

children become successful adults. I encourage all of my colleagues to join us in supporting this simple legislation that will improve the lives of thousands of our most vulnerable children.

#### EARMARK DECLARATION

### HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 29, 2008*

Mr. EVERETT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding two earmarks I received as part of H.R. 6599, the Military Construction and Veterans Affairs Appropriations Act for Fiscal Year 2009.

Request No. 1:

Requesting Member: Congressman TERRY EVERETT.

Bill Number: H.R. 6599, the Military Construction and Veterans Affairs Appropriations Act for Fiscal Year 2009.

Account: Military Construction/U.S. Army.

Legal Name of Requesting Entity: U.S. Army/Congressman TERRY EVERETT.

Address of Requesting Entity: Office of Command, Fort Rucker, 453 Novosel Street, Fort Rucker, Alabama 36362-5105.

Description of Request: The Chapel Center at Fort Rucker earmark request is for \$6,800,000. The funding is for the construction of a standard-design chapel complex featuring a sanctuary (400 seat capacity) and an activity center that is capable of seating an additional 239 people in a separate or combined service. The sanctuary will include a raised pulpit area and a baptismal suite. The facility also will include 15 religious education classrooms, two multi-purpose rooms, a blessed sacrament room, sacristy/robing room, choir room, resource center, nursery, restrooms, kitchen, storage, and administrative space for two Chaplains, Education Director and Assistant.

Additionally, some of the funding will be used for connection to the energy monitoring and control system (EMCS) and interior communications/building information systems and supporting utilities and other expenses in building of the Chapel Center.

Request No. 2:

Requesting Member: Congressman TERRY EVERETT.

Bill Number: H.R. 6599, the Military Construction and Veterans Affairs Appropriations Act for Fiscal Year 2009.

Account: Military Construction/ U.S. Air Force.

Legal Name of Requesting Entity: U.S. Air Force/Congressman TERRY EVERETT.

Address of Requesting Entity: Maxwell-Gunter Air Force Base, Montgomery, Alabama 36112-5000.

Description of Request: This funding will be used for the Air and Space Basic Course Combat Arms Training Facility at Maxwell-Gunter Air Force Base. The funding will be used to construct a 56-position, 50-meter small arms firing range with automated range target system, and a 639 SM support facility constructed with reinforced concrete foundation and floor slab, structural steel frame, masonry walls and sloped architecturally compat-

ible roof. The \$15,556,000 for this project was also included in the Administration's Fiscal Year 2009 budget.

#### TRIBUTE TO IRENE NELSON

### HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 29, 2008*

Mr. MCGOVERN. Madam Speaker, I rise today to pay tribute to Irene Norman Nelson on the occasion of her 90th birthday.

Irene Nelson is one of the most extraordinary people I have ever met. She has been a longtime and treasured friend to my family and me. She is a woman of impeccable class, grace and integrity. She has a love and appreciation of life that is inspiring. And she has a wonderful sense of humor.

I cherish my memories of being with Irene at family events, vacations and trips to the theater. I enjoy our conversations. I admire her commitment to the arts and all things beautiful.

Madam Speaker, as a U.S. Congressman, I am privileged to meet many fascinating and incredible people. Irene, without a doubt, is at the top of that list.

I ask that my colleagues join me in wishing Irene Nelson a happy and healthy birthday.

STATEMENT IN SUPPORT OF H.R. 5170, H.R. 5983, H.R. 5531, H.R. 2490, H.R. 6193, H.R. 4806, H.R. 3815, and H.R. 6098

### HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 29, 2008*

Mrs. CHRISTENSEN. Madam Speaker, I rise today in support of these Homeland Security bipartisan measures. I would like to commend Chairman THOMPSON and Ranking Member KING for their efforts to bring these bills to the floor today. I would also like to congratulate the authors of these bills Congresswoman HARMAN and Congressmen CARNEY, LANGEVIN, KING, BILIRAKIS, REICHERT, and PERLMUTTER.

Individually, the bills presented today improve operations within the Department of Homeland Security, including issues related to privacy, information sharing and enhanced security. Collectively, they improve on the provisions of H.R. 1, the Implementing 9/11 Commission Recommendations Act.

Protecting the privacy of our citizens is an important but very difficult issue to balance in our Nation's war against terrorism. Under H.R. 1570, the presence of a full-time Component Privacy Officer would ensure that privacy considerations remain at the forefront and are integrated into the decisionmaking process at all of the DHS Components.

Through our oversight work, it is clear that DHS's information systems have been penetrated and remain vulnerable to cyber attacks. H.R. 5983, the Homeland Security Network Defense and Accountability Act of 2008, represents a critical step toward improving the cybersecurity network at DHS by ensuring a robust defense of its information systems, and

holding individuals at all levels accountable for mitigating vulnerabilities.

While protecting DHS information systems is critical to our Nation's security, we also need to be mindful of the importance and need for information sharing. H.R. 6193, H.R. 4806 and H.R. 3815 address the need for information sharing in a secure manner. H.R. 6193—Improving Public Access to Documents Act of 2008— dovetails with H.R. 4086's effort to remove obstacles to more and better information sharing in the unclassified category.

Our offshore territories are the first point of entry to the U.S. for many foreigners and our shores are extremely vulnerable to illegal and possibly terrorist activities. I am pleased that H.R. 5531 will put in motion a plan to deploy next-generation radiological detection technology at our ports of entry to more effectively and more efficiently scan persons and cargo as they enter the United States. I fully support the "Biometric Identification At Sea Pilot Project" which has allowed the Coast Guard to collect biometrics from individuals interdicted in the Caribbean to run them against terrorist and criminal databases. H.R. 5531 and H.R. 2490 address the vulnerabilities of our Caribbean shores.

Madam Speaker, the implementation of these bills would not be possible without our State, local and tribal entities. Fusion Centers provide much needed support to these entities in the implementation of Homeland Security programs. H.R. 6098 requires DHS to allow State and local governments to use Homeland Security grant funding to hire and keep analysts in fusion centers—for however long State and local officials see fit.

I urge my colleagues to support these bills and their passage.

#### HOUSING AND ECONOMIC RECOVERY ACT OF 2008

SPEECH OF

### HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 23, 2008*

Mrs. MCCARTHY of New York. Mr. Speaker, I would like to thank Chairman FRANK for his hard work on this housing package.

What began with a housing bubble, predatory and subprime lending, and loose regulatory enforcement has resulted in a record number of foreclosures across the country, the failure of financial institutions, a reduction in tax revenue for states and local government, a credit crunch, and a lack of confidence in our market that is affecting millions of individuals and families both directly and indirectly.

Families reliant on the continuously increasing housing market entered into loans they could never afford or adjustable-rate mortgages with the assumption they could refinance at a later date.

Loose regulatory enforcement allowed mortgage lenders and originators to engage in predatory lending practices and the housing bubble provided an incentive for lenders to reduce underwriting standards to encourage the creation of new loans.

Furthermore, the failure on the part of the regulators allowed financial institutions to package and sell these risky new loans on the secondary market with the highest ratings from the rating agencies.

All these events contributed to what we are now facing: increased foreclosure rates, large write-downs by financial institutions that hold a large number of mortgage-backed securities, vacant, foreclosed homes across the country, reduced tax revenue for states and local governments, and a lack of confidence in our financial and housing markets.

This bill, H.R. 3221, the American Housing Rescue and Foreclosure Prevention Act, will address the causes of our current crisis through reform and attempt to assist communities dealing with the current crisis.

Although there are many provisions in this package that are worth noting, I would like to highlight several provisions that are absolutely necessary to ensure the success of this package.

This bill increases the high-cost loan limits for the Federal Housing Administration, FHA, and conforming loan limits for Fannie Mae and Freddie Mac. These increases will allow those in high-cost areas such as my district, the Fourth Congressional District of New York, to take advantage of the FHA home loans program. Although many of us would prefer a larger increase in these limits, I believe the limits in this bill reflect a compromise that will make eligible middle-income families in high-cost areas who are currently precluded from taking advantage of the FHA home loan program. I thank Chairman FRANK and would like to recognize him for working with those of us who represent high-cost areas to ensure that our constituents are not left out.

This bill also allows Fannie Mae and Freddie Mac the flexibility to hold or sell jumbo loans on the secondary market. This flexibility will ensure Fannie and Freddie are not unnecessarily restricted in how they choose to deal with jumbo loans, and will ensure that loans will continue to be available to moderate-income families in high-cost areas.

Although reform is necessary to prevent another subprime crisis, we must also act to limit the effect that this crisis is having on our communities. Over half of the people who lose their homes stop communicating with their lenders within 30–60 days of missing a payment. This may happen for a number of reasons, including the fact that many homeowners are embarrassed or do not know their rights when they are unable to make their mortgage payments.

For these reasons, it is so important that organizations willing to reach out to borrowers at risk of foreclosure utilize in-person counseling and outreach. This is the only way to guarantee that families who need assistance are aware that assistance is available. Consequently, it only makes sense to provide organizations engaging in practices, such as in-person counseling, that are proven to be effective the resources they need to continue to provide these services.

I thank Mr. BACA and Mr. MAHONEY for working with me to ensure that language to this effect is included in this bill.

I also strongly support the almost \$4 billion in this bill for state and local governments for the purchase and re-development of vacant, foreclosed homes.

It has been estimated that a home decreases in value by almost one percent if a home within one city block has been foreclosed. This figure is even higher when more than one home in the area has been foreclosed. In my home district, a home price

would result in more than a \$4,000 decrease in value if one home is foreclosed.

Additionally, tax revenue is severely affected when homes are left vacant or there is a decrease in their assessed value. The vacancy or home value decrease results in a decrease in tax revenue which burdens the budgets of state and local governments. In many cases, this shortfall then results in cuts in services to those most in need, including our children and seniors.

Again, I would like to thank the Chairman of the Financial Services Committee and the many individuals who have worked to ensure that this bill reforms FHA and the GSEs, and tackles the increase in the rate of foreclosures and the devastating effects that vacant, foreclosed homes have on our communities.

MEDICAL EVIDENCE OF TORTURE  
BY U.S. PERSONNEL

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 29, 2008*

Mr. HASTINGS of Florida. Madam Speaker, last week the Helsinki Commission, which I Chair, held a briefing at which representatives from Physicians for Human Rights presented the findings of their recently published report, "Broken Laws, Broken Lives." In it, they documented the medical evidence of torture by U.S. personnel in 11 specific cases. I believe this briefing was the first opportunity on Capitol Hill for the public to hear specifically about the medical consequences of the administration's detention policies and to consider some of the ethical questions related to the medical treatment of detainees, including forced feeding and the possible role of medical professionals during interrogations.

We were fortunate to have with us as panelists Leonard Rubenstein, J.D., President of Physicians for Human Rights; Dr. Allen Keller, Advisor to Physicians for Human Rights and Director of the Bellevue/NYU Program for Survivors of Torture; and Dr. Scott Allen, also an Advisor to Physicians for Human Rights.

For many years, members of the Helsinki Commission have been actively engaged on issues related to torture and cruel, inhuman, and degrading treatment or punishment. Over the years, we have raised concern about the nearly constant reports of torture and abuse in Chechnya. We have pressed Turkey to provide detainees with prompt access to lawyers and medical personnel, because we know that when people are held incommunicado, they are more likely to experience torture. We have expressed alarm regarding the number of people who walk into Uzbekistan jails on their own two feet—and who have been returned to their families in boxes.

Last week, it was my sad duty to hear representatives from Physicians for Human Rights describe the torture and ill-treatment some detainees have experienced at the hands of U.S. personnel. As I noted then, I certainly expected to hear about the medical and psychological impact of this torture on the individuals whose cases were investigated by Physicians for Human Rights. But, coincidentally, there was a different kind of impact on display last week, when the U.S. also opened its first war crimes trial since World War II.

In the trial of Salim Hamdan, alleged to be Osama bin Laden's driver, the military judge overseeing the case found it necessary to exclude from evidence several statements of the defendant because they were obtained under what the military judge deemed "highly coercive" conditions. Another one of the government's efforts to bring a defendant before a military tribunal had already been put indefinitely on hold, reportedly because the evidence in the case cannot be disentangled from the impermissible methods that were used to extract it. In other words, the use of abusive interrogation methods has undermined the government's ability to prosecute people suspected of terrorism or terrorism-related crimes.

Let me repeat: the ill-conceived policy of "enhanced interrogations" has undermined our country's ability to prosecute people for the most serious crimes committed against this nation.

As it happened, on the day of our briefing last week, the ACLU released three new "torture memos" it had obtained through the Freedom of Information Act. Although highly redacted—indeed, one of them has ten pages that are entirely blacked out—these documents nevertheless provide some additional insight into the development of the policies that set the stage for what Major General Antonio Taguba, in his preface for the Physicians for Human Rights report, called "a systematic regime of torture." (You may recall that General Taguba led the U.S. Army's official investigations into the Abu Ghraib prisoner abuse scandal.)

Here's just one bit of information we now have from a memo prepared by the Department of Justice's Office of Legal Counsel on August 1, 2002 and released last week. This memo, prepared for the CIA, advises that the crime of torture, as defined by U.S. statute, requires a showing of specific intent to cause severe pain or suffering. That specific intent, in turn, will be negated if a defendant acts with a good faith belief that his actions will not cause severe pain or suffering. That good faith belief can be demonstrated by showing that an official acted in reliance on the advice of experts. And guess what? The Office of Legal Counsel is a bunch of experts. And they go on to say that the objective of the interrogation techniques under discussion—we don't know precisely what they are because they're blacked out—is not to cause severe physical pain. Just like magic, you have your expert advice, which gives you your good-faith belief, which negates the specific intent required under the statute which criminalizes torture. So you guys can go ahead and waterboard and God knows what else because the Office of Legal Counsel has told you that it does not cause severe pain or suffering, so you have legal license to ignore your own eyes and ears, which tell you that waterboarding will break a person in minutes.

Madam Speaker, the report by Physicians for Human Rights makes several recommendations that deserve study and consideration. But in light of the release of these most recent torture memos, I would like to highlight today one particular recommendation of the report: "The U.S. Department of Justice should publicly release all legal opinions and other memoranda concerning standards regarding interrogation and detention policy and practices."