

related to treatment of foreign detainees in war. We also have a moral obligation to oppose cruel and degrading treatment of human beings, and a patriotic obligation to stand up for the honor of this country.

In the wake of the scrutiny and embarrassment that our nation has endured following the treatment of detainees at Abu Ghraib and Guantanamo Bay, it is imperative that we proclaim to the rest of the world that this policy reflects the law of the land and the conscience of our country. Providing our soldiers with clear, written guidance on how to treat detainees not only protects their interests but underscores the freedoms and values we cherish as Americans and that we claim to be the reason we have gone to war in Iraq, Afghanistan and other parts of the world.

Today, as a Congress we must respect and honor our nation, those that risk their lives to serve it, and the high standards and ideals on which it is based. Supporting the MCCAIN amendment is not an issue of political difference; it is an issue of national identity.

The McCain amendment is needed to close a loophole in current policy that does not explicitly describe standards for foreigners held under U.S. custody abroad. This amendment reiterates and clarifies our existing policy that prohibits the use of torture, cruel, inhuman, and degrading treatment by U.S. soldiers and agents who are detaining and interrogating prisoners in the global war on terror, requiring that they use the techniques sanctioned in the Army Field Manual on Intelligence and Interrogation.

I urge my colleagues to resist any efforts to accept a watered down version of Senator MCCAIN's language that would grant exceptions for the CIA to conduct its own investigations of detainees in locations overseas that are independent of the Army Field Manual. Such a move, which apparently is being orchestrated by the Vice President's office, would only defeat the intent of the provision adopted in the Senate and cause further confusion among military and civilian service people charged with detainee interrogations.

The Army Field Manual has been used as the standard for interrogation guidance since it was established during the Reagan Administration. The Manual does not cast any technique into stone, but changes with time and includes techniques and descriptions that are classified so as not to be uncovered by enemies.

In a sign of broad bipartisan support, the Senate overwhelmingly approved the McCain amendment in a 90 to 9 vote. In addition, 28 retired military leaders, including General Shalikashvili, General Hoar, and General Colin Powell, have supported legislating the use of the Army Field Manual through the McCain amendment.

In today's global war on terror, men and women in the armed forces are charged with the critical task of detaining and interrogating prisoners of war and enemy combatants without clear instructions on what is and what is not permissible. These ambiguities contributed to the absence of standards that resulted in the degrading and inhumane treatment that we, and the rest of the world, witnessed at Abu Ghraib and what apparently occurred at Guantanamo at the hands of young and ill-advised soldiers.

The abuses at Abu Ghraib and Guantanamo stained the honor of our country and our mili-

tary. I know that most of our constituents want to amend these wrongdoings. In order to do this, and to help protect the treatment of American soldiers who may be held as prisoners of war, we must give our troops clear instructions on acceptable treatment during detainment and interrogation, without equivocation.

Let us not shrink from the responsibility that stands before us; let us rise as a united body to defend our principles, uphold our proud traditions and articulate to the world what America stands for. I urge my colleagues to express their support to Chairman YOUNG to retain the McCain amendment, without modification, in the conference agreement to the FY2006 Defense Appropriations bill.

Mr. CASTLE. Mr. Speaker, I rise in strong support of the Motion to Instruct Conferees on H.R. 2863, the Fiscal Year 2006 Defense Appropriations Act, offered by the gentleman from Pennsylvania.

There is no question that recent charges of misconduct at Guantanamo Bay and Abu Ghraib prisons are obvious indications that there is significant confusion in the field regarding the interrogation of detainees.

Our soldiers and interrogators need to know exactly where the line is when engaging prisoners and there should be absolutely no question about what is acceptable behavior and what is not.

It is clear that any treatment that is cruel, inhuman and degrading is unacceptable. Such treatment is clearly prohibited by the Fifth, Eighth, and Fourteenth Amendments to the U.S. Constitution and these abuses are a direct violation of our government's treaty obligations.

The provisions included in the Senate version of the Defense Appropriations bill simply ensure that persons under U.S. custody or control in facilities outside of this country cannot be subjected to treatment that would be deemed unconstitutional if it occurred in U.S. territory.

I strongly support President Bush's efforts to defeat terrorism and his explicit denouncement of torture is crucial to winning this struggle. Backroom deals to blur the lines or allow exemptions for certain government agencies undermine the very freedoms our soldiers are fighting for around the globe.

It is our duty to provide clarity about the values and standards by which America lives in contrast to our enemies. Now is the time for our government to reaffirm our position as the world's leader on human rights, and establish an unambiguous standard for the international treatment of detainees.

Mr. SPEAKER, this provision has passed the Senate with broad, bipartisan support and I urge my colleagues to support this very important motion to instruct.

Mr. YOUNG of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. MURTHA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Pennsylvania (Mr. MURTHA).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. MURTHA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 2863, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006 WHEN CLASSIFIED NATIONAL SECURITY INFORMATION IS UNDER CONSIDERATION

Mr. YOUNG of Florida. Mr. Speaker, pursuant to clause 12 of rule XXII, I move that meetings of the conference between the House and the Senate on H.R. 2863 be closed to the public at such times as classified national security information may be broached, providing that any sitting Member of the Congress shall be entitled to attend any meeting of the conference.

The SPEAKER pro tempore. Pursuant to clause 12 of rule XXII, the motion is not debatable, and the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to close the conference will be followed by 5-minute votes on the motion to instruct on H.R. 2863, the motion to suspend the rules and agree to H. Res. 599, and the motion to suspend the rules and pass H.R. 972.

The vote was taken by electronic device, and there were—yeas 415, nays 9, not voting 9, as follows:

[Roll No. 629]

YEAS—415

Ackerman	Brown (SC)	Davis (CA)
Aderholt	Brown, Corrine	Davis (FL)
Akin	Brown-Waite,	Davis (IL)
Alexander	Ginny	Davis (KY)
Allen	Burgess	Davis (TN)
Andrews	Burton (IN)	Davis, Jo Ann
Baca	Butterfield	Davis, Tom
Bachus	Buyer	Deal (GA)
Baird	Calvert	DeGette
Baker	Camp (MI)	Delahunt
Baldwin	Campbell (CA)	DeLauro
Barrett (SC)	Cannon	DeLay
Barrow	Cantor	Dent
Bartlett (MD)	Capito	Diaz-Balart, L.
Barton (TX)	Capps	Dicks
Bass	Capuano	Dingell
Bean	Cardin	Doggett
Beauprez	Cardoza	Doolittle
Becerra	Carnahan	Doyle
Berkley	Carson	Drake
Berman	Carter	Dreier
Berry	Case	Duncan
Biggert	Castle	Edwards
Bilirakis	Chabot	Ehlers
Bishop (GA)	Chandler	Emanuel
Bishop (NY)	Chocola	Emerson
Blackburn	Clay	Engel
Blunt	Cleaver	English (PA)
Boehrlert	Clyburn	Eshoo
Boehner	Coble	Etheridge
Bonilla	Cole (OK)	Evans
Bonner	Conaway	Everett
Bono	Conyers	Farr
Boozman	Cooper	Fattah
Boren	Costello	Feeney
Boswell	Cramer	Ferguson
Boucher	Crenshaw	Filner
Boustany	Crowley	Fitzpatrick (PA)
Boyd	Cubin	Flake
Bradley (NH)	Cuellar	Foley
Brady (PA)	Culberson	Forbes
Brady (TX)	Cummings	Ford
Brown (OH)	Davis (AL)	Fortenberry

