

(Rollcall Vote No. 85 Exe.)

YEAS—95

Akaka	Dodd	Lott
Alexander	Dole	Lugar
Allard	Domenici	McCain
Allen	Dorgan	McConnell
Baucus	Edwards	Mikulski
Bayh	Ensign	Miller
Bennett	Enzi	Murkowski
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Bond	Fitzgerald	Nelson (NE)
Boxer	Frist	Nickles
Breaux	Graham (FL)	Pryor
Brownback	Graham (SC)	Reed
Bunning	Grassley	Reid
Burns	Gregg	Roberts
Byrd	Hagel	Rockefeller
Campbell	Hatch	Santorum
Cantwell	Hollings	Sarbanes
Carper	Hutchison	Schumer
Chafee	Inhofe	Sessions
Chambliss	Inouye	Shelby
Clinton	Jeffords	Smith
Cochran	Johnson	Snowe
Coleman	Kennedy	Specter
Collins	Kohl	Stabenow
Conrad	Kyl	Stevens
Cornyn	Landrieu	Sununu
Corzine	Lautenberg	Talent
Craig	Leahy	Voinovich
Crapo	Levin	Warner
Daschle	Lieberman	Wyden
DeWine	Lincoln	

NAYS—3

Dayton Durbin Harkin

NOT VOTING—2

Kerry Thomas

The nomination was confirmed.

Mr. LUGAR. I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

The Senator from Idaho.

ORDER OF PROCEDURE

Mr. CRAIG. I ask unanimous consent that the Senator from Nebraska and I be allowed to speak as in morning business for no more than 10 minutes.

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

Mr. REID. Reserving the right to object, we would like 10 minutes following the Senator from Idaho as in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Idaho is recognized.

Mr. CRAIG. I thank the Chair.

DEMOLISHING ABU GHRAIB PRISON

Mr. CRAIG. Mr. President, today the Senator from Nebraska and I are introducing a sense-of-the-Senate resolution. I will read it because I think it is

appropriate at this time, when all of us are tremendously frustrated about what has gone on in a certain Iraqi prison.

Expressing the sense of the Senate that the Abu Ghraib prison must be demolished to underscore the United States' abhorrence of the mistreatment of prisoners in Iraq.

Whereas the Abu Ghraib prison was used by Saddam Hussein to execute and torture thousands of men, women and children;

Whereas Saddam Hussein and his Special Security Organization oversaw the execution of thousands of prisoners;

Whereas Abu Ghraib prison is notoriously known as a death chamber by the Iraqi people;

Whereas the Abu Ghraib prison is arguably the largest and most feared prison in the Arab world;

Whereas it is widely known that one of Saddam's sons, in one day, ordered the execution of 3,000 prisoners at the prison;

Whereas the recent reports of the atrocities and abhorrent mistreatment of Iraqi prisoners in the Abu Ghraib prison are un-American, do not represent our values, and have sent the wrong message about the United States intentions in Iraq;

Whereas the American people will not tolerate the mistreatment of Iraqi prisoners;

Whereas the American people view this prison as a symbol of evil, and where past cruel torture and mistreatment occurred;

Whereas the American people would like to rid the world of this evil place where past and, unfortunately currently reported mistreatment has occurred;

Now, therefore, be it Resolved, That it is the sense of the Senate that the Abu Ghraib prison, also known as the Baghdad Central Detention Center, be completely demolished as an expression and symbolic gesture that the American people will not tolerate the past and the current mistreatment of prisoners.

We are offering this sense-of-the-Senate resolution today because we believe it is a profound and clear expression of the American people's concern and it is a sense of this Senate that we do not accept the treatment that has gone on there of Iraqi detainees.

I yield the floor now to my colleague from Nebraska for a similar expression, and I send this resolution, as proposed, to the desk.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The Senator from Nebraska.

Mr. NELSON of Nebraska. I thank my colleague from Idaho for this opportunity to express our outrage at the behavior of Saddam's henchmen and for the disgust we have for what some misguided soldiers apparently did in conjunction with the trust they had imposed on them in conjunction with prisoners.

We cannot erase what has been done. We can apologize for it. We can express our outrage. We can say to the American people and to the people of the world, this is not our way and we do not condone it, but we cannot change it and we cannot erase it. I think what we can do is make the broadest statement we possibly can symbolically by leveling this prison.

It seems as though the demons of the Saddam regime carried on in the disguise of Americans who under ordinary circumstances would not have been conducting themselves in this way.

I do not believe in those ghosts, but I do believe the message that can be sent is a very strong one: We do not condone this kind of behavior. The very behavior we went to eradicate needs to be eradicated once again. Those who are criminally responsible must be held to the letter of the law, and those who are responsible in the chain of command must also be held to the highest standards of our military.

I think we can say to the Iraqi people more than we are sorry, which we are, more than we wish it had not occurred, that we stand with them to eradicate this kind of behavior once and for all, at least in that prison. Perhaps symbolically it will help all recognize this kind of behavior is unacceptable anywhere in the world.

I have traveled with my colleagues to various parts of the world, to South Korea, the Baltics, Afghanistan, and Iraq, and those photos do not represent those men and women who serve our Nation honorably or share the values we Americans hold dear.

This prison was the tool of a violent, repressive regime. It is as much a symbol of Saddam's regime as the statues honoring him throughout Iraq. It is even more so in many respects because it represents the truth of what his rule was. Just as those statues were torn down, so should this prison be torn down. This place has become a symbol of abuses and atrocities first under the regime and now sadly with the new acts committed by our troops. We need to make a clean start. What happened in that prison is not American. It does not represent our values, and we need to let the rest of the world know in the most visible way possible that these acts which were committed in that prison are not the American way and not the way America conducts itself.

We need to make a break from the past. We need to level this prison. The symbol of atrocities, this home of abuses, should stand no longer. Let that be our stand, to tear down the prison, to hold those accountable who have engaged in such activities as we have held Saddam accountable, and let us move on so we can say to the people of the world, this is a new start, a break from the past. Let us join with the Iraqi people in building a new Iraq, one that is founded not on the abuses

of Abu Ghraib but on the hope for tomorrow. We can share the values together to eliminate abuse, to eliminate these atrocities and to set the record straight for the rest of the world.

I yield back any time to my colleague from Idaho.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. I thank the Senator from Nebraska for his support of this effort.

Mr. BREAUX. Mr. President, parliamentary inquiry: Is the time controlled? How is the time yielded?

The PRESIDING OFFICER. The Senator from Idaho has 3 minutes remaining.

Mr. BREAUX. I would like to ask a question.

Mr. CRAIG. I yield to the Senator for a question.

Mr. BREAUX. I probably should not be getting into this because I have not looked at it, but it seems that the sense of the resolution is the prison should be destroyed. I do not think it was so much a problem with the prison as it was with people who ran the prison. It is not the physical plant that caused the problem. It is the people who were running the prison.

If we do demolish a prison, are we not going to have to build another one? It seems to me what we ought to be advocating is not the demolishing of the prison but the replacement of the people who were running the prison with professional people who understand how to treat prisoners.

The problem is not the physical plant. The problem is the people running it. I am sort of concerned if we demolish the prison we are going to have to end up building another one because we are going to have prisoners who are going to have to be dealt with over there.

Mr. CRAIG. The Senator from Louisiana makes an excellent point. There will be a need for a prison to detain people. This is a very large complex. It is also phenomenally symbolic of the evil of Saddam Hussein where within those walls literally thousands of Iraqis were killed. It was known as the death center. Symbolically what we do is very important. Tragically, what we have done or allowed to happen is very important. I think what the Senator from Nebraska and I are saying is, let us look at the death chambers themselves and tell the Iraqi people those chambers will no longer stand. I believe that is an important expression. Words are one thing; actions are clearly another. I believe symbolically what we say today, or what the Senate of the United States could say and should say, is important.

Mr. NELSON of Nebraska. Mr. President, my response to my friend from Louisiana is if this had been a prison, I would say let us continue it as a prison and change simply the administration, the prison guards. But it was never a prison. It was a place of abuse and atrocity, a death chamber for thousands and thousands of Iraqi citi-

zens. So it is not a prison, and it never was converted into a prison, apparently not even during the time that we have been able to administer it.

Mr. BREAUX. With the explanation I think that clears up a great deal of my concern, and I intend to support it. I thank you.

The PRESIDING OFFICER. The Democratic whip.

Mr. REID. How much time is left under the control of the Senator from Idaho?

Mr. CRAIG. I yield the remainder of our time.

Mr. REID. I yield our 10 minutes to the Senator from Illinois, Mr. DURBIN.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I listened carefully to this debate by my colleagues. We can join in the debate as to whether the destruction of the building is an appropriate symbol of our shame and outrage at what happened to the Iraqi prisoners. The fact is, after the invasion, this Saddam Hussein torture chamber or prison was extensively remodeled by the U.S. taxpayers. Tearing it down will, as the Senator from Louisiana suggests, result in the need to build another at the expense of the U.S. taxpayers.

If this symbol, though, can move us any closer to expressing our sense of outrage and shame to the people of Iraq and to the Arab and Muslim nations around the world, then that expense, as far as I am concerned, is money well spent. I am open to that suggestion.

I would like to reflect for a moment on the larger issue that has been raised, not just in this Chamber today but around the world over the last several days. As a member of the Senate Intelligence Committee, yesterday I spent several hours in a hearing with representatives of our military and civilian agencies involved in Iraq, where we poured over every gruesome, grisly, sickening detail of this abuse of Iraqi prisoners. I cannot disclose what was said in that room. What I am about to say is based exclusively on those public pronouncements and things that have been available in the press. I want to make that clear at the outset.

I will tell you about yesterday. I can't remember a sadder day in my service in Congress than the time I spent in that intelligence room. To think any human being would do that to another person is unthinkable. To think that an American would be involved in that is something I never would have believed. And to imagine that someone wearing the uniform of our country would have been in some way associated with that activity is something I would never, ever have accepted. Yet it is a reality, and the reality is it was not one isolated incident. It was a series of incidents involving the killing of prisoners, the sadistic, wanton, and blatant mistreatment of prisoners, and it is something which, sadly, this United States of America must face up to.

I am glad the President of the United States went on Arab television yesterday to express his personal feelings about how terrible these events were, and to make it clear that America does not accept this conduct. I wish the President had extended an apology to the Iraqi people and all who were offended by this shameful episode. It would have been an easy thing for him to do. It would have expressed a sense of humanity and a sense of justice, which we expect of an American President. He did not. I wish he had.

But now we have to ask ourselves how should we, as a people, react to this? I am going to suggest one way we should not react to this. I have in my hand a transcript from a syndicated radio program of May 4, by Rush Limbaugh. Oh, he is well known around Washington, around the world. I want to read what Mr. Limbaugh said in reaction to this scandalous episode involving the torture and abuse of Iraqi prisoners.

His caller, on May 4, asked as follows:

It was like a college fraternity prank that stack up naked men.

And Mr. Limbaugh replied as follows:

Exactly. Exactly my point! This is no different than what happens at skull and bones initiation and we're going to ruin people's lives over it and we're going to hamper our military effort, and then we are going to really hammer them because they had a good time. You know, these people are being fired at every day. I'm talking about people having a good time, these people, you ever heard of emotional release?

Rush Limbaugh said in describing the sadistic torture of Iraqi prisoners. And then Mr. Limbaugh, in his infinite wisdom, went on to say:

You ever heard of need to blow some steam off?

Rush Limbaugh. I am embarrassed that this man, who supposedly speaks for so many people in America and is listened to faithfully by so many people in America, would be so callous, so insensitive as to make those statements. Trust me, they will be repeated, not just on the floor of the Senate, but around the world by our enemies as an indication that we are not taking this seriously.

President Bush struck the right note yesterday. We are taking this extremely seriously, and we should. The reason is obvious. What happened in those prison cells was a complete breakdown of leadership, a complete breakdown of discipline. It is clear that some are being held accountable for it already, and the investigation continues. Some of my colleagues have come to the floor and said this investigation should go all the way to the top. I will keep an open mind on that issue. I want the Secretary of Defense to have his day in court, his moment to explain when he learned of this and what he did about it; frankly, what action he took to avoid this from occurring.

But there are several things I think we should keep in mind. No. 1, the men

and women of this reserve unit who were called on to run this prison represented a military police unit without training in detention and corrections.

There is never an excuse for this inhumane and barbaric conduct but the fact is, time and again since we invaded Iraq, we have given assignments to our men and women in uniform, assignments that they were never trained to do. We have asked them to establish civil order in Iraq when they were trained to invade and defeat an enemy. We asked them to be traffic cops and university security. We have asked them to guard museums. We have asked them to do things that were beyond their skill and beyond their training, and this is another example.

Second, let me tell you this. We cannot ignore the reality that the people we are still holding in detention, because of the war on terrorism, are the next questions to be asked by the world. If this happened in Iraq at the Abu Ghraib prison, what is happening at Guantanamo Bay? We have to be prepared to answer those questions. We have to be transparent and open in our treatment of these prisoners, and we have to accept the obvious. We have held and detained hundreds of people without charge, without benefit of counsel, and without communication, in some cases for more than 2 years. There reaches a point where the United States needs to either charge these people with wrongdoing or release them.

We are going to be asked by the world: If Abu Ghraib was a scandal, how are you treating the other detainees and the other prisoners who are involved as well?

We should accept the reality, too, that what happened in this prison, sadly, is going to make our mission in Iraq that much more difficult and that much more dangerous for the brave men and women in uniform who still serve our country so well as I speak. It has become a recruiting poster, the photos of this abuse and torture, a recruiting poster for those who hate us around the world. Some would say we need to condemn it by resolution; we need to tear down the prison. All of these are important words and important symbols. But we need to do more. We need to try to establish bridges of communication and bridges of understanding with Arab States and Muslim states and the people who live there who, in these images of torture, will believe they see the real United States. That is not who we are. We are a caring people, and we need to demonstrate that.

Beyond tearing down buildings, can we talk about building things up? Can we talk about investing our resources and talents in the United States, to reach out, as the President has asked, in the global AIDS fight, to Muslim nations that are struggling, to reach out to struggling countries, Muslim and otherwise, to provide school feeding programs for children, to once again

demonstrate to the world who we really are? Blowing up a building is one thing, but building a life and building a school and building a health clinic is another. It is clear evidence of who we are as an American people.

I look at the situation in Iraq today. It is much more troublesome than it was even a week ago. In April, the bloodiest month in this war for America since our invasion, we lost more troops, we suffered more injuries than in any single period. I make it my responsibility to try—and sometimes I cannot—to call every Illinoisan who has lost a soldier. God bless them, every single one of them, so proud of their son or daughter, husband, wife, killed in this conflict. And they should be proud. They have served our country. They should be proud of the contribution a member of their family has made to this country.

However, this situation is getting perilously complicated and so far from the resolution we hoped for when we made the invasion of this country. Our war on terrorism is going to be complicated as well. We need to develop a sound strategy for the Iraqi situation and for our war on terrorism. We need to concede that many of the things that seemed so obvious and so easy have failed us so far.

We heard predictions early on that the Iraqis would greet us with open arms, move toward democracy, and we would start turning over control of the nation to them. It sounded like a great goal. Clearly, we were wrong. It has not happened. It is not likely to happen soon.

The administration will ask for more money—\$25 billion—to support our troops. Although I voted against this war, I will continue to vote for every dollar this administration asks for to keep our troops safe and to bring them home safely. We must continue to ask the hard questions: What is the strategy? What is the plan? Where is the leadership? How can we bring our troops home from Iraq with a mission truly accomplished?

Sadly, today we are further from that goal than we were just a few short days ago. I hope that during the course of the debate on this important resolution on the scandalous activity at the prison we can find Senators of both political parties coming forward, trying to find common ground to reach our goal in the Middle East.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. HOLLINGS. Mr. President, I take it we will be voting on a resolution with respect to the Saddam prison.

It strikes me, what I have just heard in the last few minutes, as a typical

copout from responsibility. We hide the deficit. We do not pay the costs of the war. We hide behind all these other things. Now all we have to do is remove the building, and if they cannot be aware of it, they will not care.

This thing happened in January. What we have on foot is the exact “torture-gate,” I guess you would call it. From January to May, we have not heard anything about it. This Senator has not heard anything about it. Now we have all of these “whereas” clauses, and this is what Saddam did, and it did not bother us. We did not put in a resolution about it. In fact, we went there and spent good money to clean it up and we put a prison there.

Maybe after we take some responsibility, then maybe this kind of resolution would be in order. The first act and the first reaction officially of the Senate is going to be, let’s tear down the building. The building is not at fault. It is the people in the building who are at fault.

I will not be able to vote for this nonsense. I have never seen a crowd that absolutely will not accept responsibility for the war, for the costs of the war, the cost of government, and now the responsibility here. Their first reaction is a lot of “whereas” clauses about Saddam and nothing about us, other than that is not our way of life, and everything else of that kind. Let’s find out that is not our way of life by fixing some responsibility in this Government. Once that is done, bring on the “whereas” clauses about Saddam’s prison.

I suggest the absence of a quorum.
The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, I ask unanimous consent to speak as in morning business.

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

EXTENSION OF EMPLOYMENT BENEFITS

Ms. CANTWELL. Mr. President, I rise to talk about the unemployment trust fund issue that has us basically stalled on Senate business; the fact that several weeks ago we had an unemployment benefit amendment that was part of the UC request for amendments to the FSC/ETI bill done, and yesterday it was in the queue to be considered; then after it was actually offered on the floor, after 10 minutes of debate and discussion, basically the amendment was pulled. Somebody objected to scheduling a vote on it.

For weeks we have been assuming there was a finite list of amendments and it was agreed that this amendment was going to be voted on. I don’t even