

4. In your response to Question #3B, you state that you provided the attachments to Document #1C, including the Army Legal Brief on Proposed Counter-Resistance Strategies, to the Defense Humint Service's Deputy General Counsel. Please provide the name of the individual in that office to whom you provided these documents. When did you do so?

Answer: The Deputy General Counsel for Defense Humint Services is retired Colonel James Schmidli. My best guess on timing was in the mid-December 2002 to mid-January 2003 time frame. I did not give copies to Mr. Schmidli, but he did read them in my office.

5. In your response to Question #4A, you state that you don't know who authored the document entitled "Legal Analysis of Interrogation Techniques" but that "my understanding is that the document was not drafted by an FBI agent. Rather, an FBI agent copied it and forwarded it [to] FBI Headquarters.

A. What is the basis for your understanding that this document was not authored by an FBI agent?

Answer: To the best of my recollection, this is what I was told when the documents were forwarded to me.

B. What is your understanding of the source from which the agent copied the contents of the document?

Answer: I have no present recollection of that.

In closing, I will remind you that any documents you desire will have to be requested from the Department of Justice. I hope this is helpful to your understanding that this period was one in which facts were still uncertain but reasonably believed to be in the hands of the Department of Defense for any actions necessary. In that respect, it is my firm belief that Mr. Wainstein acted with complete propriety throughout.

Respectfully,

M.E. BOWMAN,
CAPT, JAGC, USN (ret.).

LEGISLATIVE SESSION

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

UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent that at 5:20 on Monday, September 25, the Senate proceed to executive session for the consideration of the following judicial nomination on the executive calendar; No. 920, Francisco Besosa to be a United States District Judge for the District of Puerto Rico; provided further that the time until 5:30 be equally divided between the chairman and ranking member of the Judiciary Committee or their designee; provided further that at 5:30 the Senate proceed to a vote on the nomination, with no intervening action or debate; that following the vote the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

MEASURE DISCHARGED AND REFERRED—H.R. 2965

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 2965 and that the bill be referred to the Committee on the Judiciary.

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

MEASURE READ THE FIRST TIME—S. 3925

Mr. FRIST. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3925) to provide certain authorities for the Secretary of State and the Broadcasting Board of Governors, and for other purposes.

Mr. FRIST. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

MEASURE PLACED ON THE CALENDAR—H.R. 503

Mr. FRIST. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 503), to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

Mr. FRIST. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard.

Without objection, the bill will be placed on the calendar.

DESIGNATING DECEMBER 13, 2006, AS A POLISH DAY OF REMEMBRANCE

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 579, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 579) designating December 13, 2006 as a Day of Remembrance to honor the 25th anniversary of the imposition of martial law by the Communist government in Poland.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent the resolution be agreed, to the preamble be agreed to, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The resolution (S. Res. 579) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 579

Whereas, on May 9, 1945, Europe declared victory over the oppression of the Nazi regime;

Whereas Poland and other countries in Central, Eastern, and Southern Europe soon fell under the oppressive control of the Soviet Union;

Whereas for decades the people of Poland struggled heroically for freedom and democracy against that oppression, paying at times the ultimate sacrifice;

Whereas, in 1980, the Solidarity Trade Union was formed in Poland;

Whereas membership in the Solidarity Trade Union grew rapidly in size to 10,000,000 members, and the Union obtained unprecedented moral power that soon threatened the Communist government in Poland;

Whereas, on December 13, 1981, the Communist government in Poland crushed the Solidarity Trade Union, imprisoned the leaders of the Union, and imposed martial law on Poland;

Whereas, through his profound influence, Pope John Paul II gave the people of Poland the hope and strength to bear the torch of freedom that eventually lit up all of Europe;

Whereas the support of the Polish-American community while martial law was imposed on Poland was essential in encouraging the people of Poland to continue to struggle for liberty;

Whereas the people of the United States were greatly supportive of the efforts of the people of Poland to rid themselves of an oppressive government;

Whereas the people of the United States expressed their support on Christmas Eve 1981 by lighting candles in their homes to show solidarity with the people of Poland who were suffering under martial law;

Whereas, in 1989, the people of Poland finally won the right to hold free parliamentary elections, which led to the election of Poland's first Prime Minister during the post-war era who was not a member of the Communist party, Mr. Tadeusz Mazowiecki; and

Whereas, in 2006, Poland is an important member of the European Union, one of the closest allies of the United States, a contributing partner in the North Atlantic Treaty Organisation, and a reliable partner in the war on terrorism that maintains an active and crucial presence in Iraq and Afghanistan: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 13, 2006, the 25th anniversary of the imposition of martial law by the Communist government in Poland, as a Day of Remembrance honoring the sacrifices paid by the people of Poland during the struggle against Communist rule;

(2) honors the people of Poland who risked their lives to restore liberty in Poland and to return Poland to the democratic community of nations; and

(3) calls on the people of the United States to remember that the struggle of the people of Poland greatly contributed to the fall of