

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

into our legal system from what Vice President Cheney called “the dark side” will be an enormous challenge and a thicket of thorny legal and policy issues.

However, we are already seeing the international system reorganize itself around an America that is willing to be a moral leader. Countries such as Portugal and Ireland have made welcome offers to join Albania in resettling detainees who cannot be returned to their home countries. Already we are seeing the fruits of a good-faith effort with our allies.

Still, it will take time and effort to overcome numerous hurdles. The new administration faces tough challenges handed over from the previous administration. Looming questions must be addressed about the inadmissibility of evidence improperly coerced. It is difficult or impossible in some cases to return detainees—including many cleared for departure—who would face torture or worse in their home countries; and we already know that some released from Guantanamo have returned to the battlefield. In some cases we simply lack evidence to charge men we know to be extremely dangerous and threatening to the American people. And we owe it to those we believe made grave mistakes to acknowledge the urgency of the moment they inherited, the sacred responsibility to protect American lives, which they strove to honor, and the humbling reality that there are no easy answers when it comes to such life-and-death matters.

But the American story is one of perfectibility and striving for ever-greater fidelity to our ideals—it is a journey from Colony to Republic, from slavery to freedom, from sexism to suffrage, from stark poverty to shared prosperity. The President himself famously said, “the union may never be perfect, but generation after generation has shown that it can always be perfected.”

It is true that today we face unprecedented, unorthodox, and vastly destructive enemies that respect neither borders nor rules of war. But it is equally true that we have done so before. This is not the first new challenge America has evolved to meet. Sometimes that evolution requires us to admit mistakes, learn from them and grow as a nation. Our progress in response to new threats and new fears has been halting but real, and our setbacks have always been followed by a strong corrective impulse. The desire to do better has always been a core part of America’s greatness.

Today Barack Obama and his administration wrote a new chapter in that old story. I commend them and look forward to helping them make good on their goals, keep Americans safe, and usher in a new era of America’s moral leadership.

Today’s Executive orders were a promising sign of things to come—America will again honor the values that make us strong.

### 36TH ANNIVERSARY OF ROE V. WADE

Mr. BURR. Mr. President, today, January 22, 2009, marks the 36th anniversary of the U.S. Supreme Court’s *Roe v. Wade* decision.

Today, concerned Americans, including many North Carolinians, are gathering on the National Mall to March for Life, and I would like to take this opportunity to welcome them to Washington, DC.

On January 17, 2009, in anticipation of today’s events, North Carolinians gathered for their annual Rally and March for Life in Raleigh.

I congratulate them on their successful event, and I would like to thank them for their efforts to promote a culture of life in America.

In recent years we have made great strides in protecting the unborn through various measures, such as passage of the partial birth abortion ban, Lacey and Connor’s Law, and tax incentives to enable more families to adopt.

These achievements are a testament to the advocates who work tirelessly every day to remind us of the value of life.

With these achievements and others, it is my sincere hope that my colleagues in the Senate will continue to work together to protect our children.

Mr. MARTINEZ. Mr. President, today marks the 36th year since the Supreme Court issued its decision in the case of *Roe v. Wade*, a court decision that evokes strong emotions all across America. Today, thousands of Americans who support life have taken time out of their busy schedules to travel to Washington to take part in the “March for Life,” an annual event on the National Mall. I share their hope for seeing the day where the sanctity of life is cherished, valued, and affirmed under the law.

This morning, I had the opportunity to meet with some of these individuals, students from Cardinal Newman High School in West Palm Beach, and I expressed my gratitude for their steadfast commitment to protecting innocent human life.

As a Nation, we have made significant progress in creating a culture that respects life in recent years. As someone who believes that every life is sacred, I encourage President Obama to follow the lead of his predecessor, and continue to restrict the use of taxpayer funding for organizations that perform abortion services or refer patients to abortion providers.

This policy, known as the Mexico City Agreement, was first signed into order by President Ronald Reagan in 1984. Over the years, the policy has been wrongly attacked and falsely characterized as a restriction on foreign aid for family planning. The truth is that the policy has not reduced aid at all.

Instead, it has ensured that family planning funds are given to organizations dedicated to reducing abortions

instead of promoting them. If the policy were to be reversed, it would blur the line that has been drawn between funding organizations that aim to reduce abortions, and those that promote abortion as a means of contraception. President Obama should make the right choice in keeping the Mexico City Agreement in place.

In conclusion, on this 36th year since the Supreme Court handed down its decision, I commend the leaders of “March for Life.” Supporters are in Washington today, marching down Pennsylvania Avenue, reminding lawmakers of the importance of preserving and protecting life. Their voices are heard. They are heard year after year. I hope there is a day when their voices are heard in celebration that life is preserved and protected by the rule of law.

### U.S. AIRWAYS FLIGHT 1549 HEROES

Mr. BURR. Mr. President, I rise today to recognize the heroic efforts of the pilots, crew, passengers, emergency responders, and volunteer organizations that led to the extraordinary outcome of U.S. Airways flight 1549, which was bound for Charlotte, NC, on January 15, 2009.

U.S. Airways flight 1549 departed New York’s LaGuardia Airport on the afternoon of January 15 with 150 passengers and 5 crew, including 2 pilots and 3 flight attendants, aboard. Charlotte was the final destination of 104 of the passengers, many of whom are my constituents.

Within minutes of take-off, the aircraft experienced engine trouble forcing the pilot, Captain Chesley B. “Sully” Sullenberger, to perform an emergency landing on the Hudson River.

I understand that a water landing of this sort is rare and technically challenging, making it extremely dangerous for all aboard. But Captain Sullenberger executed the difficult landing expertly. His skill and decisiveness has been heralded with saving the lives of all on board.

As passengers emerged from the plane onto emergency life rafts and the wings of the still buoyant aircraft, boats were on the scene to assist with the rescue in minutes. Vessels were dispatched from the New York police and fire departments, the Port Authority of New York and New Jersey, the U.S. Coast Guard, and the New York Waterway, which reportedly sent all 14 of its boats to the scene.

Without the immediate assistance of these boats, I am certain the passengers and crew on board would not have fared as well as they did, given the extreme temperatures in New York City on the day of the incident. All participating rescue parties are to be commended for their swift and professional response.

In fact, the tales of heroism emerging from this event are numerous. For example, I was moved by the story of Josh Peltz, a Charlotte resident, husband, and father of two. Flying home