

great anguish and suffering on the part of the families of detainees—no less than did the practice of “forcible disappearance” in past decades—while engendering enormous hostility toward the United States.

#### IN THE INTEREST OF NATIONAL SECURITY

The Administration has argued that, faced with the unprecedented security threat posed by terrorist groups “of global reach,”<sup>13</sup> it has had to resort to preventive detention and interrogation of those suspected to have information about possible terrorist attacks. According to the Defense and Justice Departments, a key purpose of these indefinite detentions is to promote national security by developing detainees as sources of intelligence. And while much of what goes on at these detention facilities is steeped in secrecy, intelligence agents insist that “[w]e’re getting great info almost every day.”<sup>14</sup>

Whatever the value of intelligence information obtained in these facilities—and there is reason to doubt the reliability of intelligence information gained only in the course of prolonged incommunicado detention<sup>15</sup>—there is no legal or practical justification for refusing to report comprehensively on the number and location of these detainees—or to fail to provide the identities of detainees to the ICRC, detainees’ families, their counsel, or to others having a legitimate interest in the information (unless a wish to the contrary has been manifested by the persons concerned).

The United States is of course within its power to ask questions and to cultivate local sources of information. And the United States certainly has the power to detain—in keeping with its authority under the Constitution and applicable international law—those who are actively engaged in hostilities against the United States, or those suspected of committing or conspiring to commit acts against the law. But it does not have the power to establish a secret system of offshore prisons beyond the reach of supervision, accountability, or law.

Finally, even if some valuable information is being obtained, there are standards on the treatment of prisoners that cannot be set aside. The United States was founded on a core set of beliefs that have served the nation very well over two centuries. Among the most basic of these beliefs is that torture and other cruel, inhuman or degrading treatment is wrong; arbitrary detention is an instrument of tyranny; and no use of government power should go unchecked. The refusal to disclose the identity of detainees, prolonged incommunicado detention, the use of secret detention centers, and the exclusion of judicial or ICRC oversight combine to remove fundamental safeguards against torture and ill-treatment and arbitrary detention. Current practices which violate these principles must be stopped immediately.

The abuses at Abu Ghraib underscore the reason why, since the United States’ founding, Americans have rejected the idea of a government left to its own devices and acting on good faith in favor of a government based on checks and balances and anchored to the rule of law. As James Madison noted, “[a] popular Government without popular information, or the means of acquiring it, is but a Prologue to a Farce or Tragedy.”<sup>16</sup> This nation’s history has repeatedly taught the value of public debate and discourse. To cite one example, the United States learned this 30 years ago when a series of congressional investigations uncovered widespread, secret domestic spying by the CIA, NSA, FBI, and the Army—revelations whose impact on the intelligence agencies was, in former CIA Director Stansfield Turner’s words, “devastating.”<sup>17</sup>

We should be clear—the United States has important and legitimate interests in gathering intelligence information and in keeping some of this information secret. But we are not demanding the public release of any information that would compromise these interests. What we are calling for is an official accounting—to Congress and to the ICRC—of the number, nationality, legal status, and place of detention of all those the United States currently holds. We ask that all of these places of detention be acknowledged and open to inspection by the ICRC, and that the names of all detainees be made available promptly to the ICRC and to others with a legitimate interest in this information. Neither logic nor law supports the continued withholding of the most basic information about the United States’ global system of secret detention. Trust is plainly no longer enough.

#### RETIREMENT OF VICE ADMIRAL GORDON S. HOLDER, UNITED STATES NAVY

Mr. NELSON of Florida. Mr. President, I rise today to recognize a great patriot, sailor and fellow Floridian, VADM Gordon S. Holder. Vice Admiral Holder is retiring after a distinguished 36-year career in the United States Navy.

Gordon Holder entered naval service in 1968 after graduating from Florida State University in Tallahassee and completion of the Officer Candidate School in Newport RI. Since then he has served with distinction in peace and war in a variety of command and staff positions on shore and at sea.

Vice Admiral Holder’s illustrious career includes sea duty on the USS *William C. Lawe* (DD 763) as First Lieutenant and Combat Information Center Officer, USS *Brunby* (DE 1044) as Operations Officer, USS *Boulder* (LST 1190) as Chief Engineer, and USS *Hermitage* (LSD 34) as Executive Officer. His first command at sea was USS *Inflict* (MSO 456), with subsequent commanding officer afloat tours in USS *Whidbey Island* (LSD 41) and USS *Austin* (LPD 4). He has also served staff tours with Commander Seventh Fleet and Commander Naval Forces, U.S. Central Command as Fleet Exercises and Amphibious Warfare Officer, and with Amphibious Group Two as Assistant Chief of Staff for Operations and Plans.

Shore tours include Aide to the Commandant Sixth Naval District and Commander Naval Base Charleston, Company Officer and Special Assistant to the Commandant, U.S. Naval Academy, and Assistant Surface Commander Assignments Officer, Naval Military Personnel Command. In 1980, Vice Admiral Holder graduated with distinction from the Air Command and Staff College at Air University, Montgomery, AL.

Vice Admiral Holder was selected for promotion to flag rank in December 1993 and has served as Commander Naval Surface Group Middle Pacific and Commander Naval Base Pearl Harbor, Commander Naval Doctrine Command, Commander Amphibious Group Two, and Commander, Military Sealift Command.

Vice Admiral Holder assumed his current duties as Director for Logistics on the Joint Staff on September 4, 2001 just one week prior to the fateful attacks on U.S. soil. In this capacity he has worked tirelessly and with great success to plan, organize and direct the massive logistics effort of the nation in support of our Armed Forces in the global war on terrorism, including successful combat operations in Afghanistan and Iraq. At the same time, he has been instrumental in guiding the transformation of military logistics to a true 21st century structure that links industry, supply, transportation, maintenance and management systems capable of supporting our forces around the globe. Vice Admiral Holder has had direct and far-reaching influence on numerous policies, programs and operations that support our soldiers, sailors, airmen and marines, including, most notably the rotation of forces in Operation Iraqi Freedom, the largest movement of American forces since World War II.

I ask my colleagues to join me in thanking Vice Admiral Holder for the leadership he has provided, for the care and concern he has demonstrated for our service members and their families and for his dedicated and honorable service to our Nation and Navy. As he turns to retired life, we wish him, his wife Pat and family Godspeed and all the best in the future.

#### NATIONAL HEALTH INFORMATION TECHNOLOGY ADOPTION ACT

Mr. BUNNING. Mr. President, I would like to rise today to talk for a few minutes about a bill I am cosponsoring, the National Health Information Technology Adoption Act, S. 2710. This bill, introduced yesterday by Senator GREGG, chairman of the Senate Health, Education, Labor and Pensions Committee, takes an important step forward in bringing our Nation’s medical system into the 21st century.

In today’s society, it seems that almost everything is computerized and on-line. You can pay your bills on-line, order your groceries on-line, and even file your taxes on-line. However, for the most part, medical records are still on paper and in files. This means these records are uneasily shared between doctors treating the same patient or are not readily available during an emergency.

Earlier this year, the Bush administration made computerizing the Nation’s medical record and building a nationwide health network a priority. Yesterday, Health and Human Services Secretary Tommy Thompson released a 10-year plan for doing just that.

S. 2710 is similar to the administration’s plan and takes some immediate steps to start fulfilling this goal, including establishing an official office at the Department of Health and Human Services to coordinate health information technology at the national level. The bill also provides assistance