

show our support is to provide funding in a timely manner. My hope is that we finish floor consideration of this bill this week. It would be good for all concerned if we could in a timely fashion before the end of this fiscal year.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to a period of morning business.

The Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

DEPARTMENT OF JUSTICE INVESTIGATION

Mr. CHAMBLISS. Mr. President, I rise today to speak in opposition to Attorney General Holder's decision to re-examine the judgment by career prosecutors at the Department of Justice and initiate a preliminary review to determine whether criminal charges should be filed against CIA officers who conducted interrogations against hardened al-Qaida terrorists.

At the outset, let me remind everyone that President Obama promised the American people he would look forward rather than backward and would not seek a criminal investigation for individuals involved in the CIA's interrogation and detention program. Notwithstanding this promise, he has allowed the Attorney General, a member of his Cabinet who answers to him, to rehash old ground despite the fact that career prosecutors already have examined the same information and declined to prosecute the same individuals for the same actions.

By allowing this decision to stand, President Obama is failing to exercise his duty as Chief Executive and enforcer of the law. Given that there are no new facts to justify this action by the Attorney General, the President should demand that the legal conclusions previously reached by career prosecutors be upheld.

Just last week, seven former CIA Directors—encompassing all living former CIA Directors from both political parties except the two presently serving in the Obama administration, current Director Panetta and Secretary of Defense Gates—wrote in a letter to President Obama that the decision to reexamine these cases “creates an atmosphere of continuous jeopardy for those whose cases the Department of Justice had previously declined to prosecute.”

No facts have changed since then, no new facts have arisen, and in light of the previous refusal of the Department of Justice to prosecute all but one CIA employee, the CIA has already taken administrative action against some of these individuals. Where is the justice for these government employees who have been on the front lines in the war on terror since the 9/11 attacks and who acted under the legal guidance given to them if they are to face potential pun-

ishment more than once for their actions?

What is the message we are sending to our intelligence community? Reopening these cases is exactly the type of action which creates risk-averse intelligence agencies and officers. If an intelligence officer involved in a clandestine operation today worries that he may be prosecuted for it tomorrow, he is not going to think twice about conducting the operation. He simply will not do it. Worse yet, if an intelligence officer involved in a clandestine operation today worries that he may be prosecuted for it tomorrow because of random policy changes, it will evoke an even greater subjective risk-adverse environment. Creating such an environment where intelligence activities today are held hostage to the political decisions of tomorrow is a recipe for failure for our intelligence collection efforts.

As a member of the Senate Select Committee on Intelligence, I understand the important role that intelligence plays in our military, law enforcement, and intelligence operations. I see firsthand the bravery and professionalism exhibited by our intelligence community cadre. Partisanship plays no role in their daily operations. They are guided not by which political party may obtain their vote on a particular day in November but by an overwhelming sense of duty to their country. They understand they do not make policy. Yet they are out there risking their lives to gather the intelligence necessary for policymakers to make an informed decision.

Similarly, partisanship should play no role in the decisions of the administration or Congress when it comes to intelligence gathering. I do not want our intelligence community professionals to have to think twice about whether to gather certain information that will inform me of foreign policy developments because they fear potential prosecution at a later date for doing so. These men and women need to know they have the freedom to do their jobs within the guidance that is given to them at the time, even though that guidance or policy may change down the road. They need to know the country they are serving has their back. Sadly, that is not the message we are sending. Never before has a change in policy brought the threat of potential prosecution for past sanctioned actions.

Some may ask why the Attorney General's decision is so harmful to our national security. The answer is simple. Without calculated risk taking on the part of our intelligence community, we will lose the fight against not only our state adversaries but against terrorists as well. This is not a tradeoff I am willing to take. It is not a tradeoff the President should be willing to make either, particularly as we continue the fight in Afghanistan.

We need to look no further than the events of the past week, the arrests on

American soil of three individuals with admitted ties to al-Qaida who may have been planning attacks against the U.S. homeland, to understand that the threats to our country are real and that this tradeoff which the administration has sanctioned is a lot closer to hitting home.

Finally, I would point out that the same report—the CIA inspector general's report entitled “Counterterrorism Detention and Interrogation Activities (September 2001–October 2003)” —that Attorney General Holder claims was his reason for reopening this investigation was the same report that prompted the CIA to self-report to the Department of Justice in the first place.

Long before the IG even started his review, the CIA informed the Department of Justice that they had recommended an IG investigation related to the interrogation program. Once the report was completed, the Department of Justice received it and carefully reviewed the facts and circumstances described within it. Only after doing so did the career attorneys decline to prosecute. Unfortunately, press reports from this past weekend indicate that the Attorney General never even bothered to read the declination memos prepared by these career public servants.

In recent months, the administration has declassified and released to the public this IG report, as well as the legal guidance from the Department of Justice. The record is there for the American people to review for themselves. I have reviewed all of this information, and I am confident that anyone else who does so will reach the same conclusion I have; namely, that reopening an investigation is not merited.

Further, it is worth noting that the IG report found that:

The Agency's detention and interrogation of terrorists has provided intelligence that has enabled identification and apprehension of other terrorists and warned of terrorist plots planned for the United States and around the world.

Where deviations from the approved procedures and guidance occurred, it was an anomaly and was either prosecuted or administratively punished by the CIA leadership.

The issues at the heart of the Attorney General's decision have been examined thoroughly, and it is time for them to be laid to rest. President Obama and the Attorney General should put an end to their unjustified second-guessing of career prosecutors. I cannot imagine they would be willing to expose their own policy decisions and legal determinations to future politically motivated prosecutions. Yet by doing so with their actions against the CIA employees, they are setting a dangerous precedent which I believe will have a lasting, chilling effect on our intelligence community and our national security.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Mr. President, I ask unanimous consent to speak in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CELEBRATING THE 2009 SERVICE TO AMERICA MEDAL WINNERS

Mr. KAUFMAN. Mr. President, I rise once again to honor America's great Federal employees.

When I began my great Federal employees initiative in May, I did so by sharing the stories of some outstanding public servants who in past years had won Service to America Medals.

Last night, at its eighth annual awards gala, the Partnership for Public Service announced its 2009 Service to America Medal winners. These nine exemplary Federal employees represent a number of agencies and hail from diverse backgrounds. Together, they form a snapshot of the finest civil service in history.

When I spoke in May about what makes our Federal workforce so excellent, I said there are several qualities our civil servants embody. First and foremost, they demonstrate great citizenship by choosing careers in the public sector. Second, they are industrious and hardworking in the face of often difficult and challenging tasks.

Our Federal employees take risks both to their safety and to their careers. They persevere even when faced with setbacks or with the knowledge that the effects of their work may not be felt for years to come. Our public servants exhibit great intellect and bring to their jobs many advanced skills and specialized knowledge. I am glad—very glad—there are awards such as the Service to America Medals to recognize the unsung heroes who keep America moving ever forward. This is what I have tried to do each week by speaking about our great public servants.

This year's Service to America medalists can well be described by the five attributes I just listed.

Dr. Janet Kemp, who won this year's Federal Employee of the Year Medal, exemplified the value of outstanding citizenship when she organized a national suicide prevention hotline for veterans. As national director for the VA's Suicide Prevention Program, Janet oversaw the creation of the hotline to help combat veteran suicide, which has increased significantly in recent years. Since 2005, when she was asked to spearhead this program, Janet's initiative has rescued over 3,000 veterans and has assisted them in finding help.

An important aspect of citizenship is a commitment to protecting one's community from harm. Ben Fisherow was awarded the 2009 Justice and Law Enforcement Medal for his work to prevent air pollution. As an experienced litigator with the Department of Jus-

tice's Environment and Natural Resources Division, Ben has spent over 20 years enforcing key provisions of the Clean Air Act and taking legal action against utilities that violate anti-pollution mandates. In one case alone, Ben secured a settlement that prevented the release of over 800,000 tons of air pollutants annually.

Our federal employees are hard working, and this year's Citizens Services Medal winner proves it. Michael German, of the Department of Housing and Urban Development, has been working tirelessly to combat homelessness in America. The Interagency Council on Homelessness, which he leads, coordinates with over 850 State and local officials nationwide on efforts to help the homeless obtain medical care and permanent housing. Their work has led to a 30-percent reduction in the chronically homeless between 2005 and 2007.

Another example of our civil servants' industriousness can be found in Allan Comp. Allan won the 2009 Environment Medal for his work at the Department of the Interior's Office of Surface Mining. He created the Appalachian Coal Country Watershed Team, a partnership between his office and VISTA volunteers who help local citizens and community groups organize clean-up projects and monitor water quality. His program was so successful that it was recently expanded to the American West. Today, joint Office of Surface-Mining and VISTA teams are at work protecting and empowering local communities in Colorado, New Mexico, and Montana.

Clare Rowley is an economic analyst for the FDIC. She won the Call to Service Medal for helping to implement the FDIC's mortgage modification program, which helped thousands of families stay in their homes after the collapse of subprime mortgages. In February, Clare, who is only 25 years old, found herself sitting in a high-level meeting with regulators, bankers, and Obama administration officials on the foreclosure crisis. Despite feeling somewhat intimidated because of her age and junior position, Clare spoke up and offered important ideas that eventually made their way into the Treasury Department's mortgage crisis recovery plan. Now, Clare is one of those instrumental in carrying out the plan.

A risk-taker, who won this year's National Security and International Affairs Medal, serves as the director of the USAID's Office of Economic Growth in Pakistan. In July, I spoke about a USAID employee who was gunned down by extremists while posted in the Sudan. For Amy Meyer, who performs similar work in Pakistan, the danger is very real. Nonetheless, she arrived in the country in 2006 and began working with local women to create dairy cooperatives. Starting with just a staff of two and little funding, Amy now oversees a \$200 million budget and several successful economic empowerment programs. She even teaches yoga on Pakistani television

and has spent much of her personal time dispensing advice to local women in their homes.

The winner of the 2009 Career Achievement Medal knows the meaning of perseverance. Dr. Thomas Waldmann has been a medical researcher at the National Institutes of Health for over 50 years. Currently, Tom is chief of the NIH National Cancer Institute's Metabolism Branch, and the focus of his career has been researching disorders in which the body attacks its own cells. His work has led to treatments to once-fatal varieties of lymphoma, leukemia, and multiple sclerosis. Tom also co-discovered a type of molecule that may lead to advances in the fight against AIDS and cancer. But his successes did not happen overnight. His achievements were the work of a lifetime, and the full impact of Tom's discoveries will not be known for years.

Similarly, Dr. Patricia Guerry has demonstrated great resolve while researching an elusive vaccine. Now serving as chief of the Naval Medical Research Center's Molecular Biology and Biochemistry Branch, she has spent nearly 30 years studying a microbe that causes food poisoning. Researchers discovered that the most common microbe involved in food-borne illnesses is *Campylobacter*. In the mid-1980s, after several years of unsuccessfully attempting to find a vaccine, many microbiologists turned their attention elsewhere. Patricia, however, never gave up. Today, she and her team of researchers are nearing their goal, and their vaccine is now in the testing phase. She persevered, and our troops stationed abroad as well as tens of millions in the developing world will likely soon benefit from a vaccine.

This year's Homeland Security Medal was shared by a pair of CIA employees who showed great intellect in solving a critical problem. In 2005, the Office of the Director of National Intelligence gave Sean Dennehy and Don Burke the task of improving information-sharing across the intelligence community. Lack of communication between the intelligence agencies had been a serious impediment to preventing the September 11 attacks. To fix this, Sean and Don created an online system called "Intellipedia," modeled after the popular Wikipedia Web site. Intellipedia enables analysts from different agencies to contribute information to subject pages and open cases. Today, Intellipedia has grown to nearly a million pages, and it has helped prevent threats to the Beijing Olympics, analyze IED patterns in Iraq, and study the 2008 Mumbai terror attacks.

All of these outstanding public servants display great humility. Even with such accomplishments, modesty is their common response.

I want to congratulate the Partnership for Public Service on their work to award the Service to America Medals. The winners were selected by a blue ribbon panel of leaders from both