard to win back.

The Sunshine in Government Initiative has been vigilant and steadfast on behalf of open government. I have been pleased to work with this coalition of the American Society of Newspaper Editors, the Associated Press, Association of Alternative Newsweeklies, National Association of Broadcasters, National Newspaper Association, Newspaper Association of America, Radio-Television News Directors Association, Reporters Committee for Freedom of the Press, and Society of Professional Journalists in connection with these initiatives and correcting the government's presumption toward openness.

As we celebrate the inauguration of our new President and the start of a new administration, we are reminded that a free, open, and accountable democracy is what our forefathers envisioned and fought to create. I believe that it is the duty of each new generation to protect this vital heritage and inheritance. In this new year, at this new and historic time for our Nation, I am pleased that we have once again reaffirmed a commitment to an open and transparent government on behalf of all Americans.

COMMENDING MARGARET TYLER

Mr. LEVIN. Mr. President, today, the Committee on Armed Services unanimously passed a committee resolution to express its appreciation to Margaret Tyler and to commend her for her many years of faithful and outstanding service to the men and women of the U.S. Army, to their families, and to the Senate of the United States.

Margaret Tyler has worked for the Federal Government for 57 years. She has served 45 of those 57 years in the Army Liaison Office—38 of those years in the Army Senate Liaison Office.

Through all those years, Mrs. Tyler has dedicated herself to helping those in need and in solving problems affecting the U.S. Army. She has always been professional, efficient, and effective in her work. Over the years, Senators and staff have learned that when they have a problem involving the Army the first step in solving the problem is calling Margaret Tyler. To many in the Senate family, she is affectionately known as the Army's Angel.

The men and women of our Armed Forces deserve the best support and as-

sistance we in Congress can give them. Day in and day out, for the past 45 years, Margaret has helped us support the men and women of the U.S. Army and their families to the best of her ability. Thousands of soldiers and their families have been touched by her dedicated, professional, and personal care.

On behalf of all the members of the Committee on Armed Services, I ask unanimous consent that our committee's resolution commending Margaret Tyler on her service to the men and women of the U.S. Army, to their families, and to the Senate of the United States be printed in the RECORD.

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

COMMITTEE ON ARMED SERVICES RESOLUTION 1
COMMENDING MARGARET TYLER ON HER SERVICE TO THE MEN AND WOMEN OF THE UNITED STATES ARMY, TO THEIR FAMILIES AND TO THE SENATE OF THE UNITED STATES

Whereas Margaret Tyler, a native of England who became a United States citizen on February 24, 1954, has worked for the federal Government for 57 years;

Whereas Margaret Tyler worked in the Army Liaison Office in the House of Representatives from 1964 to 1970, and in the Army Liaison Office in the United States Senate from 1971 to the present day, a total of 45 years of dedicated service;

Whereas Margaret Tyler has demonstrated an unwavering commitment to meeting the needs of members of the United States Army, their families, and the members and staff of the United States Senate for the past 38 years;

Whereas Margaret Tyler has earned the respect and gratitude of the Senators and their staffs for her dedication, her professionalism, her service and her good humor;

Resolved, That the Committee on Armed Services expresses its appreciation to Margaret Tyler and commends her for her lengthy, faithful and outstanding service to the men and women of the United States Army, to their families, and to the Senate of the United States.

Resolved, That the Clerk of the Committee shall transmit a copy of this resolution to Margaret Tyler.

EXECUTIVE ORDERS

Mr. KERRY. Mr. President, today is a very significant day for the rule of law in the United States of America, and a powerful statement that the United States again stands for the time-honored principles and values that have made us a beacon to the world.

This morning, the President of the United States signed Executive orders ordering the closure of Guantanamo Bay prison within a year; suspending all military commissions at Guantanamo Bay; closing secret third-country prisons; and placing interrogation in all American facilities for all U.S. personnel under the guidelines of the Army Field Manual.

In a season of transformational changes, these are among the most profoundly meaningful because they will sustain the long-term health of the most cherished ideals of our Republic: respect for the rule of law, individual rights, and American moral leadership.

The threat our Nation faces from terrorism is all too real. And we should all

agree that sometimes, in the name of national security, it is necessary to make difficult ethical decisions to protect the American people.

However, I believe that the use of torture and indefinite detention have not only tarnished our honor but also diminished our security. In this global counterinsurgency effort against al Qaeda and its allies, too often our means have undercut our efforts against extremism. In this struggle, the people are the center of gravity. And too often we have wasted one of the best weapons we have in our arsenal: the legitimacy we wield when we exercise our moral authority.

Efforts to justify, explain away, or endorse the use of torture have played directly into a central tenet of al Qaeda's recruiting pitch: that everyday Muslims across the world have something to fear from the United States of America. From Morocco to Malaysia, people regularly hear stories of torture and suicide at Abu Ghraib, Guantanamo, and other overseas prisons. The result has been a major blow to our credibility worldwide, particularly where we need it most: in the Muslim world.

Torture and lawlessness are not easily contained. Once the strictures are loosened, the corner-cutting practices spread. The Pentagon used high-level Guantanamo detainees to test coercive interrogation techniques, but such techniques eventually found their way to low-level detainees at Abu Ghraib prison in Iraq. While images of Abu Ghraib have long faded from American minds and media, they remain fixtures, years later, across the Arab and Muslim world.

As Senator MCCAIN has argued, the use of techniques like waterboarding—invented in the Spanish Inquisition and prosecuted by the American Government as a Japanese war crime after World War II—leaves its scars on a democratic society as well. Torture, which flourishes in the shadows, depends on lies—not just from those who seek to avoid torture, but from those who seek to conceal it. After years of Orwellian denials and legalistic parsing, what a relief it was to hear our new Attorney General-designee Eric Holder finally acknowledge on behalf of the United States Government what we all know to be true: that yes, “waterboarding is torture.”

As we move forward, President Obama is wise to “reject as false the choice between our safety and our ideals”—but moving beyond this framework does not mean that this administration will not face real and difficult choices about how best to keep Americans safe while honoring our values.

The American people should know that closing Guantanamo will not be easy. Conceived to be outside law, reclaiming the prison and its inhabitants