

Pickering, states in a Washington Post opinion piece I will ask to have printed in the RECORD, “Admitting our mistakes is the only legitimate basis on which we can reassure the world that America remains committed to the rule of law and to upholding human rights and democratic values.”

I commend the report of the Constitution Project’s Task Force to my colleagues. I also urge the administration to work closely with the Senate Intelligence Committee as it conducts its review of the Committee’s report.

In marking the 25th anniversary of President Reagan’s signing of the international Convention Against Torture, I remind my colleagues and this administration that the government has an obligation to the American people to face its mistakes transparently, help the public understand the nature of those mistakes, and correct them. Director Brennan and this administration have an important task ahead in this regard.

I ask unanimous consent that the article to which I referred be printed in the RECORD.

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

[From the Washington Post, Apr. 16, 2013]

AMERICA MUST ATONE FOR THE TORTURE IT
INFLICTED

(By Thomas R. Pickering)

Thomas R. Pickering is a member of the Constitution Project’s Task Force on Detainee Treatment. He was undersecretary of state for political affairs from 1997 to 2001 and served as ambassador and representative to the United Nations from 1989 to 1992.

It’s never easy in this volatile world to advance America’s strategic aims. For more than four decades, in the service of Democratic and Republican presidents, it was often my job to persuade foreign governments to adhere to international law and observe the highest standards of conduct in human rights—including the strict prohibition of torture. A report released Tuesday by an independent task force on detainee treatment (to which I contributed) makes it clear that U.S. officials could have used the same advice.

Unfortunately, the U.S. government’s use of torture against suspected terrorist, and its failure to fully acknowledge and condemn it, has made the exercise of diplomacy far more daunting. By authorizing and permitting torture in response to a global terrorist threat, U.S. leaders committed a grave error that has undermined our values, principles and moral stature; eroded our global influence; and placed our soldiers, diplomats and intelligence officers in even greater jeopardy.

It’s not just the Bush-Cheney administration that bears responsibility for diminished U.S. standing, although the worst abuses undeniably took place in the years immediately after the Sept. 11, 2001, attacks. The Obama administration also has failed to be as open and accountable on such fundamental questions of law, morality and principle as a great power that widely supports human rights needs to be.

What can be done to mitigate the damage and set this country on a better course? First and foremost, Americans need to confront the truth. Let’s stop resorting to euphemisms and call “enhanced interrogation

techniques”—including but not limited to waterboarding—what they actually are: torture. Torturing detainees flies in the face of principles and practices established in the founding of our republic, and it violates U.S. law and international treaties to which we are a party. Subjecting detainees to torture, no matter how despicable their alleged crimes, runs counter to the values embodied in the U.S. Constitution.

Too much information about the abuse of detainees remains hidden from the American people. Specifically, the Obama administration’s ongoing concealment of the details about our use of torture has made it impossible for the United States to comply with its legal obligations under the U.N. Convention Against Torture and has contributed to a disturbing level of public support for torturing suspected terrorists.

President Obama should direct relevant officials to declassify as many related documents as possible as quickly as possible—starting with the more than 6 million pages of classified documents that were the basis for the Senate intelligence committee’s recent report on the CIA’s interrogation program, and the still-secret report itself—so that the American people may finally learn what was done in our name. Admitting our mistakes is the only legitimate basis on which we can reassure the world that America remains committed to the rule of law and to upholding human rights and democratic values.

Second, Congress needs to work with the administration to close the loopholes that allowed torture to occur under a pretense of legality. In 2009, Obama signed an executive order giving interrogators clear instructions about permissible techniques. But future presidents could reverse course with the stroke of a pen—and no public notice.

To ensure that cannot happen, the federal Anti-Torture Statute should be amended to make clear that the deliberate infliction of severe pain and suffering is torture—regardless of the duration of the torment being inflicted. The War Crimes Act should be amended to make clear that cruel, inhuman or degrading treatment of detainees is a federal crime even when it falls short of torture. Instead of being told to rely on secret legal memos or doctors’ unethical monitoring of brutal interrogation sessions, interrogators should be given unambiguous orders that all detainees are to be treated in strict compliance with Common Article 3 of the Geneva Conventions, which is the basic provision of international law outlawing torture. And there should be clear, public rules ensuring prompt access to detainees by the International Committee of the Red Cross.

Third, the United States must not transfer detainees to torture in other countries. Such transfers, known as “renditions,” have occurred under Presidents Bill Clinton, George W. Bush and Obama—despite the fact that they violate the Convention Against Torture. In part, this is because of a policy of reliance on “diplomatic assurances” from other countries that detainees would not be tortured, despite clear evidence that these assurances were not credible. In part, this is because the United States has refused to acknowledge that the prohibition against transfers to torture is legally binding outside of U.S. territory. Both must change.

Democracy and torture cannot peacefully coexist in the same body politic. Successful human rights diplomacy and torture can’t either. Our country and its place in the world—as well as the Americans bravely serving in military, intelligence and diplomatic posts around the globe—deserve nothing less.

ADDITIONAL STATEMENTS

ALASKA RESCUE COORDINATION
CENTER

• Mr. BEGICH. Mr. President, I would like to take the time today to congratulate the Alaska Rescue Coordination Center, RCC, for completing their 5,000th mission since July 1, 1994.

The Alaska Rescue Coordination Center has operated in Alaska since 1961, but since July 1, 1994, the RCC has been staffed solely by Alaska Air National Guardsmen under the operational active-duty commander of the 11th Air Force. Since that time, the men and women of the Alaska Air National Guard have kept watch 24 hours a day, seven days a week, coordinating an average of more than five missions a week for nearly 19 years.

The 12 Alaska Air National Guard members who work in the RCC on a rotating schedule all have a background in either rescue operations as a member of the Alaska Air National Guard’s 210th, 211th or 212th Rescue Squadrons, or are command and control specialists with experience in rescue control operations.

On March, 27, 2013, the RCC coordinated the Alaska Air National Guard’s successful recovery of a pilot who crashed a Super Cub aircraft near the Bering River northeast of Cordova, AK, completing their 5,000th mission.

The RCC relies heavily on the support of other agencies during search-and-rescue missions. Aside from the Alaska Air National Guard and Alaska Army National Guard, during a mission, these agencies can also be called upon: Alaska State Troopers, U.S. Coast Guard District 17, Civil Air Patrol, National Park Service, North Slope Arctic Borough Search and Rescue, Alaska Mountain Rescue, SEADOGS K-9 Search and Rescue Team, Anchorage Nordic Ski Patrol and various other volunteer search groups.

Their busy season follows the weather trends with an increase in search-and-rescue missions toward the end of summer into the fall hunting season. Ask anyone in the rescue business, and you will hear that no two search-and-rescue cases are alike. Throughout the years, there have been many high-profile missions adding up to the 5,000 missions and Alaskans are thankful for their knowledge, dedication, and expertise.

Thank you for allowing me to take a moment to recognize the heroic efforts of the Alaska Rescue Coordination Center and their 5,000 missions.●

TRIBUTE TO ARLENE MULDER

• Mr. KIRK. Mr. President, today I wish to honor Arlington Heights Mayor Arlene Mulder. After 20 years of service to the village as mayor, she is taking a well-deserved retirement.

For 34 years, Mayor Mulder has been a tireless public servant—from park

district commissioner to village trustee and eventually mayor. She has served on countless boards and commissions, but the title that I was most grateful for was that of "friend".

I have known Arlene since the days I was a congressional staffer for Congressman John Porter. Arlene was a "get things done" mayor. It is why she was tapped by both Democrats and Republicans to partner on issues. When I first took office as Congressman for the 10th Congressional District, Arlene quickly became my go-to mayor for a host of issues.

Whenever we wanted to schedule a townhall meeting in the northwest suburbs, Arlene was my first call. I remember during the health care debate we had a townhall meeting at the village building. When hundreds of citizens showed up and it was clear our room would not be large enough to hold everyone, Arlene immediately went into action and helped us have not one townhall meeting, but two back-to-back. Her resourcefulness ensured that we could communicate with twice the number of constituents on a very important issue.

While we Senators may feel as if we have a full workload between constituent and committee meetings, votes and briefings, Arlene's membership in outside organizations is enough to make even the best multitasker dizzy. She has served on more than a dozen outside boards, commissions, and committees, many focused on the importance of transportation. As a member of Metra's board of directors, she became an advocate for thousands of suburban commuters who rely on commuter rail to get to their jobs. As chair of the O'Hare Noise Compatibility Commission, she led efforts to ensure a balance between the economic development role of O'Hare International Airport and the impact on surrounding communities.

But what I will miss most is our time at the Arlington Heights Memorial Day Parade. Each year, we would honor a local veteran with a military award that was earned but never received. It was always a moving day, and while she will not be the mayor at future ceremonies, I know I will see her there for many years to come.

While I am honored to serve as Arlene's Senator, I am more proud that Arlene was my mayor. Her dedication to the village and people of Arlington Heights will not be forgotten. I wish Arlene and her husband Al and their entire family all the best as she begins the next phase of her public service. Arlington Heights and the State of Illinois were lucky to have her. Thank you, Arlene for all that you have done for us.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 6:42 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1246. An act to amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 788. A bill to suspend the fiscal year 2013 sequester and establish limits on war-related spending.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. BAUCUS for the Committee on Finance.

*Marilyn B. Tavenner, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND (for herself, Mr. BEGICH, Mr. BLUMENTHAL, Mrs. BOXER, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. LAUTENBERG, Mr. MERKLEY, Mrs. MURRAY, Mr. SANDERS, Mrs. SHAHEEN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 777. A bill to restore the previous policy regarding restrictions on use of Department of Defense medical facilities; to the Committee on Armed Services.

By Mr. BURR (for himself and Mr. BEGICH):

S. 778. A bill to authorize the Secretary of Veterans Affairs to issue cards to veterans that identify them as veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURR (for himself, Mr. COBURN, and Mr. THUNE):

S. 779. A bill to amend the Internal Revenue Code of 1986 to provide for reporting and disclosure by State and local public employee retirement pension plans; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. HATCH):

S. 780. A bill to amend title 35, United States Code, to provide for an exception from infringement for certain component parts of motor vehicles; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 781. A bill to modify the boundary of Yosemite National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Mr. TOOMEY, and Mr. KING):

S. 782. A bill to amend Public Law 101-377 to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Ms. MURKOWSKI):

S. 783. A bill to amend the Helium Act to improve helium stewardship, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS (for himself and Mr. JOHANNIS):

S. 784. A bill to expand agricultural opportunities for military veterans, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PAUL:

S. 785. A bill to amend title 5, United States Code, to eliminate the use of official time by Federal employees; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROBERTS:

S. 786. A bill to require agencies to quantify costs associated with proposed economically significant regulations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROBERTS:

S. 787. A bill to require agencies to set forth reasons for determining that a proposed regulatory action is significant; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID:

S. 788. A bill to suspend the fiscal year 2013 sequester and establish limits on war-related spending; read the first time.

By Mr. BAUCUS (for himself, Mr. INHOFE, Mr. BURR, and Mr. TESTER):

S. 789. A bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MCCASKILL (for herself, Mr. PORTMAN, Mr. COATS, Mr. COBURN, Mr. TOOMEY, Mr. VITTER, Mr. FLAKE, Mr. LEE, and Mr. JOHNSON of Wisconsin):

S. 790. A bill to require the United States International Trade Commission to recommend temporary duty suspensions and reductions to Congress, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself and Ms. MURKOWSKI):

S. 791. A bill to amend the Federal Election Campaign Act of 1971 and the Internal Revenue Code of 1986 to require the disclosure of contributions and expenditures for independent Federal election-related activity, and for other purposes; to the Committee on Finance.