

We are fresh out of trust, Mr. Speaker, in America, and around the world. It is time for Rumsfeld to go before we try and hand off sovereignty to the Iraqis. They will never be able to deal with our Secretary of war because nobody trusts him.

Mr. Speaker, at this point I will insert into the RECORD the newspaper article I referred to earlier.

[From the Los Angeles Times, May 12, 2004]  
ABUSE FLAP MAY RUIN BUSH TEAM'S "TRUST US" ARGUMENT ON DETAINEES

WASHINGTON.—The photos of abused Iraqi prisoners not only have shaken the Bush administration but also may have ruined its Supreme Court defense of its handling of terrorism suspects, some legal experts say.

"Their argument has been 'trust us,' and that argument has been deeply undermined," said Yale University professor Harold Koh, an international law specialist who served in the Clinton administration.

Before the court last month, the administration argued that the president and his military commanders have exclusive power to decide the fate of those captured in the war on terrorism.

The court has yet to rule.

Shortly after U.S. troops invaded Afghanistan, the administration declared that people captured there and shipped to Guantanamo Bay, Cuba, were not entitled to the protections of the Geneva Conventions: They were not prisoners of war but rather "unlawful enemy combatants," falling outside both international law and U.S. law.

International legal specialists criticized this decision to create "a law-free zone." The Supreme Court surprised the Bush administration by taking up the issue.

During arguments April 28, administration lawyers told the court that, in wartime, the federal courts have no power to hear claims from the imprisoned men. Only the executive branch should decide their fate.

"Suppose the executive says mild torture will help get information?" asked Justice Ruth Bader Ginsburg.

Committing such "an atrocity" against a prisoner would be a crime punishable by court-martial, replied Deputy Solicitor General Paul Clement.

When pressed further, he added, "our executive doesn't" commit such abuses. "You have to recognize that in situations where there is a war . . . you have to trust the executive."

That same evening, CBS aired the first photos of soldiers mistreating Iraqi prisoners. Two days later, the Supreme Court justices began working on their opinions in the case.

"In a close and difficult case like this, this could tip the scales," said Michael J. Glennon, an international law specialist at Tufts University. "The overriding issue in these cases has been to what extent can you trust the executive to police itself."

A former Bush administration lawyer who advised the White House on wartime issues said the Iraqi prison scandal should have no effect on the court's decision.

"It is a false analogy. These are two separate and different kinds of detainees," said John C. Yoo, a law professor.

#### SECRETARY OF DEFENSE DONALD RUMSFELD SHOULD RESIGN

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from New Jersey (Mr. PALLONE) is recognized

during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, over the weekend my hometown newspaper, the Asbury Park Press, ran an editorial calling on Secretary of Defense Donald Rumsfeld to resign. It was a stunning criticism from a newspaper that is not known to be partisan. And I would like to take this opportunity to simply read the editorial.

"The United States needs to send this message to the world. We remain a civilized Nation. We respect international law. We respect the dignity of all individuals. We will at all times abide by the Geneva Convention governing the humane conduct of prisoner of war and apply that standard to all detainees.

"We hold ourselves to the highest moral standards and will not tolerate those who do not. And we will hold our leaders accountable when our conduct falls short. That message should be accompanied by the resignation of Defense Secretary Donald Rumsfeld. If he is not asked to resign by President Bush, he should do the honorable thing and step down on his own.

"The case against Rumsfeld, who has overseen the conduct of the war in Iraq, transcends the prisoner abuses at Abu Ghraib, but the scandal is an important element of it. The photos and accounts of the treatment of Iraqi detainees at the hands of American soldiers have shocked and disgusted Americans and the world. They have brought the realities of war whose daily horrors have largely been kept from public view into the national consciousness. They have shown that we are not immune from committing evil acts.

"Over the past 2 years the International Red Cross, Human Rights Watch, and Amnesty International have all raised concerns about patterns of mistreatment of detainees by U.S. interrogators in Afghanistan, Iraq, and Guantanamo Bay. Rumsfeld's explanations for how the abuses were allowed to occur and how they escaped his attention for so long have not been convincing. Punishing only those directly responsible for the inhumane actions is not enough, not given the gravity of the offenses and the damage they have done to our Nation's reputation and our ability to win the war of ideas in the Arab world.

"There are many other reasons why it should be in America's best interest for Rumsfeld to step aside. As Defense Secretary he has mismanaged the war in Iraq every step of the way. He helped sell the idea that Saddam Hussein was working in concert with al Qaeda and posed a clear nuclear and biological threat to the United States. He ignored the advice of many of our long-standing allies and top Pentagon officials to continue what had been a successful strategy of isolating Saddam while continuing our search for weapons of mass destruction.

"Rumsfeld failed to anticipate the hostile reception we received following

the 'liberation.' He miscalculated the troop strength needed to stabilize the country. He left Baghdad and other major cities unprotected from looters and thugs. He left museums, hospitals, government ministries and facilities essential to a functioning civil society unguarded. He failed to provide the necessary support and manpower and material for our military. And he allowed our military prisons to operate with inadequate staffing, training, and oversight.

"After the fall of Baghdad, instead of trying to internationalize the occupation and the rebuilding effort, Rumsfeld and other administration leaders chose to go it alone, putting virtually all the costs associated with the occupation, financial and human, on American soldiers.

"To date more than 770 American soldiers have died in Iraq. Another 4,100 have been wounded. We have committed more than \$160 billion to the invasion, occupation, and reconstruction of Iraq. Estimates suggest the cost could easily reach \$600 billion even if the June 30 deadline for handing over political control to the Iraqis is met—a dubious proposition.

"Our leaders in Washington need to send a clear message to the world that we have not abandoned our ideals. Rumsfeld's resignation would help underscore the point. More important, our leaders need to reinforce that message with the American people who are growing increasingly fearful that we have lost our way."

That is the end of the editorial, Mr. Speaker. I just want to say that I totally associate myself with the Asbury Park Press editorial. I think they are absolutely right. I do not think anybody has ever said it so well.

Mr. Speaker, I recently called on Secretary Rumsfeld to resign and I would urge my colleagues to do the same. Next, I would urge the President to take immediate steps to internationalize this conflict and build a strong coalition of partners in Iraq. The President should convene an immediate international summit on Iraq. The United States must go in with a plan that provides for new international arrangements to manage the political security and economic aspects of Iraq's transitions, and includes reorienting American policy to reflect those new international arrangements. We cannot simply continue to go it alone. We must internationalize this conflict. And I think that has also been a major part of what the Asbury Park Press says in this editorial.

#### THE WORK HABITS OF THE PRESIDENT

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from Massachusetts (Mr. FRANK) is recognized during morning hour debates for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, before I begin on my text I

want to just correct the minority whip, the Democratic whip. He is a man with whom I have a great deal of agreement. But I think he was wrong when he said the rigid ideology of the people in power today leads them to the view, my way or the highway.

I wish that were the case. Mr. Speaker, as you well know from your own committee position, the right wing ideology are on the point of saying, my way instead of the highway. Because so rigid are they in their right-wing ideology that we cannot even get a highway bill passed this year, as we certainly should, in the interest of the transportation needs of this country and the economy.

But I want to talk beyond that about the work habits of the President. It is clear that in addition to an excessively rigid ideology we have an administration which is not very competent in a lot of things. I do not think we have seen a more incompetently executed national security policy of a major sort than Iraq in our history.

And I wonder why we get such poor execution, even given that I disagree with some of the things they are trying to execute. Now it does become clear one of the problems may be the President's work habits.

On December 16 in an interview on ABC News with Diane Sawyer, the President boasted about how he does not need to read the newspapers or, presumably, watch television. He gets his information, he says, from members of his administration. When Diane Sawyer said, "Is it just hard to read constant criticism?" He interjected, "Why even put up with it when you get the facts elsewhere? I am a lucky man," the President said. "I have got, it is not just Condi and Andy, it is all kinds of people in my administration who are charged with different responsibilities. And they come in and say this is what is happening, this is not what is happening."

Well, Mr. President, you are being ill served by this refusal to get independent sources of information. You got a lot of people who confuse what is happening with what is not happening and sometimes they do not tell you anything.

Most recently we have the Secretary of Defense who forgot to tell you that we had a major debilitating problem coming up with regard to the mistreatment of prisoners. And he did not tell you that.

Last year, in what I think you consider to be, Mr. President, the single most important domestic accomplishment in the administration, did someone forget to tell you that the bill you were telling us was going to cost \$400 billion over 10 years was, in fact, going to cost \$540 billion and that all of the additional billion would go to the providers and none of it to the recipients? Did someone forget to tell the President or did the President forget to tell us?

Then, of course, we have the comment by CIA Director George Tenet

who told the President apparently that it was a slam-dunk that there were weapons of mass destruction in Iraq. Well, once again, we have a case on a very important issue of the President and, to quote his words, all kinds of people in my administration were charged with different responsibilities and they would come in and say this is what is happening and this is not what is happening.

There is a serious problem, Mr. President. The time has come for the President of the United States to admit an error in this case, I know he does not like to do that, to admit that relying on Secretary Rumsfeld or CIA Director Tenet or Secretary Thompson or a whole range of other people to give him the information to brag about how he eschews independent, factual sources is a great mistake and may explain some of the serious mistakes this administration has made.

Old sayings sometimes can be overdone. Sometimes they have some truth. There is a saying that ignorance is bliss. Well, Mr. Speaker, there may be context in which ignorance is bliss, but the Presidency of the United States is not one of them.

The time has come for the President to acknowledge the fact that his method of getting information only from people within his own administration, who may have their own motives for misrepresenting or not giving him information that might be embarrassing to them, that that has broken down, and the time has come for the President to dip into the budget that he gets and buy a subscription to some newspapers and watch the TV news.

Mr. Speaker, I will insert into the RECORD at this point the excerpt from the interview with Diane Sawyer.

DIANE SAWYER. First of all, I just want to ask about reading. Mr. President, you know that there was a great deal of reporting about the fact that you said, first of all, that you let Condoleezza Rice and Andrew Card give you a flavor of what's in the news.

PRESIDENT BUSH. Yes.

DIANE SAWYER. That you don't read the stories yourself.

PRESIDENT BUSH. Yes. I get my news from people who don't editorialize. They give me the actual news, and it makes it easier to digest, on a daily basis, the facts.

DIANE SAWYER. Is it just harder to read constant criticism or to read—

PRESIDENT BUSH. Why even put up with it when you can get the facts elsewhere? I'm a lucky man. I've got, it's not just Condi and Andy, it's all kinds of people in my administration who are charged with different responsibilities, and they come in and say this is what's happening, this isn't what's happening.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members should bear in mind that remarks in debate should be addressed to the Chair and not to others as in the second person.

#### THE HOUSE SHOULD NOT PASS H.R. 3722, UNDOCUMENTED ALIEN EMERGENCY MEDICAL ASSIST- ANCE AMENDMENTS OF 2004

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentlewoman from California (Ms. SOLIS) is recognized during morning hour debates for 5 minutes.

Ms. SOLIS. Mr. Speaker, we heard earlier from the gentleman from California (Mr. ROHRBACHER) his sentiments regarding H.R. 3722. This item is on suspension and will be coming up before us. It is known as the Undocumented Alien Emergency Medical Assistance Amendments. That title is somewhat misleading because, in fact, what it requires is that our local hospitals turn into what I see as law enforcement agencies and INS agents, INS Immigration Service agents that would soon be asking people who may look or appear as though they are undocumented to provide some proof or verification that they are, in fact, full citizens of the United States.

We do not do that in our schools. Why do we have to do that in our hospitals, especially when people are already fearful of coming forward to, say, a local hospital and having to fill out forms and then being told that, well, you do not qualify because you are not a U.S. citizen or you are undocumented therefore we are going to call the INS or Homeland Security and deport you?

What kind of fear does that place in a community?

Well, I can tell you in a community like mine in Los Angeles, California, where the make-up of my district is largely Hispanic or Latino, that is not to say that they are all undocumented and that is not to say that they do not work and pay taxes; in fact, on the average I would say that the local immigrants in our communities pay about \$1,300 in taxes. They do not get that money back in some cases because they may not be documented. We know that. That has been happening here in the U.S.

But they pay into our tax base system whether it is to go down and buy a gallon of gas at \$2.40 or \$2.50 a gallon now in Los Angeles, if they go down and buy goods at the market or Home Depot, they are paying sales tax. All that then goes into our piggy bank, so to speak, for the government. That money then is set aside for public health care institutions and private health care institutions.

I would like to tell you that in my district alone I received letters from some of our private-for-profit hospitals that were adamantly opposed to this piece of legislation because they see it again as something that is going to provide another layer of bureaucracy. It will make them become INS agents. They will have to fingerprint, photograph, take digital photos and keep files for 5 years on anyone that they believe may be undocumented.

And I have to tell you that the kind of feeling that I get when I hear about