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## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, May 10, 2004, at 12 noon.

## Senate

FRIDAY, MAY 7, 2004

The Senate met at 9:30 a.m. and was called to order by the Honorable GORDON H. SMITH, a Senator from the State of Oregon.

The PRESIDING OFFICER. Today's prayer will be offered by the guest Chaplain, Dr. Alan Keiran, the Senate Chaplain's chief of staff.

### PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

O, God, at Your command we lift up our praises to Your holy Name. You call us to worship and honor You, for You are our hope in times of need, our shelter in the storms of life, and our strength in moments of weakness. You alone are our rock and our salvation.

Grant us this day, O Lord, the spiritual stamina and wisdom needed to fulfill Your divine purposes for our lives. Guide us in paths of righteousness for Your name's sake.

Go before our Senators and their staffs and guide them in meeting the many challenges and obligations of this day. Free them from persistent worries and grant them the clarity of thought needed to discern your perfect ways in the midst of many appealing options. Grant them precious moments of quiet reflection, divine illumination, and peaceful consolation.

Be with all those whose thoughts are focused on loved ones in harm's way. Watch over our courageous military men and women as they seek to bring order out of chaos at the risk of their own lives.

Bless this great Nation with the outpouring of Your sovereign protection—

for You alone, O Lord, can exalt a nation, and You alone can deliver us from evil.

In the Name that is above every name, I pray. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable GORDON H. SMITH led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 7, 2004.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable GORDON H. SMITH, a Senator from the State of Oregon, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Mr. SMITH thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized.

### SCHEDULE

Mr. GRAHAM of South Carolina. Mr. President, today the Senate will conduct a period of morning business with Senators to speak for up to 10 minutes each.

The leader announced last night that we have been unable to reach an agreement, and it appears it will be necessary to file cloture today on the FSC/ETI JOBS bill. It is disappointing that many of the amendments remaining have nothing to do with the underlying bill.

The leader also announced that no rollcall votes will occur today and all Members should be aware that the next rollcall vote can be expected Monday evening. We will hear more on the schedule later in the day.

I yield the floor.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

### RECOGNITION OF THE ACTING MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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## ORDER OF PROCEDURE

Mr. REID. This morning on our side, Mr. President, we have people who wish to speak. Senator AKAKA is in the Chamber at this time. We would ask unanimous consent that he be allowed to speak for up to 15 minutes, Senator JEFFORDS for up to 15 minutes, Senator WYDEN for 15 minutes, and Senator CORZINE for up to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Hawaii, Mr. AKAKA, is recognized.

### ASIAN PACIFIC AMERICAN HERITAGE MONTH

Mr. AKAKA. Mr. President, I rise today to recognize the Asian American and Pacific Islander (AAPI) community and commemorate Asian Pacific American Heritage Month. As a member of the Congressional Asian Pacific American Caucus, the only Chinese American in the U.S. Senate, and sole Native Hawaiian in the U.S. Congress, I am proud to stand here to honor the accomplishments and diversity of the AAPI community.

In 1978, my friends and dear colleagues Representatives Frank Horton and Norman Mineta, joined by Hawaii's Senators DANIEL K. INOUE and Spark Matsunaga, introduced the first resolutions establishing Asian Pacific American Heritage Week to recognize the ongoing contributions to our Nation of the AAPI population. Representatives Horton and Mineta worked with their colleagues in the 102nd Congress to make Asian Pacific American Heritage Week a month-long celebration, and succeeded in doing so with enactment of Public Law 102-450 in 1992. I look back with pride over the past 25 years since our great Nation first observed Asian Pacific American Heritage Week.

Throughout this month, Federal agencies and AAPI and other organizations will hold events in celebration of the diversity of the AAPI population that range from samplings of Asian cuisines to dance, and policy lectures by distinguished speakers. Each event demonstrates the contributions that AAPI individuals have made to our country. I commend agencies and organizations for sponsoring such events to increase public awareness of the contributions made by the AAPI community.

This month presents us with a good opportunity to reexamine the need to increase AAPI participation in our Federal Government. I encourage the President to renew Executive Order 13216, the President's Advisory Commission on Asian Americans and Pacific Islanders, which expired on June 7, 2003. The Commission is mandated to develop, monitor, and coordinate Federal efforts to improve AAPI participation in Government programs; foster research and data collection for AAPI populations and sub-populations; and

increase public and private sector and community involvement in improving the health and well-being of the AAPI community. AAPI citizens, whether employed in the private and public sector, deserve the coordination of services that the Commission can facilitate.

Our celebration of AAPI history includes remembrances of the challenges and hardships that have been overcome. For example, we will never forget the internment of Japanese Americans during World War II. At the newly opened Manzanar National Historic Site Interpretive Center at the Manzanar War Relocation Center, we have an opportunity to explore our past and reflect. The AAPI community, specifically the Japanese American National Museum and Japanese American Citizens League, are exploring ways to preserve and recall history at the other sites that mark this traumatic time in our country's history in an effort to ensure that such actions do not repeat themselves.

This month also affords us time to reflect on the various social needs that exist in the AAPI community. Its population enriches our culture linguistically through a range of languages, such as Chinese, Hawaiian, Korean, Japanese, Malay, Samoan, Tamil, Thai, Vietnamese, and various Melanesian, Micronesian, and Polynesian languages. Our Nation benefits from this linguistic diversity in our ability to compete in the global economy, and U.S. national security is strengthened by increasing the pool of individuals fluent in critical languages. Fluency in foreign languages is one of the vital skills necessary for the United States to exercise international leadership economically and politically. However, according to the U.S. Census Bureau, slightly less than half of the 7 million AAPI who speak a language other than English at home report that they speak English "very well." We need to better address the educational needs of all limited English proficiency students, children, and adults.

I want to extend my gratitude to the patriotic men and women serving our country in the military, including the 60,813 Asian Americans and Pacific Islanders serving on active duty in the U.S. Armed Services, as well as the 28,066 in the Reserves and National Guard. I also commend the 351,000 AAPI veterans, 57,000 of whom are of Native Hawaiian and Pacific Islander heritage, for their excellence in defending our nation.

In addition, individual achievements among the AAPI population are many. Though impossible to enumerate all those extraordinary individuals, I would like to cite a few examples.

Army Specialist Hilario Bermanis of the Army's 82nd Airborne Division was presented with the Bronze Star and Purple Heart for Meritorious Conduct in Operation Iraqi Freedom. On July 16, 2003, the award presentation ceremony took place bedside at Walter

Reed Army Medical Center where he was convalescing from grave injuries. Specialist Bermanis and a fellow soldier were on guard duty in southern Baghdad when they sustained an attack by rocket propelled grenades on June 10, 2003. His fellow soldier died instantly and Specialist Bermanis lost both legs and his left hand. Officials from the Federated States of Micronesia (FSM) and the U.S. Government have visited him at Walter Reed and praised him for his courage and exemplary service. A senior U.S. official commended Specialist Bermanis's service as representative of FSM citizens' commitment to the security of the United States and Pacific region. Specialist Bermanis hails from Pohnpei in the Federated States of Micronesia.

Dr. Yuan-Cheng Fung, the recipient of the Chinese Institute of Engineers' Distinguished Life Time Achievement Award, is a pioneer in bioengineering and founder of the University of California, San Diego's bioengineering department. Born in China in 1919, Dr. Fung began his career as an aeronautics engineer working for the Chinese government. Dr. Fung received his Ph.D. from the California Institute of Technology in 1948, where he became a faculty member and a major contributor to the field of aeroelasticity. When his mother developed glaucoma, Dr. Fung's interests shifted to medical science. Combining an expertise in force and motion from aeronautics with physiology, he synthesized a new understanding of how the body functions and became the father of biomechanics.

Lauren Moriarty, a Native Hawaiian, is a career member of the Senior Foreign Service and was confirmed for the rank of Ambassador to the Asia-Pacific Economic Cooperation Forum, where she was recently the U.S. Senior Official. Having previously served in Beijing and Taipei, Ms. Moriarty led the Economic Sections at the U.S. Embassy in Beijing, China (1999-2001) and the American Institute in Taiwan (1994-1997) as those two economies completed negotiations to accede to the World Trade Organization. She has received numerous awards, including the State Department's 1993 Arnold L. Raphel Award for her leadership and mentoring of her subordinates.

Indra K. Nooyi is the widely admired President and Chief Financial Officer for PepsiCo and highest ranking Indian-born woman in corporate America. Upon emigrating to the United States in 1978, Ms. Nooyi entered the Yale School of Management. She worked from midnight to five in the morning to support herself at school. A firm believer in human potential and an advocate of education, Ms. Nooyi has received awards for her dedication to human capital management. She is ranked by Fortune magazine as one of America's top 50 most powerful women.

AAPI cultural and linguistic diversity, entrepreneurship, public service, and scientific endeavors illustrate a

number of the ways that our Nation excels. The United States is the most energetic and innovative country because of the combination of these AAPI strengths with the diverse abilities and skills of our Nation's other ethnic and racial groups. The U.S. is also a leader in the world because of our ability to acknowledge, celebrate, and utilize the potency of our combined, diverse citizenry, including the contributions from every member of our AAPI community. In the world that is all too frequently wracked by ethnic and religious conflicts, we can demonstrate to others how racial and ethnic harmony in the U.S. provides a balance that encourages a stable democracy, provides for well-functioning societies, and sustains the most powerful economy in the world.

In closing, I extend my deepest aloha to all in celebration of Asian Pacific American Heritage Month, and I urge my colleagues to participate in commemorations of this month in their States and our Nation's Capital.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAHAM of South Carolina. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRAHAM of South Carolina. I ask to be recognized to speak in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### TRADE WITH CHINA

Mr. GRAHAM of South Carolina. Mr. President, we have apparently reached an impasse on the FSC/ETI bill. I am the first one to acknowledge that our majority leader should be insistent we pass this bill. We are dealing with some changes to the tax policy of the United States to avoid tariffs on U.S.-manufactured products going into Europe. The WTO has ruled against us and we need to change our law. We have a lot of other things being added onto this bill that are probably not related to that but, as this bill is being touted as a jobs package, I think that is an appropriate way to describe what we are trying to accomplish in this bill.

But I am going to be honest with you, I have an amendment I have had pending on this bill for a very long time, along with Senator SCHUMER, and this amendment deals with requiring the Chinese Government to float the currency. It basically says if within 180 days the Chinese Government does not take corrective action in the way they peg their currency to the dollar, then tariffs will be levied against any products coming out of China into the United States that benefit from that currency devaluation.

To make a long story short: China cheats. The Chinese have a system of valuing their money that creates between a 15-percent and 40-percent discount on all products produced in China. This currency manipulation is putting our manufacturing community at a severe disadvantage. It is creating an unfair advantage for Chinese-produced products, and it is done by the Government.

Free trade, fair trade, these are words people throw around. If you are a free trader, that code word means you don't care for the consequences to the worker. If you are a fair trader, the code word means you are a protectionist. I would like to be thought of as a balanced trader. You cannot have balance if your trading partner at the governmental level cheats.

I don't have enough time to go into how I think the Chinese Government intentionally steals intellectual property rights of American companies and foreign companies, but 90 percent of all the videos and tapes sold in China are pirated. If you do business in China, your intellectual property is very much at risk because there is no rule of law protection. The Chinese Government helps companies transship—illegally ship goods produced in China to get the benefit of trade agreements to which they are not party, and it goes on and on. But one of the biggest abuses is to value the currency in an artificially low manner that pegs the Chinese currency to the dollar in a way that gives a 15-percent to 40-percent discount.

Our amendment, that of myself and Senator SCHUMER, tries to let the Chinese know we are not going to take this anymore. They need to take corrective action. If we are going to trade with you, if you are going to be a member of the family of nations, you need to comply with international trade laws when it comes to how you value money; that you can't cheat without a consequence.

If you doubt what I am saying, talk with any manufacturing entity that is a domestic manufacturer that competes with China and ask them about the money problem, the currency, the devaluing of the Chinese currency, and how it affects their ability to be competitive. In droves, they will tell you that you need to either get China to float their currency like every other market-based economy has done, to find its true value, as we do, or you need to revalue it to get a more fair and accurate representation of the value of the Chinese currency.

We have had great job growth in the last 2 months. That is encouraging. But one thing we have not been able to accomplish yet is a rebounding in manufacturing jobs. I am here to say I support the President in every endeavor to try to grow this economy, but we—the administration, the Congress, the House and the Senate—need to deal more aggressively with Chinese abuses when it comes to trade.

From September 2002 to September 2003, there has been a 6.6 percent decline in manufacturing jobs in South Carolina. One of the great reasons is not productivity gains; it has been a loss of market share to China—not because they work harder, not because they are smarter, but because the Government cheats.

As a whole, the U.S. manufacturing jobs have decreased by 4.2 percent. Only two States, Hawaii and Nevada, have seen an increase in manufacturing jobs. In South Carolina, 41,000 jobs in 2003 were lost in manufacturing and 3 million American jobs have been lost in the last 5½ years. China's access to the U.S. textile industry and apparel market more than doubled in 2002, growing at 117 percent. That is in addition to 114 percent up in 2003.

The bottom line to all this is there will be no economic recovery in manufacturing until our country aggressively deals with trade abuses of China in a wide variety of areas, but one of the chief abuses is the Chinese Government artificially devalues its money, creating a discount from 15 to 40 percent on every product made in China. That is not fair to those people who are competing with Chinese companies. It is done intentionally and it has a serious and dramatic effect on our ability to sustain manufacturing jobs in this country.

The U.S.-China Economic and Security Review Commission was a commission established by the Congress to look at Chinese policies and how they affect our economy and whether China is playing fairly. It is a bipartisan group. It is a group before which I have testified. They have taken testimony from a variety of people in the United States about China and how China affects the U.S. market and whether Chinese practices comply with international trade regimes. Here is what they said:

China, in violation of both its IMF and WTO obligations, is in fact manipulating its currency for trade advantage.

The Commission urges the congressional leadership to use its legislative powers to force action by the U.S. and Chinese governments to address this unfair and mercantilist trade practice.

They are telling us that, yes, the currency in China is being intentionally manipulated and it is costing us jobs and it has a detrimental impact on the American economy.

It is being undervalued on purpose to create a trade advantage. They are urging us to get the administration and us as a body—the House and Senate as bodies—to fight back. I am here to say I accept their challenge. I am willing to fight back.

We are not going to have a cloture vote with my vote until I get a promise we are going to address this problem this year.

Since 1994, when China pegged its currency to the dollar, the trade deficit has increased dramatically. In 1994, they tied the value of their currency to

the United States dollar in a way that the China Trade Commission found to be unfair and a way that Secretary of the Treasury Snow's office found to be manipulated, to be unfair.

In 1994, the trade deficit with China was \$30 billion. In 2003, it is \$124 billion and it is going up. This says a lot about the problem we have with China. You will never convince me their markets are fairly open and their conduct as a government is not responsible for this increased trade deficit. All of it is not due to the currency devaluation, but a great deal of it is. The question for the Senate is: Are we going to sit on the sidelines and ignore this problem? Are we going to continue to allow the Chinese Government to continue to intentionally devalue its currency, creating an advantage for Chinese companies over American companies, and have no response? The answer of this Senator is, no, we are not going to sit on the sidelines. As Senators, we need to be held accountable about this abuse by China. If Members do not think it is an abuse, come to the Senate and say so, but speak up one way or the other. No more being silent on an issue this important to our economy.

Since permanent normal trade relations have been established by China, there has been an explosion of Chinese exports. PNTR status used to be most-favored-nation status. They changed the acronym because no one wants to say China is the most favored nation because they are so abusive to their people and the world at large. We changed the acronym. The reason we changed the acronym is because people did not want to associate themselves with saying China is a most favored nation.

We need a more "Ronald Reagan response" to China. It is an evil empire that abuses people. It does not allow freedom of speech or freedom of religion. It is hard to trade with people who have none of the values you possess. Since 2001, there has been over a 20-percent increase in Chinese imports. Our exports to China have basically been flat. They are taking us to the cleaners.

China has been in clear violation of IMF and WTO commitments by maintaining an unfairly low exchange rate to gain competitive advantage. IMF article IV states that members should avoid manipulating exchange rates in order to gain an unfair competitive advantage over other members.

That is what is going on in China. We are proposing in our amendment that if China does not fairly value its currency to meet international standards of doing business—and, yes, every country has sovereignty over their own currency, but countries do not have the right to manipulate their currency in a way to create an unfair advantage in the world marketplace and still consider themselves a member of the family of nations.

What we are talking about is bringing about corrective action that inter-

national trade regimes require. That is all we are talking about. We are going to give the Chinese 180 days to correct this problem and work with them to do so, but we are not going to let them get away with it.

About 3 or 4 months ago, maybe even longer now, this body unanimously passed a resolution I authored condemning the Chinese manipulation of their currency, saying it was unfair, created damage to the American economy, and hurt American manufacturing. That was passed by a voice vote, with no opposition. That has not done anything. I thought it might. I thought it might get their attention, but the abuse still continues.

It is now time to be serious. The amendment we offer says if you do not peg your current currency in a more accurate way, or "float" as you should, being a major economic force in the world, we will start putting tariffs on your products 6 months down the road. And we have the right to do that under international law. A reevaluation of the yuan should permit other nations' currencies to go up at least partway, maybe 10 percent or so.

The whole idea of trade is to help developing nations and rise all boats. The Chinese manipulation of their currency and their practices are to sink every boat around them. The Dominican Republic and other developing nations are having a hard time competing with China. China is not interested in raising the boats of other nations. They are interested in stealing market share and sinking every boat they can get hold of.

If they change their practices, it will allow their neighbors to accurately value their currencies, helping American manufacturing in a tremendous way. What would that way be?

If you put all these currency changes together—not just China, the Asian region—the result would be a \$50 billion reduction in the United States current account deficit, which in turn translates to something like 500,000 high-paying jobs, mainly in manufacturing in this country.

That is according to Fred Bergsten, Ph.D., Director for the International Institute for Economics.

That sentiment has been echoed by people in the manufacturing community, economists, all over this country, all over the world. The European Union is having a problem with Chinese currency practices. Again, 500,000 high-paying jobs could come about if the Chinese only played fair.

I have something to say to the Senate: Chinese are not going to play fair on their own. If we want the Chinese Communist dictatorship to play fair, we will have to push them.

A pegged exchange rate policy is not appropriate for a major economy in the global system such as China. They are pegging the yuan to the dollar where it will always be of less value than the dollar, artificially low, creating a discount on any product made in China. If I am selling the product where dollars

are involved, and you are selling a product in China where the yuan is involved, and you have lowered the value of that currency, you have created an advantage for yourself. That is exactly what is going on.

Secretary Snow stressed that a flexible market-based exchange rate regime and reduced controls on capital flows are the best system for China and all major world economies. He is exactly right. He stated that in April of 2004.

We have manufacturing business owners who are telling us we have a problem. We have Secretary Snow who has looked at it and found abuses. We have world class economists telling us we have a problem with China. We have the Congress's own commission that was chartered to investigate China in terms of potential abuses telling us that the currency is undervalued in a manipulative fashion, hurting American manufacturing unfairly. Now we have labor unions commenting.

While many factors contributed to this devastating job loss (in manufacturing), it is clear that the Chinese government's manipulation of its currency, violation of international trade rules and egregious repression of its citizens' fundamental democratic and human rights are key contributors to unfair competitive advantage. The Chinese government is flouting its international obligations and the U.S. government must act urgently to hold it accountable.

That is from the AFL-CIO. The truth is, myself and the AFL-CIO probably do not agree on a lot of domestic issues. Sometimes we do. On this issue we see China the same. China is a dangerous, growing threat to this country. Their military is doubling, exponentially growing in terms of its capabilities. They are getting money from international trade regimes where they are cheap.

The Chinese people, I am sure, are good, decent people and living under very oppressive conditions, something we would not stand for 5 minutes.

At the end of the day, the least we can do is fight back against its Communist dictatorship when they cheat. If we are going to trade with China, then we need to make China part of the family of nations. But this country needs to stand up to the Chinese Government when they cheat. They are undervaluing their currency on purpose. It is costing us a lot of jobs. It is not fair, and it needs to be addressed.

I am here to say, as a U.S. Senator in his first term, I am going to do everything I can to bring this issue to the Senate. I want to do it on this bill. If I can reach an agreement with our leadership and friends on the other side, we will do it down the road. But we are going to address this problem. I hope we do something about China's trade abuses sooner or later before it costs us more jobs.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COLEMAN. Are we still in morning business?

The ACTING PRESIDENT pro tempore. We are in morning business.

The Senator from Minnesota.

#### GOOD ECONOMIC NEWS

Mr. COLEMAN. Mr. President, about 6, 7 months ago, I rose on the floor of the Senate to talk about some good economic news. We have gone through very difficult economic times in this country—a recession that began before President Bush got elected. There was a devastating impact on the psychology of American consumers because of corporate fraud, corporate malfeasance, the actions we saw with Enron and WorldCom, and Tyco, for which some of those folks involved in that will ultimately be brought to justice. But it had a devastating impact on the confidence of American consumers and the economy.

Then we had September 11, which had a devastating physical impact, devastating psychological impact, with great suffering across the board. And, again, beyond the hurt that so many families suffered and the Nation suffered, the economy suffered. The economy suffered, and the economy slowed down. Americas had not been attacked on its own shores, I believe, since the War of 1812.

In spite of that, look at where we are today, 3 years later. There is good news. With all the challenges we face in this world, sometimes you have to stand up and talk about good news.

When I rose on the floor of the Senate about 6 months ago, there was a little bit of good news, and my colleagues on the other side of the aisle talked about: Let's not be premature. My colleagues on the other side of the aisle still lambasted, and continue to criticize, the vision and the actions of the President and this Congress in cutting taxes.

Today, I had a chance to review the most recent numbers by the Labor Department. Mr. President, 288,000 new jobs were created in April. And it is not just April. As the Presiding Officer from Oregon is well aware, what happens is the Labor Department often recalculates the reports from months before. And the month before the job numbers were very strong. They were at 308,000 new jobs in March. Well, in today's listing of the jobs for April, the March numbers have been revised upward to 337,000 jobs.

In fact, if you go back to March, what happened in March is that the Labor Department revised up the January and February job gains. So the total in January and February and March was over half a million new jobs created in this country over 3 months.

Now what we see is over a million jobs—a million jobs—created in this country in the last 8 months. That is good news. That is something Americans should celebrate.

When I was the mayor of St. Paul, folks used to say: Mayor, what are you doing for a kid today?

And I would say: One of the best things I can do for a kid is make sure mom and dad have an opportunity to work.

There are all sorts of good things that come with a job, not the least of which is health insurance. The best welfare program is a job. The best housing program is a job. There is the dignity that comes with a job, the impact it has on a family, and the lessening of the pressures that one sees in a family. So there is a whole range of great things that happen.

It is interesting; I am an optimist and have always been an optimist. Sometimes there are folks who look at what is good news and what is bad news, and at times I sense that with our friends on the other side of the aisle there is a dark cloud over there waiting for the rain to happen. But the sun is beginning to shine—and not beginning to shine, it is shining on Americans who are looking for work—a million new jobs in 8 months, 288,000 jobs in April. The reason is, in large measure, because of the tax cuts this Congress enacted.

Talk to any small businessperson, and they will tell you, when you give bonus depreciation, it increases their incentive to put money into new equipment. When you put money into new equipment, folks who produce that equipment have a job, and folks who run that equipment have a job. When you accelerate or increase expensing, again, it is an encouragement to small business. And small businesses are where the jobs have grown. The small business then reinvests in the business. When you reinvest in the business, you grow jobs. When you lower the top rate—which is not about tax cuts for the rich—it is tax cuts for small businesses.

I had an opportunity to be in Rochester, MN, the other day. We talked about taxes. I asked the business folks: How many of you are subchapter S corporations? A lot of hands went up. I am not an accountant, and I used to be a lawyer. But subchapter S corporations are taxed at the same level as personal taxes. So when we talk about cutting the highest rate, what is happening is we are cutting the tax load for the job creators in this country, the small business men and women.

Yesterday, there was good news. State initial claims for jobless benefits in April, in my State, fell 31.5 percent from last April, hitting the lowest level since before the 2001 recession. Initial claims nationally dropped, last week, by 25,000, to 350,000—the lowest number of claims since October 2000.

Retailer sales are up. Productivity is up. Consumer confidence is up. Home

buying is up. It is fascinating; the economy grew at a healthy 4.2-percent rate in the first quarter, up 4.1 percent in the previous quarter. When I read the Minneapolis Star Tribune yesterday, they were saying: April figures will be announced. Economists were expecting a gain of 150,000 jobs. Well, the economists were wrong.

We have already doubled what was reported by the Labor Department. The unemployment rate was supposed to remain constant at 5.7 percent, but it has dipped another tenth of a percent to 5.6 percent.

Mr. President, this is great news for about every American, except John Kerry. I hope we put the politics aside. I hope my colleagues on the other side of the aisle can now say, yes, President Bush was right that when you cut taxes, when you cut the tax load on small businessmen and businesswomen, it grows jobs; when you cut taxes and put money back in the pockets of moms and dads, it grows jobs.

This is not a politician standing up and talking; these are the facts. This is the data the Department of Labor has reported. The President's vision was clear, the President's vision was right. Congress was right to act on that vision. The great beneficiaries today are the moms and dads in America who can now look out and say there is more job opportunity out there, and that is a very good thing.

With that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### THE APPALLING TREATMENT OF IRAQI PRISONERS

Mr. CONRAD. Mr. President, I rise today to reflect and respond to the reports of what has happened in Iraq over the last several weeks—the pictures emerging of U.S. soldiers abusing Iraqi prisoners, the appalling treatment of those in our custody.

I have struggled over the last several days to put into words my own reactions to these images from half a world away. I have been angered by it, and I have been, in some ways, sickened by it. This has besmirched the reputation of our country, damaged the reputation of our soldiers serving in Iraq, the vast majority of whom have served honorably, many of them heroically.

Yet, what is dominating the news not only in our country but around the world are images of American soldiers torturing and humiliating those we have captured. This does enormous damage to our cause against terrorism. It does enormous damage to America's standing in the world. Think of how we would feel if these images were of our

soldiers and American citizens being treated this way by Iraqis. What would be the reaction in America if we saw our soldiers being humiliated and abused in the most immoral ways?

This is, first and foremost, an issue of morality. What has happened is morally wrong. It is wrong to humiliate people. It is wrong to abuse people. It is wrong to torture people. Those are fundamental values. Those are American values. Those are values that are shared by virtually every person in this country. What has happened is not the America that I know, not the America that I love.

If we think about the larger effects of what has occurred, nothing can be more clear than that it has done enormous damage to our cause against terrorism. Before this happened, 71 percent of the Iraqis had come to see us as occupiers rather than as liberators. That is before this occurred.

What can be the reaction of Iraqis now? After all of the words about our intentions and what we hoped to do to help the Iraqi people emerge from under a dictatorship and move toward freedom and democracy and the most fundamental values that undergird this country, what can be their feeling about America now?

I remember so well the President saying we had ended the torture chambers of Saddam Hussein. I must say that made me proud, that we had done something good in this war, that we had ended the torture chambers of Saddam Hussein. I think we now have to ask, Have we just created our own? That is what the pictures show. That is what the stories say.

That is not America. That is not what we stand for. We cannot let that be the lasting image of what America has done.

In the last few days, the papers across the globe and television stations around the world have been full of condemnation and anger directed at America because there has been a failure, a failure of values, a failure of leadership, a failure to put the best American foot forward. These results will be long lasting, make no mistake about it.

I graduated high school from an American Air Force base in Tripoli, Libya, North Africa. I lived for 2 years in the Arab culture among Muslims. I know if one were to try to design something that would completely and totally enrage people raised in that culture, one could not have designed a scenario worse than what has happened. To have an American female in a prison where Iraqi men were naked, forced into homosexual positions, you could not design a circumstance that would more gravely enrage Muslim sensibilities than that.

Think of what our reaction would be. Think of the anger we would feel. In their culture, there is nothing more profoundly humiliating than that, and humiliation breeds anger, and anger breeds terrorism. We have created a recruiting poster for al-Qaida that will plague us for years.

Right at the heart of this is morality, fundamental morality, and it is imperative that we stand up with one voice and say this is wrong, it is morally wrong, and that we, first, admit to what occurred; that we pledge it will never happen again; that we move to make amends for those who have been injured and humiliated and tortured; and that we take steps to assure ourselves and others this will never happen again. Those are the basic steps of redemption under any moral code, and those are the steps that America must take now.

After September 11, there was a wave of sympathy and support for America all around the world. Muslims condemned what had occurred—or at least a significant majority did—and all across the globe people rushed to America's side. Now, if you take public opinion soundings across the world, what one finds is we have dissipated that wave of sympathy and support and replaced it with a rising level of disrespect for America. That has serious consequences because, in the war on terror, we need allies, we need people who will help out, we need people who will provide information on threats to America.

I think we have to seriously rethink how we are conducting this war on terror. I think the war in Iraq was an enormous diversion from the real war on terror. We must remind ourselves it was not Iraq that attacked the United States on September 11; it was al-Qaida.

Their acts were directed by Osama bin Laden, not by Saddam Hussein. As evil and repugnant as Saddam Hussein, his sons and his regime were, they were not the masterminds of the September 11 attack on the United States. That was the dirty work of al-Qaida and Osama bin Laden. They are the ones who ought to be our priority in holding people to account for the vicious murder of nearly 3,000 Americans on September 11. It was al-Qaida and Osama bin Laden who ought to have commanded top priority in our move to hold people accountable and responsible for those vicious attacks. Instead, I believe we have allowed ourselves to be diverted by a war in Iraq that had nothing to do with the September 11 attacks.

I hope that as a nation we will rededicate our effort to go after those who were responsible for the attacks on this country. It is now over 950 days since the September 11 attacks on this country, and still Osama bin Laden threatens America and American interests and our allies. Still he is issuing threats. Just most recently, he has put a bounty on the heads of those who stand with us.

If one looks at the priorities of our war on terror, we have 130,000 troops in Iraq and only 15,000 troops in Afghanistan. Many of our elite units were taken off the hunt for al-Qaida and Osama bin Laden and shifted to the Iraqi front to be replaced by units in

Afghanistan searching for Osama bin Laden whose specialty was Spanish culture. What earthly sense does this make in the war on terror?

Our top priority should have been to continue aggressively the search for Osama bin Laden and al-Qaida and their network of supporters who continue to plan attacks on this country.

As I have searched for some way to understand what has occurred in Iraq, I was reminded yesterday in the New York Times of a prison experiment that was conducted at Stanford University in 1971. The headline in the New York Times story is "Simulated Prison in 1971 Showed a Fine Line Between Normal and Monster."

These experiments were conducted by the man who was my professor of psychology at Stanford University, Dr. Zimbardo. He took volunteers and randomly split them into groups of "guards" and groups of "prisoners." And he found within days of the prison experiment beginning that the guards had become swaggering and sadistic to the point of placing bags over the prisoners' heads, forcing them to strip naked, and encouraging them to perform sexual acts. This was not half a world away in Iraq. This was on the campus of Stanford University in California. That experiment and studies like it have given, as the New York Times reports, insight into how ordinary people can, under the right circumstances, do horrible things.

Professor Zimbardo said that when the news from Iraq emerged, he was not surprised that it happened. He said: "I have exact, parallel pictures of prisoners with bags over their heads from the 1971 study," the prison experiment at Stanford University.

He went on to say that it is not that we put bad apples in a good barrel; we put good apples in a bad barrel. That barrel corrupts anything that it touches.

Maybe that is what occurred here. Maybe we put good apples, fundamentally decent people, in a bad barrel and that barrel has corrupted everything that it touched.

One thing that has been learned from these experiments is that in situations where people have absolute power over others, it is critically important that there are others who are watching, others who are monitoring, others who are ensuring that there is not abuse. The fact that proper oversight was not present is a failure of leadership, and it is a failure of leadership that goes right up the chain of command in our country.

I was asked yesterday, do I favor the resignation of the Secretary of Defense, Mr. Rumsfeld. I responded by saying, I want to see the full facts before I call for anyone's resignation or removal. I want to know what did he know, when did he know it, and what did he do about it.

Those tests do not just apply to the Secretary of Defense; those tests apply to everyone in the chain of command.

They apply to our commanders in Iraq. They apply to General Myers, the Chairman of the Joint Chiefs of Staff. Those tests apply to the Secretary of Defense and they apply to the President of the United States. What did they know, when did they know it, and what did they do about it?

What has occurred here is wrong. It is morally wrong. It has done enormous damage to our country, damage that will last for a very long time. Those who are responsible should be held to account and we should make certain that nothing like this ever happens again. This is not America. These are not American values. This is not how America acts towards others.

The behavior shown in these photos and on these tapes are not the best of America. They are the worst of America, and we can do so much better. We are so much better.

I was also asked yesterday if I believe America should now leave Iraq immediately. Yesterday I had lunch with the young people working in my office for the spring semester, interns from all across my State. I asked them the question, What do you think we should do? Even those who felt passionately that America had made a mistake in going to war in Iraq believe that we simply cannot leave now; that we have an obligation to improve things; that we have an obligation to stabilize things; that we have an obligation to prevent the bloodbath that would certainly follow an immediate exodus by our country.

I voted against authorizing this war in Iraq because I did not believe it was in the national security interest of the United States. I believed we should not open a second front before we had finished business with al-Qaida and Osama bin Laden. I believed Iraq would be a distraction. I believed it would take us away from a successful prosecution of the real war on terrorism. As much as I feel strongly that that was correct, I also think it would be a mistake for the United States to exit precipitously from Iraq. The fact is, we are now responsible for what occurs there. We have an obligation to try to make this work.

I do not believe that means the United States has an obligation to make a country in the image of America.

I ask unanimous consent for an additional 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CONRAD. But I do believe we have a responsibility to bring stability and to give the Iraqi people a chance to make judgments about their own future. That, fundamentally, is what democracy is all about. It is not about America picking the leaders for Iraq. I must say, last week I was taken aback to read Mr. Bremer and others talking about how we are going to pick Iraq's new leaders. Think about that. How we are going to decide who Iraq's leaders

are going to be? That is not democracy. That is not the role of America. Our job is not to pick Iraq's leaders. How arrogant is that, to say we can go into a country and designate the leaders and think that those people would have any credibility among their own people?

If you want to set up a group for failure, have them chosen by the United States. And for us to tell the Iraqi people, these are your leaders, what does that have to do with democracy? Those are not the values of America. We would not permit for one moment another person to choose our leaders. What business do we think we have choosing theirs? I think the obligation we have is to help Iraq pick their own leaders and have a society where there is sufficient security for them to make those decisions and for them to be able to rebuild an economy that has been shattered by decades of despotic rule by Saddam Hussein, and now by this war.

This is an important moment in history for our country. We are being tested, and we need to apply the best of American values and the high standards of morality that have made this country great. We need to send a signal to the rest of the world about what we really stand for. We need to show all those across the globe that America is fully committed to the fundamental values of democracy and freedom and for the ability of people to choose their own leaders free from fear and intimidation and terror. That is a test that we have faced many times in our history, and it is a test that we have passed with flying colors.

At the same time, we should remind the world of the proudest moments in American history when, over and over, this country stood up against terrorism and fascism and communism and helped the rest of the world be free. That is in the finest traditions of America. Those are the values we embrace. That is the example we offer the world. Anything less detracts from America's greatness.

I hope in the days ahead that this body and the other body and the President of the United States will reflect on a new direction for our country in Iraq and in the war on terror. We are faced with a grave threat. I believe the strategy that has been pursued is one that, instead of reducing the threat to our Nation, has actually increased it because when one humiliates, that creates anger, and anger breeds terrorism and strengthens those who wish to bring America down.

So this is a turning point. We have an opportunity to choose which direction we take. So many times in our past we have been faced with these choices, and always America has responded with its best. I am confident that we will do the same now.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## CUBA

Mr. DORGAN. Mr. President, yesterday President Bush announced he is going to devote more money, more resources, and more personnel to enforcing restrictions on travel to the country of Cuba.

Let me describe the absurdity of what is happening with respect to the use of resources by this administration in dealing with the country of Cuba. First let me say that Fidel Castro is a dictator. No one here has time for Fidel Castro. That includes myself. The Cuban people deserve to be free. But it is interesting to me that at a time when we are confronted with the threat of terrorism in this country, we see the administration obsessed with Cuba, using resources that ought to be used in order to combat terrorism being used instead to enforce a ban against U.S. citizens from traveling in Cuba. It is an outrage. This administration ought to be embarrassed about it.

Let me describe what I mean. There is an agency called OFAC—the Office of Foreign Asset Control—in the Treasury Department. Their job is to track terrorists and to track the money that goes to finance terrorism. That is their job, and they have people working full time to try to pull the cover off this web of money that moves back and forth to finance terrorists.

What are they doing at OFAC these days? I have a report from the Department of the Treasury. That report is in response to questions from myself and from other Members of Congress. It says that OFAC has two people investigating Osama bin Laden's wealth—that is, tracking money Osama bin Laden would use to further his efforts to commit acts of terrorism against this country and the rest of the world. Two people.

Do you know how many people they have tracking Americans who travel to Cuba? There are twenty-one people tracking Americans who travel to Cuba. Track them down, see if you can slap a big fine on them. They have 21 people working on that, and they have 2 people working on trying to find Osama bin Laden's money and shut down the ways he finances his acts of terrorism. It is unbelievable. They ought to be profoundly embarrassed down at the administration and the Treasury Department.

Let me give some examples. This is a picture of a woman named Joni Scott. Joan Scott is someone who came to visit me. Joni Scott went to Cuba 4 years ago to distribute free Bibles to the Cuban people. Guess what. In recent months these 21 sleuths down at



the Treasury Department who are supposed to be tracking money going to terrorists, tracked down this poor woman who was distributing free Bibles in Cuba and slapped her with a big fine. Shame on her for distributing free Bibles to the Cuban people. Has it come to the point where some American who travels to Cuba to distribute free Bibles is somehow considered someone acting outside the interests of our country? Someone who undermines this country's interest? Someone who is worse than a terrorist? Is that what they are saying in the administration? They tracked her down and they slapped a big fine on Joni Scott.

But she is not the only one. This is Joan Slote. They fined Joan Slote 10,000 bucks. She is a bicyclist in her midseventies. She rides in the Senior Olympics; she rides bicycles all over the world. What a wonderful woman. I have met her. She went with a Canadian bicycle group to Cuba just to bicycle in Cuba. They tracked her down and fined her \$10,000, and then they tried to attach her Social Security checks while the dispute was going on. When they finally settled for something less than \$10,000 and she sent them a check and they did not realize she had sent the check and paid the bill, so they then tried to attach her Social Security payments. Tracking a little old lady riding bicycles? That is what they are doing down at the Treasury Department because riding a bicycle in Cuba somehow undermines American interests. Are they nuts? Are they just crazy? I don't understand this at all.

If it is not Joni Scott or Joan Slote, what about these folks who participate in the international event for disabled athletes. We stopped them from going. They lost a lot of money because they had tickets purchased to go to the international games in Havana, but those ferocious folks down at Treasury who are supposed to be tracking assets that support terrorism, they stopped these disabled athletes from going to Cuba. That would have undermined American interests, I guess.

Or the man from the State of Washington whose father died and was cremated. He previously had been a minister at a church in Cuba. His last wish was to have his ashes buried on the church grounds where he ministered, so his son dutifully complied. His son took his father's ashes to Cuba to bury them on the church grounds. Guess what. He got a fine from the U.S. Government because we have folks down at the Treasury Department tracking these people.

Now, the Bush administration obviously is concerned about votes in Florida. This is not about sound public policy; it is about politics in Florida. They have actually trained 500 people in the Office of Homeland Security to try to track people getting on and off flights to and from Cuba so if an American tourist went to Cuba to travel, they could find them and slap them with a fine.

They trained 500 people who are supposed to be doing work in the Office of Homeland Security. Let me show you what they did with this big, enhanced inspection with all these folks at the airports. They are going to grab them. They are going to nail them. We have not nailed Osama bin Laden. He is living in a cave someplace. He is probably not quaking in his cave, knowing there are only two people looking after his finances in the Department of Treasury and there are 21 of them chasing little old ladies who ride bikes in Cuba.

But let me show you what they found with this big, enhanced inspection at the airports. At a time we are dealing with terrorism, we have this big crack-down on American tourists. This chart shows what OFAC found. Boy, we nabbed them. Cuban cigars—officers of the Office of Homeland Security worked overtime to find Cuban cigars coming in on the person of an American tourist who went to Cuba. That is going to safeguard our country, if we just get rid of those Cuban cigars.

Then, of the 45,400 travelers who were inspected, 215 were suspected of attempting to vacation in Cuba. I don't know, I never heard of that charge: suspected of taking a vacation.

Homeland Security inspectors found 283 alcohol and tobacco violations. Well, were those major seizures? No. The Homeland Security spokeswoman says no. Each violation included a small amount of rum or cigars that were found on people who had been in Cuba.

There were 42 narcotics seizures. Oh, man, that ratchets up the importance—42 narcotics seizures. Is it heroin or crack? No. No, it is not that. It involves prescription drugs people had on their person. They were taking medications for high cholesterol or perhaps a runny nose. So they nabbed them.

And then one hazardous material violation was discovered. Oh, man, that sounds ominous. These Homeland Security investigators found somebody coming back from Cuba, coming into this country, an American citizen who had the temerity to vacation in Cuba who came back with a hazardous material on them. So they had a hazardous material violation. Now, that sounds like terrorism. But no, apparently the hazardous material was a carbon dioxide canister used to put fizz in seltzer water.

Presumably discoveries like these make it OK that we have 500 people tracking American tourists traveling in Cuba and two people tracking Osama bin Laden's finances.

We have 21 people down at OFAC going over their books. They wear their suspenders and green eyeshades, wearing their knuckles white, so they can track down a little old lady riding a bicycle, or so they can track down a wonderful young woman distributing free Bibles in Cuba. Shame on these people. Shame on these people who decide that trying to track American

citizens who are on vacation is a more important and a more urgent priority than tracking Osama bin Laden's financial network.

Now, I am a Norwegian Lutheran, and I don't use that language very easily. But I tell you what, I get angry when I see what is happening.

My colleague from Montana is in the Chamber. He was one of those who got this report. I asked the question of Secretary Snow: How many people are you using down at the Department of Treasury to track American tourists who travel to Cuba? Well, he did not know.

I said: Give me the answer. They apparently did the same thing in the Finance Committee. They got the answer. Twenty-one people are tracking American tourists going to Cuba, and two people are tracking Osama bin Laden's finances. What on Earth are they thinking of? Is there not one person down there with one ounce of common sense? I do not understand it at all.

Here is a chart: There are 100 times more enforcement cases on Cuba than there are on terror issues.

And I mention Joni Scott. Let me just finish by again mentioning Joni Scott. Joni Scott is with a religious group. This wonderful young woman, a good-hearted woman, who cares deeply about her faith in God and wants to share it with others, she went, 4 years ago, to Cuba to distribute free Bibles. It was an enriching experience, she said. And was she surprised, not too long ago, to get something in the mail from the U.S. Treasury Department because they have these sleuths down here, not working on things that matter, not working on tracking Osama bin Laden and other terrorist networks, no; they are working on this young woman who is distributing free Bibles. I do not understand it.

I say this, that when we have an opportunity, this year, to affect the financing of the Department of Treasury, I—and I hope others who will join me—will say to them that is not the way you are going to use the taxpayers' money. You have an obligation not to be soft on terrorism. You have an obligation not to be soft-headed. You have an obligation to use the funding we are providing to track terrorists, to crack the network of financing that Osama bin Laden and others use to commit acts of murder against American people, and against Spanish, and other people around the world, where people have been victimized by these acts of terror.

So always, it seems to me, it is a case of choosing, making choices. What do you want to use the money for? What is more important? What is more urgent? What should we be doing? The administration's choice yesterday to put even more people into tracking down American tourists to Cuba is unbelievable. It is unbelievable to see an administration make such, not only an embarrassing choice, but a choice that is fundamentally so soft on terrorism, so soft



on combating terrorism, and so hard-headed in trying to track American tourists down and slap them with a fine.

This notion of trying to slap Fidel Castro around by injuring the rights of the American people ought to stop. It does not hurt Fidel Castro that we have told the American people you cannot travel in Cuba. You can travel in Communist China. You can travel in Communist Vietnam. But you cannot travel in Communist Cuba. If we spend all this money on TV and Radio Marti in order to put voices in Cuba over television and radio, to give them another voice other than Fidel Castro, what sense does it make to say to the American people that traveling to Cuba so that Cubans hear other voices is somehow not worthy, but putting up an expensive radio and television station so the Cubans hear other voices is worthy?

The Europeans, the Canadians, and others, have used much more common sense than we have on this issue. And the President, rather than making things better, is making it much worse. I have no trust for Fidel Castro. I want him removed. I think the Cuban people ought to be free to choose their own government. But neither do I have any sympathy for a public policy that is so devoid of common sense, and it is getting worse every day, and was made worse yesterday by this President's announcement.

#### POLICIES ON OUR INDIAN RESERVATIONS

Mr. DORGAN. Mr. President, my colleague is here to speak, but I do want to make another comment about the health care policies on our Indian reservations, an important concern.

I want to first say that we have to, in my judgment, deal with these issues in a manner that we have not previously done. On our Indian reservations in this country, in most cases, we have conditions that reflect Third World countries. We have four Indian reservations in my State of North Dakota.

American Indians today have a life expectancy that is 6 years less than all the rest of the American people. Their rate of alcoholism is seven times the rate of the rest of the American people. Their rate of tuberculosis is over seven times the rate of the rest of the American people. Their rate of diabetes is four times the rate of the rest of the American people. For accidents, there are nearly triple the fatalities on reservations. For suicides, the rate is twice that of the rest of the American people. For homicides, the rate is more than double the rest of the American people.

The fact is, we have a very serious problem on these Indian reservations. There is, in my judgment, despair and little hope. A young girl named Tamara Demaris, some years ago, was put in a foster home by a social worker who was handling 150 cases. She did not

have time to investigate the home. At that home, there was a drunken party, and little Tamara was beaten severely. Her hair was pulled out at the roots. Her nose was broken. Her arm was broken. That little girl will probably never get over the scars of that terrible beating.

That situation has changed. There is no longer one social worker with 150 cases. We now inspect and investigate where a three year-old child will be placed. But that is the kind of circumstance that happened because the resources did not exist. We were supposed to protect that child and we did not. I am talking about our society—yes, our society.

I will give you another example. The child in this picture died a few weeks ago. This young child's name is Avis. Avis missed 90 days of school this school year. She stayed in bed for many days curled up in a ball. She desperately needed help. All of her actions cried out for help. Avis, by all accounts, was a young girl who loved to ride horses, loved animals, and loved her family. But several weeks ago, Avis died. On that reservation, they had one psychologist, one social worker, and no automobile to take anybody to seek treatment. So when you talk to the relatives and the people whose lives intersected with this young girl named Avis, you understand the tragedy of her situation. Avis needed help and didn't get it. At a critical time in the life of this young 14-year-old girl, she didn't get the help she needed.

The Indian Health Service budget for this year recommends cutting back on mental health services provided on these reservations. There is not enough as it is. It is painfully thin in terms of the amount of resources.

The federal government has direct responsibility for the health care of several groups of people in this country, including Federal prisoners and American Indians. We protect American Indians, and we have a trust responsibility for their health care. With respect to Federal prisoners, it is our obligation. We spend almost twice as much money per person on health care for Federal prisoners as we do for American Indians. The result is that wonderful young people such as Avis lose their lives. It should not happen.

I wish to mention one other thing and then I will conclude. While there is great despair about these issues—and we must confront them this year—there are some areas of hope.

The one area of hope, in my judgment, is tribal colleges on reservations. The stepladder up and out to opportunity is education.

I want to read something I have read before on the floor, because last year we made enormous progress in increasing the funding for tribal colleges around the country. I want to read from a letter from a woman I know named Loretta.

She says this:

I grew up poor and considered backward by non-Indians. My home was a two-room log

house in a place called the "bush" on North Dakota's Turtle Mountain Indian Reservation. I stuttered. I was painfully shy. My clothes were hand-me-downs. I was like thousands of other Indian kids growing up on reservations across America.

When I went to elementary school I felt so alone and different. I couldn't speak up for myself. My teachers had no appreciation for Indian culture. I'll never forget that it was the lighter-skinned children who were treated better. They were usually from families that were better off than mine. My teachers called me savage. Even as a young child I wondered . . . What does it take to be noticed and looked upon the way these other children are?

By the time I reached 7th grade I realized that if my life was going to change for the better, I was going to have to do it. Nobody else could do it for me. That's when the dream began. I thought of ways to change things for the better—not only for myself but for my people. I dreamed of growing up to be a teacher in a school where every child was treated as sacred and viewed positively, even if they were poor and dirty. I didn't want any child to be made to feel like I did. But I didn't know how hard it would be to reach the realization of my dream. I almost didn't make it.

By the time I was 17 I had dropped out of school, moved to California, and had a child. I thought my life was over. But when I moved back to the reservation I made a discovery that literally put my life back together. My sisters were attending Turtle Mountain College, which had just been started on my reservation. I thought that was something I could do, too, so I enrolled. In those days, we didn't even have a campus. There was no building. Some classes met at a local alcohol rehabilitation center in an old hospital building that had been condemned. But to me, it didn't matter. I was just amazed I could go to college. It was life-changing.

My college friends and professors were like family. For the first time in my life I learned about the language, history and culture of my people in a formal education setting. I felt honor and pride begin to well up inside me. This was so unlike my prior school experience where I was told my language and culture were shameful and that Indians weren't equal to others. Attending a tribal college caused me to reach into my inner self to become what I was meant to be—to fight for my rights and not remain a victim of circumstance or of anybody. In fact, I loved college so much that I couldn't stop! I had a dream to fulfill . . . or perhaps some would call it an obsession. This pushed me on to complete my studies at Turtle Mountain College and to ultimately earn a Doctorate in Education Administration from the University of North Dakota.

I've worked in education ever since, from Head Start teacher's aide to college professor. Now I'm realizing my dream of helping Indian children succeed. I am the Office of Indian Education Programs' superintendent working with nine schools, three reservations, and I oversee two educational contracts with two tribal colleges. My life would not have turned out this way were it not for the tribal college on my reservation.

My situation is not unique and others feel this way as well. Since 1974, when Turtle Mountain College was chartered by the Turtle Mountain tribe, around 300 students have gone on to earn higher degrees. We now have educators, attorneys, doctors and others who have returned to the reservation. They—I should say, we—are giving back to the community. Instead of asking people to have pity on us because of what happened in our past, we are taking our future into our own

hands. Instead of looking for someone else to solve our problems, we are doing it.

There's only one thing tribal colleges need. With more funding, the colleges can do ever more than they've already achieved. We will take people off the welfare rolls and end the economic depression on reservations. Tribal colleges have already been successful with much less than any other institutions of higher education have received. That is why I hope you will continue to support the American Indian College Fund.

I'm an old timer. The College Fund didn't exist when I was a student. I remember seeing ads for the United Negro College Fund and wishing that such a fund existed for Indian people. We now have our own Fund that is spreading the message about tribal colleges and providing scholarships. I'm so pleased. I believe the Creator meant for this to be. But so much more must be done. There still isn't enough scholarship money available to carry students full time. That is my new dream . . . to see the day when Indian students can receive four-year scholarships so they don't have to go through the extremely difficult struggle many now experience to get their education.

I hope you'll keep giving, keep supporting the College Fund, so that some day this dream becomes reality. I know it can happen because if my dream for my future came true, anything is possible. Thank you.

This wonderful woman describes hope and opportunity through education and achievement. Her letter proves that when we invest in the right things, when we care enough to give people the opportunity to step up and out of poverty and despair, toward hope and opportunity, then this is a better country for them and for all of us as well. That should be true with respect to our investment in the Indian Health Service. It is true with our respect to investment in tribal colleges. We must do much better as we approach these subjects this year. I will have more to say about the Indian Health Service later.

I make the point that health care funding for American Indians is an issue, as we turn to the appropriations process, to which we must pay attention.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Will the Chair state the current parliamentary situation.

The ACTING PRESIDENT pro tempore. The Senate is in morning business. Each Senator is permitted to speak up to 10 minutes.

Mr. BAUCUS. Mr. President, I thank my friend from North Dakota on both subjects he just addressed. First, the American policy toward Cuba.

For the life of me, I cannot understand why the U.S. Treasury Department, as the Senator so clearly explained, devotes 80 percent of its financing resources—that is, investigating financing—to tracking down American tourists who travel to Cuba, rather than Osama bin Laden's terrorist network. It is amazing.

I have gone to Cuba a couple times with Montana businessmen. We signed a contract to sell agricultural products to Cuba.

If more Americans could travel to Cuba, it would be more likely that we

would be able to have a much better relationship with that country than we now have.

Frankly, I also believe very strongly that the current U.S. position with respect to Cuba—namely, prohibiting most Americans from traveling to Cuba—and the export embargo the U.S. Government has against Cuba helps Fidel Castro. It is something he uses to rail against Americans. Ironically, if the embargo was lifted and the travel ban was lifted, if we were not investigating Americans going to Cuba, it would hasten the day for democracy in Cuba. It is clear to me that is what would happen.

You might ask, Why is the American Government taking such an inane view, with most of its resources tracking down good, law-abiding Americans visiting Cuba, rather than trying to track down Osama bin Laden and his network? The answer is simple. It is basically politics. This administration is being ruled by a community in the U.S. that wants to get back at Cuba. I think it is regrettable that the Government would not adopt a policy that is good for all America, but rather one that just helps the interests of a very small group in southern Florida. It is an outrage. I, frankly, think the administration should be serving all of America and the Treasury Department should be devoting its resources to finding terrorists rather than checking up on American tourists traveling in Cuba.

The second subject the Senator talked about needs to be addressed over and over again; it is the abominable plight and economic conditions on America's Indian reservations. The Senator from North Dakota mentioned poverty in many reservations in North Dakota. The same can be said for many reservations throughout the country. In Montana, we have several reservations and the conditions are, in some cases, just as bad. In other areas, it is getting a lot better. Fifty percent of all the welfare cases, TANF cases, are on Indian reservations. We have an obligation to address that in a solid and constructive way.

I wish to explain a few of the positions in the bill that will be before us. It is not before the Senate at the immediate time, but we have considered the bill over the last week, the JOBS bill.

Some of the provisions in that bill relate to helping people who live on Indian reservations to live a much better life. These are provisions to help build schools, provisions to help create good jobs on the reservations, and provisions to keep businesses investing on reservations.

Let me explain a couple of them. First, the JOBS bill includes the extension of two provisions which allow tribes to issue tax-exempt bonds to build facilities just like the authority that State and local governments have. We believe, those of us who wrote the JOBS bill, treating tribes like State

governments makes good economic sense; that it is just plain fair and it is the right thing to do. If State and local governments can issue tax-exempt bonds to construct facilities, so should reservations. I am glad we have that provision in the JOBS bill.

It also includes a special allocation of what is called new markets tax credits for reservations. This provision allocates \$50 million in new markets tax credits where poverty rates exceed 40 percent. The new markets tax credits are designed to spur investment in economically depressed areas. They are not going to solve all the problems that exist on reservations but they are certainly going to help, help bring jobs, help businesses, help spirit entrepreneurship that is so needed around our country.

This allocation will apply to only the poorest reservations. Lifting these reservations out of the grip of poverty is a moral obligation that all of us in the Senate have.

Finally, the JOBS bill addresses school construction on reservations. Education is the key to success in many areas of the country. Many of the jobs we hear about going overseas would probably not go overseas if there were more than high school diplomas and better education in America.

We have good education but it has to be much better. Without properly educated citizens, we cannot compete in the 21st century.

Many of the schools run by the Bureau of Indian Affairs are woefully dilapidated and often dangerous, literally dangerous for students and teachers. The Bureau of Indian Affairs schools are in generally poorer physical condition and have a much more unsatisfactory environment, and more often lack key facilities requirements for education reform, and are less able to support computer and communications technology. The Bureau of Indian Affairs schools are that bad.

The JOBS bill includes a provision that will allow tribes to issue tax credit bonds to raise funds for construction, rehabilitation, or repair of tribal school facilities funded by the Bureau of Indian Affairs. This provision gives hope to children stuck in third-rate schools. Every child deserves a decent place to go to school. This provision, again in the JOBS bill, will help tribes to raise the funds necessary to provide them.

This bill will also bring opportunity to all Americans, an opportunity for jobs training, and entrepreneurship, and I am proud the JOBS bill also includes provisions aimed at bringing opportunity to reservations and tribal communities across the country.

A provision I did not really explain in sufficient detail has to do with an employment credit that gives employers a payroll tax offset for hiring people on reservations, that would allow jobs to stay on reservations. In addition, the JOBS bill includes an extension of accelerated depreciation for equipment

purchased by businesses that are located on reservations. This is a huge benefit for small businesses on reservations and gives these businesses the incentives they need to expand.

The JOBS bill also includes several new provisions to give an economic lift to tribes. Many tribes have difficulty raising capital in order to attract convention centers which work attract tourists to reservations. Unlike State and local governments, as I mentioned earlier, tribes do not issue bonds for many infrastructure investments.

I spoke earlier about that provision and wanted to restate that the basic provisions allow tribes to issue tax exempt bonds to build facilities just as State and local governments now have the authority to do. I believe treating tribes as we do State governments makes good economic sense; it gives them an even greater sense of responsibility and destiny in controlling their own future. They should have that same ability just as State and local governments.

So for all those reasons I think those Indian reservation provisions in the JOBS bill, which are designated to help Indians, will help. It is not going to solve all the problems on reservations, but it will certainly give a little more help, a hope, a future to some very depressed parts of our country, and if we fulfill our obligations to help out, I think we will have done a lot through the provisions of the JOBS bill directed at reservations. There are many other provisions in the JOBS bill, obviously, but those directed toward Indian reservations will certainly help those folks. I thank all members of the committee and the chairman of the committee, Senator GRASSLEY, for including them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I ask unanimous consent to speak for up to 15 minutes. I know the majority leader wants to come as well. I certainly want to be courteous to him. I will try to finish in less than 15 minutes, but I ask unanimous consent to speak at this time.

The PRESIDING OFFICER. That order has been provided.

#### FOREST FUNDING

Mr. WYDEN. Mr. President, I come to the floor today to discuss an issue that has enormous importance for the West and other parts of the country, and that is the funding, critically needed funding, to protect our forests.

I believe we are going to have an extraordinarily difficult time in the next few months coping with these forest fires that are causing such devastation in the West. I was part of a coalition, a member of the Budget Committee which saw the Senate accept unanimously by voice vote a measure that would fully fund essentially what we were trying to do, again on a bipartisan basis, in the Healthy Forests Restoration Act.

I come today because I have heard unofficially that possibly the amendment I authored and which was accepted unanimously in this Chamber is not going to make it out of the budget conference. I think this would be a grievous mistake given the reports we are getting now about the prospect of an extraordinarily difficult fire season.

The amendment I authored would increase the budget authority to boost investments in the Healthy Forests Restoration Act to benefit our national forests, the environment, local communities, and local economies. My amendment would add \$343 million to last year's \$417 million for hazardous fuel reduction so as to be able to reach the \$716 million authorization in title I of the Healthy Forests legislation.

Now, we have talked a lot during this session about the importance of hazardous fire reduction projects. We have talked about it in the Budget and Appropriations Committees, in the Healthy Forests Restoration Act, and my colleagues have heard me repeatedly talk about how important this funding would be. But every year these hazardous fuels projects go underfunded or unfunded, and that means another year with little or no warning thousands of people in fire-prone communities end up tossing everything they can into their cars and fleeing their homes without knowing if anything is going to remain when they return.

The Forest Service's inability to do all of the hazardous fuels reduction projects that needs to get done leads to real-life danger on the ground in these small western communities.

It leads to danger in the backyards of our citizens, in their recreation areas, and the places they gather in their communities.

Two years ago, in July of 2002, the Associated Press reported that 17,000 people faced evacuation in Oregon. Here is just a bit of this report:

Firefighters went door-to-door deciding which homes they could save (in Cave Junction, Oregon) as an explosive 68,000-acre wildfire nearby fed off heat, wind and timber.

These folks were evacuated, and a month later they were still evacuated. Another article from one of our publications, the Medford Mail Tribune, noted the very personal nature of the disruption. It said the Josephine County Sheriff's Office was beginning to reunite an estimated 400 evacuated animals, including livestock and even family pets, with evacuated owners.

The Associated Press, that same news outlet, reported just yesterday that an early fire season is expected in eastern Oregon. We are hearing about this all over the West. There are going to be lots of fires. They are going to be very early. They, in my view, are going to cause enormous pain and hardship for our communities.

I implore my colleagues, both in the Senate and in the other body, to protect what we have been able to do in a bipartisan kind of fashion, and that is

to properly and fully fund this critical aspect of the Healthy Forests legislation.

For years there has been this budgetary sleight of hand with respect to forest fires, where the Forest Service takes from one account and goes to another. When it is all done, it is clear there are not enough resources, and that is what I tried to change in the Healthy Forests legislation. We had bipartisan support. Senator DOMENICI, for example, has done yeoman's work on this for years and years. Senator CRAPO, another colleague in this body, has been so supportive of this effort.

I will take a few minutes to talk about what I think is ahead and why I hope that if the conference has not fully acted that we can protect that amendment to fully fund the effort to deal with this huge fire risk that we are facing.

Just yesterday, the San Francisco Chronicle reported:

California's fire season, off to an ominously early start, could be exacerbated by increasing numbers of dead trees, frozen funding for fuel-reduction projects and the implacable expansion of the suburbs into wildlands. Federal officials moved Wednesday to address one of those concerns, freeing \$240 million for removal of dead trees in San Diego, San Bernardino and Riverside Counties, after Senator Feinstein complained about restrictions on the funds. Still, State and national officials say the trend in recent years of extremely destructive wildfires in California and throughout the West is likely to continue this season.

From the CBS Associated Press story entitled "Early Start For California Fires," which came from Corona, CA, on May 5, just days ago:

As acrid smoke for more than 18,000 acres of charred brush curled skyward, California officials feared the earlier-than-usual start of the summer wildfires season could make it the most dangerous ever. Just months after the most devastating wildfires in State history . . . thousands of acres from San Diego to Santa Barbara are ablaze. Thousands of firefighters are on the line, and once again residents are fleeing advancing flames.

The same day, the Associated Press said:

It's like gasoline. More than 1,000 people were evacuated in the northeastern Lake Elsinore area as the Cerrito Fire was whipped up by winds.

Tuesday, the Los Angeles Daily News:

It was the explosive end to the State's worst fire season, from which the region still hasn't recovered. And this year, authorities say, could be worse. Much, much worse.

To those thousands of folks across the country, particularly those whom I represent in Oregon who have been pounded by these devastating fires year after year, the bickering and the back and forth in Congress on fully funding forest health, this is not a theoretical thing to those Oregonians. It is not some kind of policy discussion. It is a danger to their families, a danger to their communities, every single day.

By working in a bipartisan fashion, after more than 25 years the Congress came together, passed a landmark

piece of wildfire legislation, which was signed into law by the President on December 3 of last year. It is going to protect communities from catastrophic forest fires, preserve old-growth trees, restore unhealthy forests, and protect the involvement of our communities in discussing these issues.

I was very pleased that because of the bipartisan cooperation, we were able to get the Senate to pass a balanced practical approach to Healthy Forests legislation, and it authorized the \$760 million that is essential for hazardous fuels reduction projects, and it made possible my budget amendment that would have provided the funding room necessary for the landmark legislation.

Without the help of the budget amendment that was adopted earlier, the issue that is now being debated in Congress, the Healthy Forests Restoration Act is not going to be able to live up to the full promise that folks in Cave Junction, OR, or Corona, CA, are counting on. The amendment in the budget resolution will take us a step closer to fulfilling the vision that people have in the rural West of this law. They deserve an approach and critical response from the Federal Government, starting now with the prospect of a devastating fire season.

This body agreed that hazardous fuels reduction projects, the National Fire Plan, and the Healthy Forests Restoration Act should be given complete and bipartisan support. I am hopeful that the budget conferees will see the importance of keeping intact the unanimously accepted Senate position to fight these fires with the resources necessary.

It is critical that we not disappoint people in these small rural communities across the West. They are counting on the Congress to ensure that they have the resources that are going to be essential to save their homes and safeguard their lives.

I do not want to see these families evacuated again this year and next year because the Congress did not do its job.

I urge our colleagues, at a time when we are about to go to the budget conference, to support the effort to fully fund forest fires, to promote the healthy forest effort that we enacted on a bipartisan basis.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### MOTHER'S DAY

Mr. FRIST. Mr. President, this Sunday a lot of families will be celebrating a very special day, a day of joy, a day of thankfulness, and for some a day of sadness due to the fact that their loved ones, their mothers, have passed.

Restaurants are going to be packed for Sunday brunch. Living rooms are going to be full of fidgety children. Families are going to recall teasing stories, all to tell their moms that they love them.

Mother's Day is the busiest long-distance calling day of the year. It accounts for more than one-fifth of all of the floral purchases made for the holidays. I am looking forward to our own holiday with our family, going to church, celebrating Mother's Day with our immediate family, and then later in the day joining an extended family and some old friends for another Mother's Day dinner.

Celebrating moms is a tradition that stretches back millennia. Ancient Greeks celebrated a holiday in honor of Rhea, the mythological mother of gods. Ancient Romans celebrated their mother goddess symbol, Cybele, and in the British Isles and Celtic Europe, the people honored the goddess, Brigid, and later her successor, St. Brigid, in a spring tradition of motherhood.

Mother's Day in America got its start in West Virginia in 1858, led by the indefatigable Anna Reeves Jarvis, a local schoolteacher. After years of petitioning, Mother's Day finally became an official American holiday in 1914, and it was passed in the Congress as a joint resolution and signed by President Woodrow Wilson.

Today, 90 years later, Mother's Day is celebrated all over the world, not just in the United States—in Denmark, Finland, Italy, Turkey, Australia, Belgium.

Abraham Lincoln said of his mom: All that I am or hope to be, I owe to my angel mother.

It is a sentiment that is shared by the humble and by the lofty, throughout the ages and across the continents. Human nature binds us to our mothers. The Bible instructs us to respect and obey our mothers, and in turn mothers give us that gift that there is no way to return, that ultimate gift, the gift of life.

I close on this tribute to Mother's Day and all the mothers who are listening and to all the families who have lost their mothers with a quote by the basketball legend Karim Abdul-Jabar. I think it speaks to how we all remember our moms—looking after us, taking care of all the little details, reminding us of the things we would miss as we are growing up, understanding all our unique attributes we might have, as we think of that basketball legend. Karim said:

My mother had to send me to the movies with my birth certificate so that I wouldn't have to pay the extra 50 cents the adults had to pay.

Yes, it is the moms who were thinking about what we never necessarily thought of, looking at each of us as those very special instruments of life.

So happy Mother's Day to all the mothers around the world and to my mom, who died 6 years ago. I miss her very much. To my wife Karyn's mom, Kathryn McLaughlin in Ft Worth, TX, happy Mother's Day; and of course most especially to my wife Karyn, who is the rock of our family, who keeps it all together.

#### MOTHER'S DAY

Mr. BYRD. Mr. President, this coming Sunday is Mother's Day. In kindergartens across the Nation, small hands are being pressed against pink construction paper hearts, creating a somewhat smudgy record of loving hand prints for posterity. Those same small hands will clutch a crayon tightly in order to scribe in wobbly letters the heartfelt sentiments so beloved by Mothers—the three best words on earth: I love you.

Older children's efforts to honor their mothers may be more sophisticated, but the sentiment remains the same: I love you, Mother. Or Mom, Mommy, Mama, Ma, or Maw. The name may show some variation across the country, but the title remains a cherished one. The flowers, too, may show some variation, from the short-stemmed fistful of buttercups wilting in a sweaty young palm to the artistry of the floral arranger with the world's bounty of blossoms at his or her fingertips. And these days, the cards may range from time-honored construction paper classics through sweet and witty store-boughts, to animated e-mail extravaganzas.

Whatever the display laid at the mother's feet this Sunday, the old adage remains true: It is the thought that counts. Mothers, who so often put their children and husband first, and themselves always last, will surely be touched by the love reflected in the efforts to make her day a special one. From a plate of cold toast and runny home-cooked eggs to an elaborate Sunday restaurant brunch, the meal will taste the same to a mother on Mother's Day. It will taste of love.

It was just such a love that brought about the first Mother's Day, and the depth of the sentiment was and is such that this holiday continues to resonate among families today.

The first Mother's Day proclamation, I am proud to note, was issued by the Governor of West Virginia in 1910, but by 1911 every State had its own observances. Such is the depth of sentiment for mothers across the Nation that fueled the spread of Mother's Day observances like wildfires across the parched West.

The Mother's Day International Association was incorporated on December 12, 1912, for the purpose of furthering the observance of Mother's Day. By May 1913, the House of Representatives had adopted a resolution requesting that the President and other Federal Government officials wear a white carnation on Mother's Day. The following year, on May 8, 1914, the Congress adopted a joint resolution designating the second Sunday in May as Mother's Day and urging the U.S. Flag to be flown on Government buildings and private homes on that day "as a public expression of our love and reverence for the mothers of our country." President Woodrow Wilson issued the first proclamation making Mother's Day an official national holiday.

What inspired this outpouring of devotion and array of public displays of affection? A single West Virginia mother, Mrs. Anna Reese Jarvis, is at the heart of this story. Mrs. Jarvis was a minister's daughter. She taught Sunday school in the Andrews Methodist Church in Grafton, WV, for many years, while raising her children and caring for her neighbors in the difficult years following the Civil War.

Mrs. Jarvis's daughter, born in 1864 and also named Anna, was a devoted child. She remained close to her family and especially to her mother. Miss Jarvis graduated from the Female Seminary in Wheeling, WV, and taught in Grafton before moving with her family to Philadelphia, PA. When her mother died in Philadelphia in 1905, Miss Jarvis was deeply affected. She felt that children often neglected to appreciate their mothers enough while their mothers are still alive.

With the help of her friends, in 1907 she initiated a letter-writing campaign urging influential ministers, businessmen and congressmen to declare a national Mother's Day, hoping to increase respect for parents and strengthen family bonds. And such was the power of her message that her grassroots campaign took off, resulting in the national display of familial love that we will see this Sunday.

At that first Mother's Day observance in Grafton, Miss Jarvis supplied carnations to the church because they were her mother's favorite flower. White carnations were chosen because they represented sweetness, purity, and endurance of a mother's love. Over the years, red carnations have become the symbol of a living mother. White carnations now signify that, like Miss Jarvis's mother at the time of the first Mother's Day, one's mother has died.

Though not many people wear flowers these days, Mother's Day is a bonanza for the floral industry, just as it is for restaurants, the phone companies, greeting card companies, and jewelers. It is said that more long distance calls are made on Mother's Day than on any other single day of the year. Though Miss Jarvis might decry some of the more commercial aspects of today's Mother's Day celebrations, I think that she, too, would be pleased that through her efforts, so many people do make the effort to pay their respects and show their affection for their mothers.

We have so much to thank our mothers for, when we consider the enormous expenditure of time and effort that it takes to raise a child properly. Aside from the sometimes grueling routine that many mothers face every day just to stay abreast of regular family maintenance, there are the hours she cheerfully spends ensuring that homework is done, that chores are performed, that piano lessons or sports practices or dance classes are attended, or that cookies are baked and presents wrapped. There are also the loving times that a mother spends with her

children: washing hair, reading bedtime stories, saying prayers, comforting away bad dreams, kissing away hurts, encouraging dreams. It is a wonder that mothers find the time to do any of the other creative things they do, from sewing to scrap-booking, painting to pottery, reading to writing the letters that help to knit families together.

My own dear mother died when I was just a baby. I cannot recall the touch of her hand on my cheek, or the sound of her voice saying "I love you." But her angel face still smiles at me from an old photograph, and in her smile I can see the love that she still bears for me as she waits. No mother ever truly leaves you. Anna Jarvis knew that to be true when she conceived the notion of a national Mother's Day. She would not have us regret failing to show our love and appreciation to our mothers while we can.

I offer my thanks to all mothers on this Mother's Day. To my own mother, I say thank you for giving me life, and for thinking of me and my future even as your own short life was coming to a close. And to the great love of my life, Erma, the mother of my beautiful daughters, I say thank you. Thank you for mothering me even as you mothered our children. Your talent at your chosen career, and your devotion to it, continue to show themselves in the generations of our lovely and loving grandchildren and great grandchildren. If Miss Jarvis had not beaten me to it, my wife Erma certainly has provided ample inspiration for a national Mother's Day.

I close with the words of one of my favorite poems, one that I come back to each Mother's Day. It is called "Rock Me To Sleep," and it was written by Elizabeth Akers Allen (1823-1911).

#### ROCK ME TO SLEEP

Backward, turn backward, O time, in your flight,  
Make me a child again just for to-night!  
Mother, come back from the echoless shore,  
Take me again to your heart as of yore;  
Kiss from my forehead the furrows of care,  
Smooth the few silver threads out of my hair;  
Over my slumbers your loving watch keep:  
Rock me to sleep, Mother—rock me to sleep!  
Backward, flow backward, oh, tide of the years!  
I am so weary of toil and of tears—  
Toil without recompense, tears all in vain—  
Take them, and give me my childhood again!  
I have grown weary of dust and decay—  
Weary of flinging my soul-wealth away;  
Weary of sowing for others to reap;  
Rock me to sleep, Mother—rock me to sleep!  
Tired of the hollow, the base, the untrue,  
Mother, O Mother, my heart calls for you!  
Many a summer the grass has grown green,  
Blossomed and faded, our faces between:  
Yet, with strong yearning and passionate pain,  
Long I to-night for your presence again.  
Come from the silence so long and so deep:  
Rock me to sleep, Mother—rock me to sleep!  
Over my heart, in the days that are flown,  
No love like mother-love ever has shone;  
No other worship abides and endures—

Faithful, unselfish, and patient like yours:  
None like a mother can charm away pain  
From the sick soul and the world-weary brain.  
Slumber's soft calms o'er my heavy lids creep;  
Rock me to sleep, Mother—rock me to sleep!  
Come, let your brown hair, just lighted with gold,  
Fall on your shoulders again as of old;  
Let it drop over my forehead to-night,  
Shading my faint eyes away from the light;  
For with its sunny-edged shadows once more  
Haply will throng the sweet visions of yore;  
Lovingly, softly, its bright billows sweep:  
Rock me to sleep, Mother—rock me to sleep!  
Mother, dear Mother, the years have been long  
Since I last listened your lullaby song:  
Sing, then, and unto my soul it shall seem  
Womanhood's years have been only a dream.  
Clasped to your heart in a loving embrace,  
With your light lashes just sweeping my face,  
Never hereafter to wake or to weep;  
Rock me to sleep, Mother—rock me to sleep!

#### HONORING OUR ARMED FORCES

TRIBUTE TO STAFF SERGEANT GEORGE S. RENTSCHLER

Mr. BUNNING. Mr. President, I pay tribute today to the patriotism and the courage of SSG George Rentschler of Louisville, KY. SSG Rentschler was killed a month ago on April 7, 2004.

While his family, friends and his country mourn the loss of this man, I offer a few words to praise the inestimable value of his sacrifice. In this time of war, my colleagues, we can all expect to hear reports of the tragic loss of life. It would be unrealistic to expect that we can fight a war and not lose lives. SSG Rentschler knew this. And knowing this he went forth into battle for the love of his country.

To serve your country when you know that it might be the cause of your death, involves sacrifice. It means that you are brave, honorable, patriotic, virtuous. It also means that you are willing to make the final sacrifice should the necessity arise. The men and women serving our country, as SSG George Rentschler did, are heroes who are protecting America to preserve our freedoms in these times of continuing terrorist threat across the world.

The death of SSG Rentschler reveals to the world that this man was a true hero who sacrificed for our country. We have lost a man of courage and generosity. He was role model for all of us and will be missed.

#### ON SECTION 8 RULE CHANGES

Mr. JEFFORDS. Mr. President, We have all heard of the war on poverty, but I fear that 40 years after that war began, there is a new war afoot, a war on people in poverty. And the latest assault in this war threatens to leave thousands of people homeless. I am speaking about the Bush administration's plan to make substantial changes in the way our Government helps our poorest citizens secure housing.

It is not hyperbole, in my view, to say that this change to the Section 8 voucher program could have disastrous effects. Section 8, administered by the department of Housing and Urban Development, helps nearly 2 million poor families and disabled citizens pay for housing with vouchers that have traditionally covered the full cost of their rent.

But under the rule change, the reimbursements will no longer cover the full costs. As a result, housing authorities around the country will have to cut back on the number of vouchers they offer.

For fiscal year 2005, the President's request shortchanges all housing vouchers now in use by \$1.6 billion and could result in further cuts in the years ahead. This request would also remove key provisions of the Section 8 program that protect families with the lowest incomes, such as maintaining rent payments at 30 percent of a resident's income.

In my home state of Vermont, there are 6,080 authorized vouchers available this year, but Vermont stands to lose 740 of these by next year with the rule change. That translates to a loss of more than \$4 million in housing assistance in Vermont. And this scenario could indeed get worse: it is estimated that my state stands to lose up to 1, 770 housing vouchers by the year 2009.

It is important to remind ourselves that we're not talking about just numbers here. These are families—real families—who will be at risk of not having a place to live.

I recently read in the Washington Post that the Bush administration is making three changes in an effort to "constrain rapid growth in the program's spending." However, the increased demand for Section 8 housing arises because more people need help in our ailing economy.

Every day in our country, working families are forced to turn to emergency shelters and food banks because they cannot afford the high cost of rent, child care and transportation. I believe this change in section 8 will add greatly to those numbers, while undermining our deeply held premise that work leads to self-sufficiency.

Every day we hear the term "working poor," but I'm afraid we do not take the time to fully understand its meaning.

All of this prompts me to ask, once again, where are our nation's priorities? We continue to give out tax breaks to millionaires despite an ever-mounting deficit. We pour billions of dollars into fighting a war in Iraq for which there is no end in sight. And we will be spending billions more—there is another \$25 billion request before us now—to rebuild that country while our own nation's poorest citizens cannot afford housing.

If I may borrow a line from Rita Markley, the executive director of the largest homeless services program in my state, "We've got to remind people that Homeland Security starts with a home."

It is unfortunate that President Bush continues to find fault with a program that has demonstrated such success. As the Congress deliberates the fiscal year 2005 budget, I will continue to work to protect the Section 8 program.

Forty years ago, when President Johnson declared war on poverty, he highlighted this nation's commitment "to pursue victory over the most ancient of mankind's enemies."

I fear that we have lost sight of the enemy, at the expense of those who needed this victory the most.

#### RECOGNIZING PUBLIC SERVICE AWARD WINNERS

Mr. AKAKA. Mr. President, for the past 5 days, I have paid tribute to the Nation's public servants during Public Service Recognition Week through statements on the floor of the U.S. Senate. As this is the 20th annual celebration of public service, it was fitting to focus the Senate's attention on public servants and issues affecting Federal employees throughout the week.

Today I would like to recognize those Federal, State, and local government programs that received the Public Service Excellence Awards. The Public Service Excellence Awards recognize and commend U.S. programs and employee teams who represent public service at its best. It rewards innovations, raises awareness of exemplary public service, and provides public agencies a showcase for outstanding programs. On May 3, 2004, the Public Employees Roundtable, a nonprofit coalition of organizations representing public employees and retirees, held a Breakfast of Champions to honor the award winners for this year.

This year, the Federal winner was the "Internal Revenue Service (IRS) eLearning Program." As my colleagues on the Governmental Affairs Committee know, training our Federal workforce is one of the most important and most underfunded programs in the Federal Government. Even when training programs are funded, agencies must use innovative techniques to stretch training dollars and apply training funds strategically. The IRS realized that approximately 70 percent of its training budget went toward travel to and from the seminars. As such, eLearning could save the IRS a significant amount of money by converting its training system from a classroom-based to a technology-enhanced learning and performance support environment. In the initial phase of the program, the IRS saved more than \$5 million in travel costs by using the technology for briefings required of all 120,000 employees and courses supporting the 28,000 employees of Customer Call Center Operations. At full implementation, the eLearning strategy is expected to save more than \$50 million in annual travel costs and reduce training time by up to one-third. This innovative program at IRS is an excellent example of the dedicated work and professional excellence of federal employees.

The State winner is the "Work that Matters" campaign by the Montana Education Association and the Montana Federation of Teachers (MEA-MFT). The "Work that Matters" public relations campaign was created in 2003 to prevent the Montana Legislature from freezing salaries of State employees. "Work That Matters" is about putting a face on the people who provide state services and showing them as dedicated, hardworking people, who care about the people they serve.

As my colleagues know, all too often government employees are forced to "tighten their belts" during times of financial difficulties. That trend is no different for State governments across the United States. In Montana, the beginning of the 2003 legislative session had State employees struggling with hiring freezes, layoffs, staff shortages, and salaries far below market value. This public relations program put a face to the government employees who carry out the programs and services that benefit taxpayers, the State legislature realized the importance of public service and passed a pay increase.

This year's local winner was the City of Chicago's "311 Service," which provides a one-stop telephone and online customer service center for all non-emergency city services. It is a comprehensive, high-tech, customer-focused information and response service. Chicago residents can use the system to make service needs known, check on the status of earlier requests, file police reports, and get information on city programs and events. In addition, the 311 service is synchronized with Chicago's 911 emergency service. Such interoperability is commendable because all too often the non-emergency services are overlooked when developing an emergency response system. "Chicago 311" is an innovative and effective way for public employees to serve the community.

The Public Service Roundtable also recognized a non-profit organization, which was founded by a retired federal employee. Scott Dimock and his partner, Sammie Morrison, created Southeast White House community center in Washington, DC which has made an incredible impact on an area troubled by high unemployment, lack of opportunity, and broken promises. Through the use of donated services, time, and money, Southeast White House has developed a mentoring program, a Friends of Children program, a People's House referral service for services throughout the Metropolitan area, and an activities program that includes summer camps, field trips, lessons and programs in a variety of subjects, Mom's Night Out, and weekly community banquets open to all.

In addition, Southeast White House has adopted an elementary school and has developed an intensive mentoring program for at-risk children. More than 100 elementary school children



now receive up to eight hours of mentoring each week. While not technically part of a federal, state, or local government organization, it is easy to see the dedication public servants, both active and retired, bring to their nation and their neighbor.

I would also like to commend GEICO, the Government Employees Insurance Company, for creating the GEICO Public Service Awards which, since 1980, recognizes the work Federal employees do to make their communities better. The awards recognizes government employees for outstanding achievements in one of four areas: substance abuse prevention and treatment, fire prevention and safety, physical rehabilitation, and traffic safety and accident prevention. In addition, one retired Federal employee is honored for his or her work in one of those areas. Recipients of the 2003 awards are:

Charles Whitlock, fire safety project leader for the U.S. Forest Service Technology & Development Center in Missoula, MT, for his work in fire safety and prevention.

Amanda Tye, county executive director of the Cleveland County Office for the Farm Service Agency, for her work in traffic safety and accident prevention.

Carolyn D. Greene, program support assistant for the Louis Stokes V.A. Medical Center in Cleveland, OH, for her work in substance abuse prevention and treatment.

Ralph P. Fowler, a telecommunications specialist for the United States Army in El Paso, TX, for his work in physical rehabilitation.

George S. Klein, a retired general forecaster with the National Weather Service Forecast Office in Upton, NY, for his work in physical rehabilitation.

As Public Service Recognition Week draws to an end, I would like to once again commend those who have been honored for their dedication to public service, as well as those unsung heroes whose daily contributions we could not live without. I also want to thank the companies, associations, and other employee organizations who work to make Public Service Recognition Week such a success and for their commitment in honoring our Nation's Federal, State, and local government employees.

#### REQUEST FOR SEQUENTIAL REFERRAL—S. 2386

Mr. WARNER. Mr. President, I ask unanimous consent a letter to the Honorable BILL FRIST dated May 6, 2004, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, May 6, 2004.

Hon. BILL FRIST,  
Majority Leader, U.S. Senate,  
Washington, DC.

DEAR MR. LEADER: Pursuant to section 3(b) of S. Res. 400 of the 94th Congress, I request

that S. 2386, the Intelligence Authorization Act for Fiscal Year 2005, which was reported out on May 5, 2004, by the Select Committee on Intelligence, be sequentially referred to the Committee on Armed Services for a period not to exceed thirty days of session.

With kind regards, I am  
Sincerely,

JOHN WARNER,  
Chairman.

#### ADDITIONAL STATEMENTS

##### HUGH ROBINSON

• Mr. TALENT. Mr. President, I wish to honor Hugh Robinson of southeast Missouri, who is retiring today after a long career in farm broadcasting. I am honored to share his successes with my colleagues.

Hugh followed a path from Washington, DC to Missouri. Growing up in Washington and graduating from Anacostia High School, Hugh has been interested and involved in agriculture most of his life. He knew about U.S. Department of Agriculture through his father, who had been an agricultural attaché for the Foreign Agricultural Service in Sweden and Germany. With that experience he had the opportunity to observe farm and livestock operations in other countries firsthand.

Since 1998, he has been at KBXB, where he has been the only live, local, farm director in southeast Missouri doing 10 reports a day, 4 news and 6 market reports.

He is a voting member of the National Association of Farm Broadcasters, and has been involved in the organization since 1978. Hugh has received numerous awards including: The Missouri Farm Bureau's Outstanding Service to Agriculture, the Missouri House of Representatives' Meritorious Service Award and awards from the Missouri Corn Growers Association, Missouri Soybean Association, as well as FFA and 4H.

More than that, he is widely admired by his colleagues in farm broadcasting and among Missouri's agriculture leaders.

I have known Hugh for many years now and I have always appreciated his diligence and great sense of humor. His interviews were tough but fair and you could always count on him to get the story right and to tell it humbly. I know our State's agriculture community will miss his agriculture reports. We will all miss hearing his voice on air.

Hugh never said goodbye at the end of an interview. He always said, "Keep smiling." We are smiling with him today as he celebrates his retirement. ●

#### ENROLLED BILL SIGNED

The following enrolled bill, previously signed by the Speaker of the House, was signed on today May 7, 2004, by the President pro tempore (Mr. STEVENS):

S. 2315. An act to amend the Communications Satellite Act of 1962 to extend the

deadline for the INTELSAT initial public offering.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 2771. An act to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program.

H.R. 4227. An act to amend the Internal Revenue Code of 1986 to extend to 2005 the alternative minimum tax relief available in 2003 and 2004 and to index such relief for inflation.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANTORUM (for himself and Mr. BAYH):

S. 2394. A bill to amend the Internal Revenue Code of 1986 to expand the expensing of environmental remediation costs; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 557

At the request of Ms. COLLINS, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 557, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 2174

At the request of Mr. BUNNING, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2174, a bill to amend title XIX of the Social Security Act to include podiatrists as physicians for purposes of covering physicians services under the medicare program.

S. 2302

At the request of Mr. CONRAD, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2302, a bill to improve access to physicians in medically underserved areas.

AMENDMENT NO. 3040

At the request of Mr. NICKLES, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of amendment No. 3040 intended to be proposed to S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.



STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mr. SANTORUM (for himself  
and Mr. BAYH):

S. 2394. A bill to amend the Internal Revenue Code of 1986 to expand the expensing of environmental remediation costs; to the Committee on Finance.

Mr. SANTORUM. Mr. President, I am pleased to introduce with my colleague from Indiana, Senator BAYH, important legislation to encourage the cleanup of contaminated sites commonly known as "brownfields." I urge all my colleagues to join Senator BAYH and me as supporters of this legislation and ask that they actively work with us toward its enactment.

The United States Environmental Protection Agency (EPA) defines brownfields as "abandoned, idled, or under-used industrial commercial sites where expansion or redevelopment is complicated by real or perceived environmental contamination that can add cost, time, or uncertainty to redevelopment projects."

Brownfields are not unique to my State of Pennsylvania, nor are they to Senator BAYH's State of Indiana. In every State in the Nation, there are areas blighted by run-down, abandoned properties and unsightly vacant lots. They are the shut down manufacturing facilities, deserted warehouses and gas stations that are all too familiar to us. On these properties once stood vibrant and productive enterprises, but changing times and events have drained their vitality. They are now in desperate need of revitalization and redevelopment. Compounding the problem is that over the years, the activities on these sites have left the soil and water tables contaminated with environmental pollutants.

The negative social and economic effects that these sites have on their surrounding communities are significant. There are serious financial impacts not only to the market values of the brownfield properties themselves, but also to property values in the surrounding neighborhoods. As middle class citizens are working to gain assets and potentially be able to borrow against, or even sell their homes in the future, property values become a very serious issue. A reduction of property values in brownfield neighborhoods hits hardest the families who can least afford it.

Brownfields have other serious repercussions, extending far beyond the pocketbook. The unsightliness of brownfields can lead to the characterization of entire neighborhoods as run-down and undesirable. The once vibrant spirit of these centrally located and thriving urban areas can be dampened as these eyesores drag down residents' morale and sense of connection with their community.

The U.S. Conference of Mayors and the Government Accounting Office estimate that there are over 400,000 brownfield sites across the country. According to a recent U.S. Conference

of Mayors survey of 187 cities throughout the nation, redevelopment of their existing brownfields would bring additional tax revenues of approximately \$2 billion annually and could create hundreds of thousands of jobs.

Many brownfields are located in prime business locations near critical infrastructure, including transportation, and close to an already productive workforce. Putting these sites back into use will generate good-paying jobs and affordable housing in areas where they are most needed. Rehabilitating and reusing these sites also serves to help prevent urban sprawl. We should encourage the cleanup and use of these brownfield sites rather than abandon them and instead always look to develop at new locations. A powerful example from my state of a successful brownfield revitalization effort and how it can have substantial and positive effects on a community is the City of Chester.

In the midst of a major revitalization, Chester is redeveloping its blighted and vacant waterfront district, including the former PECO power station. The City is striving to turn a former industrial site into a business center. Chester will be able to create new office space, and by working with a private developer Chester has received an initial commitment to move 2,000 jobs into the area. This initiative will help bring more business and infrastructure back to the community, adding to the area's prosperity and making Chester a safe and more pleasant place to live.

Unfortunately, a big reason that so many brownfield properties are languishing in a state of decay and disrepair is the substantial cleanup costs associated with them and the unfavorable tax treatment of those costs.

As part of the Community Renewal and Revitalization Act of 2000, Congress enacted Section 198 of the Internal Revenue Code, which allowed cleanup costs to be expensed in the year they were incurred. Prior to that, these costs had to be capitalized to the land, postponing any recovery of these costs for tax purposes until the property was sold.

This expedited write-off of cleanup expenses helps a redeveloper manage the cost of rehabilitating existing properties—which typically is much more expensive than developing new sites. Brownfield cleanup costs can be an imposing obstacle to redeveloping. While the price tag varies with each site, it is not unreasonable for the cleanup of a major site to run between \$500,000 and \$1 million.

We in the Senate, and our colleagues in the House, were wise to enact Section 198. It is the right policy. However, Section 198 expired at the end of 2003. Now, the law must be renewed retroactively. I am pleased that the pending FSC/ETI bill, S. 1637, at the behest of Chairman GRASSLEY and Senator BAUCUS, would renew Section 198 for two years. That is a start and the

Administration supports it. But more needs to be done in this area.

The bill my colleagues and I are introducing today has three provisions. First, it makes Section 198 a permanent provision in the Code. Second, it broadens the definition of "hazardous substances" in Section 198 to include petroleum. Finally, it repeals the provision in the law requiring the recapture of the Section 198 deduction when the property is sold.

The tax policy of allowing the expensing of cleanup costs should be a permanent fixture in the Tax Code. Brownfields are a long-term problem and this solution will allow us to continue addressing this important task.

Furthermore, a shortcoming of the law passed in 2000 was the absent of petroleum as a contaminant that allowed a site to qualify as a brownfield under section 198. A large percentage of brownfields across the country are contaminated with petroleum. Extending the law to cover petroleum contamination makes more sense and the law more effective.

Finally, the provision in Section 198 that requires a taxpayer who uses the cleanup deduction to pay income tax on that amount when he or she sells the property is illogical. This sends a message to developers that if they undertake the worthy endeavor of remediation of brownfield sites, they will be subjected to substantial tax penalties for doing so. This policy is counterproductive to the efforts we are trying to encourage and it should be repealed.

The benefits of brownfield cleanup are obvious. Remediation of these sites revitalizes our neighborhoods and communities, and I urge my colleagues to support this legislation.

AUTHORITY FOR COMMITTEES TO  
MEET

## COMMITTEE ON ARMED SERVICES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on May 7, 2004, at 11:45 a.m., in open session, to receive testimony on allegations of mistreatment of Iraqi prisoners.

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

CONCLUSION OF MORNING  
BUSINESS

Mr. FRIST. Mr. President, we will turn to business. I ask morning business be closed.

The PRESIDING OFFICER. Morning business is closed.

JUMPSTART OUR BUSINESS  
STRENGTH (JOBS) ACT—Resumed

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant journal clerk read as follows:

A bill (S. 1637) to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

Pending:

Cantwell/Voinovich amendment No. 3114, to extend the Temporary Extended Unemployment Compensation Act of 2002.

#### CLOTURE MOTION

Mr. FRIST. I now send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on Calendar No. 381, S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

Bill Frist, Charles E. Grassley, Jon Kyl, Jim Bunning, Lindsey Graham, Mike Enzi, Trent Lott, Mitch McConnell, Craig Thomas, Orrin G. Hatch, Gordon Smith, Rick Santorum, Robert F. Bennett, John Ensign, Olympia J. Snowe, Kay Bailey Hutchison, Don Nickles.

Mr. FRIST. I ask unanimous consent the live quorum under rule XXII be waived.

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

Mr. FRIST. Mr. President, I mentioned in my remarks last night the importance of finishing this bill. Members on both sides of the aisle understand the importance of this legislation, the importance of jobs in manufacturing in this country, and the importance of addressing this Euro tax that each month we don't act goes up by \$30 million, \$40 million, \$50 million—a tax on products we all use in this country.

I hoped we could have finished the bill this week. I set out both several weeks ago and at the beginning of last week with the objective of finishing this bill over this last week. We have spent, I should add, 12 days on this particular bill. The Democratic leader and assistant leader have stated they are willing to lock in a short list of amendments with short time agreements to complete this bill. I have heard them. We discussed this both on and off the Senate floor. Unfortunately a number of those amendments are controversial and are not germane to this legislation.

We have had a fair process on this bill. We have given Members ample opportunity to offer their relevant amendments and have them debated. We voted on a whole range of amendments thus far. Issues like the over-

time amendments, the trade assistance amendment, and others, to my mind, would have been better suited on other bills.

We do have an amendment pending on unemployment insurance which, again, is not germane to this particular bill; but, having said that, the UI, this unemployment insurance amendment, has been pending and, as both implied last night and in discussions off the Senate floor, it may be possible for us to reach an agreement to vote in relation to that amendment prior to cloture.

I say that because I just filed cloture, which doesn't rule out germane amendments. After cloture is obtained, if we obtain cloture, and I hope that we will, we will still have 30 hours to debate the germane amendments. I do hope we will invoke cloture. That cloture vote will occur on Tuesday so we can bring this bill to conclusion.

Again, I want to remind my colleague, if we invoke cloture, amendments are in order. There would still be up to 30 hours remaining on that bill.

The PRESIDING OFFICER. The Democratic whip.

Mr. REID. Mr. President, we discussed at some length our desires to have the few amendments that we have debated and voted on. It would take just a short period of time. There is no need to go into that again. We feel it would be appropriate to do that. This bill could have been completed yesterday had we spent yesterday on these amendments that we talked about.

Of course it goes without saying that I am very confident that cloture will not be invoked unless there is an opportunity to vote on the unemployment matter. Even if that is disposed of, there is no guarantee cloture will be invoked.

I have said on two separate occasions yesterday and I say today, with our managers on the bill here, how hard they have worked. Certainly, what has happened on this bill or has not happened does not reflect in any way adversely on the good work they have done. They have done an excellent job.

With all due respect to the distinguished majority leader—and I know the burdens of his office are significant—I really believe the Senate should be treated as the Senate, as we have done for all these many years. I think it would be much better if we work that way. We are not the House of Representatives. We do not have to have a rule from a rules committee to tell us what is going to happen on the floor.

We have had hundreds of amendments on bills we wind up finishing. We don't have hundreds of amendments here, even though we started out on our side with 75 and we have been able to dispose of some. We have a couple of amendments that will be relevant and debatable postcloture. We know that. Those are the Hollings amendment and the Landrieu amendment, and there may be some others we can work in

there. But I just think to avoid some contentious issues we are causing the Senate a lot of undue problems. As I said here last night, this legislation is going to pass; it is only a question of when. This is "must do" legislation. It has to pass before we leave here this year.

I, again, recognize the problems the majority leader has. All his problems are not on our side, I say with some degree of understanding. He has problems on his side. This bill is certainly an example of that.

So we will do whatever we have to do to meet the demands of our slight minority here. As you know, the Senate is almost equally divided. That is one reason everything we do here is made more difficult. It is 51–49 on every issue that comes up. We are all looking for a little advantage.

I think unemployment compensation, where we have more than a million people who would receive this money immediately, certainly makes our case strong.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I very much commend and thank my colleagues, the majority leader and assistant minority leader, in trying to work through this bill as we are approaching the endgame. We are about there. We are very close to being there.

I might recall, a few weeks ago many observers had written off this bill and said the bill was deadlocked—for example, over the overtime provision. But to paraphrase Mark Twain, his comment to the New York Journal years ago: The report of this bill's death was an exaggeration.

Instead, we are now back to doing what the Senate does best; that is, working through amendments, doing our work, doing our business, doing what we should do. We have considered 28 amendments. We have already adopted 17 amendments to this bill. I will not read them all, but they are very important amendments. We have been on the bill 13 separate days over the course of 4 separate weeks.

It has been the desire of this Senator to have the Senate consider as many relevant amendments as possible. Since we have already adopted 17, I think we are virtually there. Regrettably, we are at a point where several Senators are not agreeing to the setting aside of pending amendments so other Senators may offer amendments, which is making it a little difficult to move forward. But nevertheless, I believe that the resolution that has been worked out by the majority leader and the assistant minority leader and others of us who have been working on this, by having a vote on the pending Cantwell amendment on unemployment insurance, is a real key. It is very important to the successful conclusion of this bill. It is something we sought all along on our side, and I think it is also something that would be presumptively in the best interests of the majority side as well. Now that a cloture

motion has been filed, we still expect to proceed to additional amendments—there are not many—that will be germane: the Hollings amendment, the Levin amendment, the McCain amendment, also Senator LANDRIEU's amendment, and maybe one or two others. We will continue to seek agreement on the amendments and, therefore, we will be doing what the Senate should be doing—simply facing the issues and voting. That is when the Senate is at its best.

Let me also make it clear that this Senator believes it is entirely reasonable to bring this debate to a close. We have worked hard on the bill. We have done a great deal of work, much more than many expected. This is an important bill. It is important to creating jobs in America. It is important to ending the European tariffs that mount on American businesses, growing higher.

The coming cloture vote will be a true test on this bill, a test of whether we do address the jobs problem, whether we address the European tariffs. It is our duty to do so. Thus, when the roll is called, I will vote for cloture. I will also urge my colleagues to do so as well. If we do so, we may best hope to conclude action on this bill by next Tuesday or perhaps on Wednesday.

I thank my colleagues for their cooperation.

Mr. REID. While the distinguished manager of the bill is on the Senate floor, I direct a question to him through the Presiding Officer.

Hearing the statement of the Senator from Montana, I wonder, would the Senator vote to bring debate to a close if we do not have a vote on the unemployment compensation matter, the Cantwell amendment?

Mr. BAUCUS. I say to my good friend, it puts me in a very awkward position, frankly. I say awkward because it is a hypothetical which I hope does not occur. It is very important.

Mr. REID. I accept that answer.

Mr. BAUCUS. It is very important that the Cantwell amendment be brought up.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I appreciate the comments of both of my colleagues. Both reflect we want this bill completed. It is an important bill that will take bipartisan cooperation to finish.

I restate that we have spent 12 days on this bill. The purpose of the cloture motion is to allow us to continue to debate, to continue to amend, but to bring closure to a process that has gone on 12 days, that has included 20 individual amendments that have been adopted in the Senate, 11 of those amendments by voice vote and 9 disposed of by rollcall votes. Of the 20 amendments, 8 were Democrat amendments, 8 were Republican amendments, and 4 were from the Finance Committee, 1 of those being the substitute amendment. The new substitute, in itself, had 64 amendments that had

been requested by Members of the Senate.

We have voted on amendments that meant a lot to the Democrats, including Senator HARKIN's amendment on the Department of Labor overtime regulations and Senator WYDEN's amendment on the Trade Adjustment Assistance Program. We made huge progress. Now is the time to give definition to closure where we will still debate the germane amendments and have that debate and vote.

I want to give adequate time, but I plead to my colleagues on both sides of the aisle to understand we have the Individuals with Disabilities Education Act that I hoped we would do on Monday, an important bill that affects about 4 to 5 million Americans that we must get to, that we will bring to the Senate. We have unanimous consent to deal with it once we get it to the Senate, but I cannot get it to the Senate as long as we are debating amendments. All of the amendments have substance to them, but we need to take a bill and concentrate on the amendments that are germane to that bill, and then we move to the next bill.

I have the Individuals with Disability Education Act; I have bioshield. Right now bioterrorism is an existential threat which affects all of us. There is an important bill called bioshield that I need to bring to the Senate to address the safety and welfare of this Nation. We have the Department of Defense authorization that I have to go to in about 8 days. Again, we are trying to do the Nation's business. We are fighting a war right now that is affecting this Nation and the entire world. It is our responsibility to be able to address and give that adequate time in the Senate.

Again, this bill we are on, FSC/ETI, is as important as any, but we need to stay on it in a focused way. The managers have done a great job to date. We are giving further definition to it by hopefully invoking cloture.

We have seven ambassadors to bring to the Senate to be confirmed. We have 33 judges. Under the current system, we bring a judge, have a rollcall vote on each judge. I am having a difficult time getting judges to the Senate floor. Thirty-three judges are waiting to be confirmed by action of this body. I say that because—and I know my colleagues know this—we have a lot to do in a very short period of time. Thus, we have to use our time in the Senate as efficiently as possible and consider those amendments which are appropriate and germane to the bill under consideration.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. REID. Mr. President, I express something I know sounds like heresy: One thing we could do is work more days. I came here many years ago. The distinguished manager of the bill has worked in the House of Representatives, as I. I still use the House gym. I say to everyone, I own the gym. They

are never there. They are there Wednesday and Thursday morning. That is about it. And late Tuesday night. They left yesterday afternoon. They were out at 2. When we worked there, we worked Mondays, Fridays, all night.

I say to my friend, the distinguished majority leader, I know people are campaigning. When we were in the majority, we got tremendous pressure from Members wanting to leave and catch airplanes, but maybe we could try working a little bit longer around here and get judges confirmed and other things that need to be done. I know it is heretical asking for longer hours, but that is something we should consider.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I will move on to other topics, given the fact that some people think we work too many hours already. And I comment—because a lot of people are listening now—there are committee meetings going on right now, actually very important hearings and a markup of the defense bill that will go on until probably 7 o'clock tonight by Senators in our Nation's Capital. Although we are not right here, because we are going to try to close down in a few minutes, our colleagues are working, doing very important business in committee markup at hearings on Capitol Hill. They will go until probably early this evening.

I take the opportunity to comment on the economic news from this week. It is dramatic and encouraging. Although we wake up, turn on the television, read the paper, and we cannot help, by the time we get to the second page, being depressed about what is going on in the world, we have some great news that affects America, every American, every working American, every family member out there. The news is about jobs. It is nothing short of amazing what can be said about the economic statistics that have come out over the last 48 hours.

With today's report of 288,000 payroll jobs being created in the month of April, the economy has created over 1.1 million jobs over the last 8 months. The job gains were widespread, and the revised figures at the end of each month—you go back and revise the figures for the previous month—now show manufacturing jobs have grown for the last 3 months. That is the first time we have had a sustained 3-month growth in years.

Second, the past 2 months have been the strongest 2-month job gain in over 4 years. The number of persons unemployed dropped by 188,000 last month. That is still unacceptable, to have 8.1 million unemployed. But this is the lowest it has been since the winter of 2002. So it is progress. We are moving in the right direction.

Thirdly, construction spending was reported this week at the highest level in history—at the highest level in history.

Fourth, the service sector is growing at its fastest pace, not just in 1 year or 2 years or 3 years or 5 years, but the fastest pace in 7 years.

Finally, in terms of great news, the Congressional Budget Office estimated, yesterday, that revenues are running \$30 billion to \$40 billion higher than anticipated for the year. Of course, that goes right to the bottom line in terms of reducing the Federal deficit.

All this is good news, but we have so much more to do. So I say, it is good news, but we cannot rest until we make sure everybody who is looking for a job can get a job. It really ties into our previous discussion on the importance of bringing to closure passing this FSC/ETI JOBS legislation. But it has been a remarkable past 8 months.

Mr. REID. Will the Senator yield?

Mr. FRIST. I am happy to yield.

Mr. REID. Mr. President, I am not much for giving advice to the distinguished Senator from Tennessee, but here is some advice I would like to give you.

In the morning, when you get up, just as I do—I grab the newspaper, but I go immediately to the sports page. That way, there is good news. I feel pretty good then. And then I work my way to the front page. I would suggest you do that because there is always good news on the sports page.

Mr. FRIST. Mr. President, is that in the first section or the back section?

Mr. REID. I go right to the front page of section C. Usually all of it is the sports.

Mr. FRIST. I will take that counsel, and consider the previous counsel on working harder and later and more days, but I am not sure I will take that.

#### STAR PRINT—S. 2376

Mr. FRIST. Mr. President, I ask unanimous consent that S. 2376 be star printed with the changes that are at the desk.

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

#### MEASURES PLACED ON THE CALENDAR—H.R. 2771 AND H.R. 4227

Mr. FRIST. Mr. President, I understand there are two bills at the desk and due for a second reading. I ask unanimous consent that the clerk read the titles of the bills for a second time en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will read the titles of the bills for the second time.

The assistant journal clerk read as follows:

A bill (H.R. 2771) to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program.

A bill (H.R. 4227) to amend the Internal Revenue Code of 1986 to extend to 2005 the alternative minimum tax relief available in 2003 and 2004 and to index such relief for inflation.

Mr. FRIST. Mr. President, I object to further proceeding en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be placed on the calendar.

#### NORTHERN UGANDA CRISIS RESPONSE ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 488, S. 2264.

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

The assistant journal clerk read as follows:

A bill (S. 2264) to require a report on the conflict in Uganda, and for other purposes.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 2264) was read the third time and passed, as follows:

S. 2264

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Northern Uganda Crisis Response Act”.

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The United States and the Republic of Uganda enjoy a strong bilateral relationship and continue to work closely together in fighting the human immunodeficiency virus and acquired immune deficiency syndrome (“HIV/AIDS”) pandemic and combating international terrorism.

(2) For more than 17 years, the Government of Uganda has been engaged in a conflict with the Lord’s Resistance Army that has inflicted hardship and suffering on the people of northern and eastern Uganda.

(3) The members of the Lord’s Resistance Army have used brutal tactics during this conflict, including abducting and forcing individuals into sexual servitude, and forcing a large number of children, estimated to be between 16,000 and 26,000 children, in Uganda to serve in such Army’s military forces.

(4) The Secretary of State has designated the Lord’s Resistance Army as a terrorist organization and placed the Lord’s Resistance Army on the Terrorist Exclusion list pursuant to section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)).

(5) According to Human Rights Watch, since the mid-1990s the only known sponsor of the Lord’s Resistance Army has been the Government of Sudan, though such Government denies providing assistance to the Lord’s Resistance Army.

(6) More than 1,000,000 people have been displaced from their homes in Uganda as a result of the conflict.

(7) The conflict has resulted in a lack of security for the people of Uganda, and as a result of such lack, each night more than 18,000 children leave their homes and flee to the relative safety of town centers, creating a massive “night commuter” phenomenon that leaves already vulnerable children subject to exploitation and abuse.

(8) Individuals who have been displaced by the conflict in Uganda often suffer from acute malnutrition and the mortality rate for children in northern Uganda who have been displaced is very high.

(9) In the latter part of 2003, humanitarian and human rights organizations operating in northern Uganda reported an increase in violence directed at their efforts and at civilians, including a sharp increase in child abductions.

(10) The Government of Uganda’s military efforts to resolve this conflict, including the arming and training of local militia forces, have not ensured the security of civilian populations in the region to date.

(11) The continued instability and lack of security in Uganda has severely hindered the ability of any organization or governmental entity to deliver regular humanitarian assistance and services to individuals who have been displaced or otherwise negatively affected by the conflict.

#### SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that the Government of the United States should—

(1) work vigorously to support ongoing efforts to explore the prospects for a peaceful resolution of the conflict in northern and eastern Uganda;

(2) work with the Government of Uganda and the international community to make available sufficient resources to meet the immediate relief and development needs of the towns and cities in Uganda that are supporting large numbers of people who have been displaced by the conflict;

(3) urge the Government of Uganda and the international community to assume greater responsibility for the protection of civilians and economic development in regions in Uganda affected by the conflict, and to place a high priority on providing security, economic development, and humanitarian assistance to the people of Uganda;

(4) work with the international community, the Government of Uganda, and civil society in northern and eastern Uganda to develop a plan whereby those now displaced may return to their homes or to other locations where they may become economically productive;

(5) urge the leaders and members of the Lord’s Resistance Army to stop the abduction of children, and urge all armed forces in Uganda to stop the use of child soldiers, and seek the release of all individuals who have been abducted;

(6) make available increased resources for assistance to individuals who were abducted during the conflict, child soldiers, and other children affected by the conflict;

(7) work with the Government of Uganda, other countries, and international organizations to ensure that sufficient resources and technical support are devoted to the demobilization and reintegration of rebel combatants and abductees forced by their captors to serve in non-combatant support roles;

(8) cooperate with the international community to support civil society organizations and leaders in Uganda, including Acholi religious leaders, who are working toward a just and lasting resolution to the conflict;

(9) urge the Government of Uganda to improve the professionalism of Ugandan military personnel currently stationed in northern and eastern Uganda, with an emphasis on respect for human rights, accountability for abuses, and effective civilian protection;

(10) work with the international community to assist institutions of civil society in Uganda to increase the capacity of such institutions to monitor the human rights situation in northern Uganda and to raise awareness of abuses of human rights that occur in that area;

(11) urge the Government of Uganda to permit international human rights monitors to establish a presence in northern and eastern Uganda;

(12) monitor the creation of civilian militia forces in northern and eastern Uganda and publicize any concerns regarding the recruitment of children into such forces or the potential that the establishment of such forces will invite increased targeting of civilians in the conflict or exacerbate ethnic tension and violence; and

(13) make clear that the relationship between the Government of Sudan and the Government of the United States cannot improve unless no credible evidence indicates that authorities of the Government of Sudan are complicit in efforts to provide weapons or other support to the Lord's Resistance Army.

#### SEC. 4. REPORT.

(a) REQUIREMENTS.—Not later than 6 months after the date of enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees on the conflict in Uganda.

(b) CONTENT.—The report required by subsection (a) shall include a description of the following:

(1) The individuals or entities that are providing financial and material support for the Lord's Resistance Army, including a description of any such support provided by the Government of Sudan or by senior officials of such Government.

(2) The activities of the Lord's Resistance Army that create obstacles that prohibit the provision of humanitarian assistance or the protection of the civilian population in Uganda.

(3) The practices employed by the Ugandan People's Defense Forces in northern and eastern Uganda to ensure that children and civilians are protected, that civilian complaints are addressed, and that any member of the armed forces that abuses a civilian is held accountable for such abuse.

(4) The actions carried out by the Government of the United States, the Government of Uganda, or the international community to protect civilians, especially women and children, who have been displaced by the conflict in Uganda, including women and children that leave their homes and flee to cities and towns at night in search of security from sexual exploitation and gender-based violence.

(c) FORM OF REPORT.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

#### CELEBRATING 10 YEARS OF MAJORITY RULE IN THE REPUBLIC OF SOUTH AFRICA

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 489, S. Con. Res. 100.

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

The assistant journal clerk read as follows:

A concurrent resolution (S. Con. Res. 100) celebrating 10 years of majority rule in the

Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the concurrent resolution and preamble be agreed to en bloc, the motions to reconsider be laid upon the table en bloc, and that any statements relating thereto be printed in the RECORD, with no intervening action.

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

The concurrent resolution (S. Con. Res. 100) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. CON. RES. 100

Whereas the Republic of South Africa peacefully and successfully held democratic elections and transitioned to a democratic, nonracial form of government in 1994;

Whereas South Africa helped initiate and frame the New Partnership for Africa's Development and continues to head this partnership for development and responsible leadership in Africa;

Whereas South Africa actively supports the South African Development Community, which promotes regional economic cooperation and higher standards of living in Southern Africa;

Whereas South Africa has made significant advances in housing by constructing 1,600,000 houses for the poor of South Africa;

Whereas, since 1994, 9,000,000 people in South Africa have gained access to clean water;

Whereas, before 1994, 22,000,000 people in South Africa did not have access to adequate sanitation, but 63 percent of households in South Africa now have access to adequate sanitation;

Whereas, before 1994, 60 percent of people in South Africa did not have electricity, but more than 70 percent of households in South Africa now have electricity;

Whereas, from 1994 to 2004, secondary school enrollment in South Africa increased from 70 percent to 85 percent, and students in South Africa now learn in a racially integrated school system;

Whereas the Government of South Africa has established nutritional and educational programs to benefit the youngest and poorest people in South Africa;

Whereas South Africa is experiencing the longest period of consistent positive growth, as measured by its gross domestic product (GDP), since growth in GDP was properly recorded in the 1940s;

Whereas F.W. de Klerk and Nelson Mandela share a Nobel Peace Prize for their work in ending apartheid in South Africa and establishing a representative government;

Whereas Desmond Tutu led the Truth and Reconciliation Commission to repair injustices among South Africans and improve race relations in the country, and was awarded a Nobel Peace Prize for his efforts;

Whereas South Africa has contributed troops to peacekeeping efforts in Burundi, Liberia, the Democratic Republic of the Congo, Ethiopia, and Eritrea;

Whereas South Africa President Thabo Mbeki has forged a relationship with President George W. Bush, making three state visits to the United States and hosting President Bush during his visit to Pretoria, South Africa;

Whereas South Africa has served as an inspiration for other African nations striving for democracy and the peaceful cooperation of many ethnic groups;

Whereas, after being isolated for many years because of the odious system of apartheid, South Africa has since 1994 become a premier location for large international conferences, a leading tourist destination, and the locale for numerous films; and

Whereas, in 1993, the Government of South Africa voluntarily halted its biological, chemical, and nuclear weapons programs and, in 1994, hosted the first conference in Africa on the implementation of the Convention on the Prohibition on the Development, Production, Stockpiling, and Use of Chemical Weapons and On Their Destruction, with annexes, done at Paris January 13, 1993, and entered into force April 29, 1997: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) applauds the Republic of South Africa for the remarkable transition to a democratic government and the tremendous progress achieved during 10 years of majority rule;

(2) looks forward to a continued partnership with South Africa focused on a sustained commitment to the health of South Africans; and

(3) anticipates continued social development and economic growth in South Africa.

#### OBSERVING THE TENTH ANNIVERSARY OF THE RWANDAN GENOCIDE OF 1994

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 490, S. Res. 332.

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

The assistant journal clerk read as follows:

A resolution (S. Res. 332) observing the tenth anniversary of the Rwandan Genocide of 1994.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motions to reconsider be laid upon the table en bloc, and that any statements relating thereto be printed in the RECORD, with no intervening action.

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

The resolution (S. Res. 332) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 332

Whereas 10 years ago, during a 3-month period in 1994, 800,000 Rwandans were killed in an organized campaign of genocide that targeted ethnic Tutsis and political moderates;

Whereas the United Nations Assistance Mission for Rwanda was dramatically scaled back as the genocide occurred;

Whereas by mid-July 1994, 2,000,000 Rwandans became refugees and another 1,000,000 were internally displaced due to the genocide and civil war;

Whereas in 1994, the United Nations Security Council established the International Criminal Tribunal for Rwanda to hold accountable those responsible for the atrocities;

Whereas in March 1998, President William Jefferson Clinton acknowledged that “we in the United States and the world community did not do as much as we could have and should have done to try to limit what occurred in Rwanda in 1994”;

Whereas in 1999, the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda found that “the failure by the United Nations to prevent, and subsequently, to stop the genocide in Rwanda was a failure by the United Nations system as a whole”;

Whereas the Rwandan genocide and its aftermath played a significant part in the destabilization of the entire Great Lakes region over the last decade; and

Whereas today, the vast majority of Rwandan refugees have returned to their country, and the Government of Rwanda is working to address the backlog of genocide-related cases awaiting trial through the formal justice sector and through community-based gacaca courts: Now, therefore, be it

*Resolved*, That the Senate—

(1) solemnly observes the tenth anniversary of the Rwandan genocide of 1994;

(2) recognizes and is saddened by the failure of the international community, including the United States, to prevent the genocide;

(3) reaffirms its commitment to the Convention on the Prevention and Punishment of the Crime of Genocide, done at Paris on December 9, 1948;

(4) supports ongoing efforts to educate the people of the United States and of the world about the Rwandan genocide;

(5) commits to continuing efforts to strengthen institutions working to bring to justice those responsible for the genocide; and

(6) urges the President and the international community to seize on the occasion of this anniversary to focus attention on the future of Rwanda, and to support the people of Rwanda so that they may—

(A) be free from the fear of ethnic violence, mob violence, or state-sponsored violence;

(B) enjoy full civil and political rights and feel free to voice legitimate disagreements honestly and publicly without fear of violence or intimidation;

(C) have confidence in the independence of the judiciary and the rule of law in Rwanda; and

(D) experience sustained economic growth and development that improves the standard of living in Rwanda.

#### GLOBAL ANTI-SEMITISM REVIEW ACT OF 2004

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 493, S. 2292.

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

The assistant journal clerk read as follows:

A bill (S. 2292) to require a report on acts of anti-Semitism around the world.

There being no objection the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments, as follows:

[Strike the parts shown in black brackets and insert the parts shown in italic.]

S. 2292

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Global Anti-Semitism Review Act of 2004”.

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Acts of anti-Semitism in countries throughout the world, including some of the world’s strongest democracies, have increased significantly in frequency and scope over the last several years.

(2) During the first 3 months of 2004, there were numerous instances of anti-Semitic violence around the world, including the following incidents:

(A) In Australia on January 5, 2004, poison was used to ignite, and burn anti-Semitic slogans into, the lawns of the Parliament House in the state of Tasmania.

(B) In St. Petersburg, Russia, on February 15, 2004, vandals desecrated approximately 50 gravestones in a Jewish cemetery, painting the stones with swastikas and anti-Semitic graffiti.

(C) In Toronto, Canada, over the weekend of March 19 through March 21, 2004, vandals attacked a Jewish school, a Jewish cemetery, and area synagogues, painting swastikas and anti-Semitic slogans on the walls of a synagogue and on residential property in a nearby, predominantly Jewish, neighborhood.

(D) In Toulon, France, on March 23, 2004, a Jewish synagogue and community center were set on fire.

(3) Anti-Semitism in old and new forms is also increasingly emanating from the Arab and Muslim world on a sustained basis, including through books published by government-owned publishing houses in Egypt and other Arab countries.

(4) In November 2002, state-run television in Egypt broadcast the anti-Semitic series entitled “Horseman Without a Horse,” which is based upon the fictitious [conspiracy theory know as the Protocols of the Elders of Zion] “*Protocols of the Learned Elders of Zion*”. The Protocols have been used throughout the last century by despots such as Adolf Hitler to justify violence against Jews.

(5) In November 2003, Arab television featured an anti-Semitic series, entitled “Ash-Shatat” (or “The Diaspora”), which depicts Jewish people hatching a plot for Jewish control of the world.

(6) The sharp rise in anti-Semitic violence has caused international organizations such as the Organization for Security and Cooperation in Europe (OSCE) to elevate, and bring renewed focus to, the issue, including the convening by the OSCE in June 2003 of a conference in Vienna dedicated solely to the issue of anti-Semitism.

(7) The OSCE will again convene a conference dedicated to addressing the problem of anti-Semitism on April 28–29, 2004, in Berlin, with the United States delegation to be led by former Mayor of New York City Ed Koch.

(8) The United States Government has strongly supported efforts to address anti-Semitism through bilateral relationships and interaction with international organizations such as the OSCE, the European Union, and the United Nations.

(9) Congress has consistently supported efforts to address the rise in anti-Semitic violence. During the 107th Congress, both the Senate and the House of Representatives passed resolutions expressing strong concern with the sharp escalation of anti-Semitic violence in Europe and calling on the Department of State to thoroughly document the phenomenon.

#### SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States Government should continue to strongly support efforts to com-

bat anti-Semitism worldwide through bilateral relationships and interaction with international organizations such as the OSCE; and

(2) the Department of State should thoroughly document acts of anti-Semitism that occur around the world.

#### SEC. 4. [REPORT] REPORTS.

[Not later than 180 days after the date of enactment of this Act, and annually thereafter] (a) *ONE-TIME REPORT*.—Not later than November 15, 2004, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report on acts of anti-Semitism around the world, including a description of—

(1) acts of physical violence against, or harassment of, Jewish people, and acts of violence against, or vandalism of, Jewish community institutions, such as schools, synagogues, or cemeteries, that occurred in each country;

(2) the responses of the governments of those countries to such actions;

(3) the actions taken by such governments to enact and enforce laws relating to the protection of the right to religious freedom of Jewish people; and

(4) the efforts by such governments to promote anti-bias and tolerance education.

(b) *INFORMATION REQUIRED IN ANNUAL DEPARTMENT OF STATE REPORTS*.—The Secretary of State shall include the information required under subsection (a) in the annual reports of the Department of State known as the *Annual Report on International Religious Freedom* and the *Annual Human Rights Report*.

Mr. FRIST. Mr. President, I ask unanimous consent that the committee amendments be agreed to, the bill, as amended, be read the third time and passed, the motions to reconsider be laid upon the table en bloc, and that any statements relating to the bill be printed in the RECORD.

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

The committee amendments were agreed to.

The bill (S. 2292), as amended, was read the third time and passed, as follows:

S. 2292

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Global Anti-Semitism Review Act of 2004”.

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Acts of anti-Semitism in countries throughout the world, including some of the world’s strongest democracies, have increased significantly in frequency and scope over the last several years.

(2) During the first 3 months of 2004, there were numerous instances of anti-Semitic violence around the world, including the following incidents:

(A) In Australia on January 5, 2004, poison was used to ignite, and burn anti-Semitic slogans into, the lawns of the Parliament House in the state of Tasmania.

(B) In St. Petersburg, Russia, on February 15, 2004, vandals desecrated approximately 50 gravestones in a Jewish cemetery, painting the stones with swastikas and anti-Semitic graffiti.

(C) In Toronto, Canada, over the weekend of March 19 through March 21, 2004, vandals attacked a Jewish school, a Jewish cemetery, and area synagogues, painting swastikas and anti-Semitic slogans on the walls



of a synagogue and on residential property in a nearby, predominantly Jewish, neighborhood.

(D) In Toulon, France, on March 23, 2004, a Jewish synagogue and community center were set on fire.

(3) Anti-Semitism in old and new forms is also increasingly emanating from the Arab and Muslim world on a sustained basis, including through books published by government-owned publishing houses in Egypt and other Arab countries.

(4) In November 2002, state-run television in Egypt broadcast the anti-Semitic series entitled "Horseman Without a Horse," which is based upon the fictitious "Protocols of the Learned Elders of Zion". The Protocols have been used throughout the last century by despots such as Adolf Hitler to justify violence against Jews.

(5) In November 2003, Arab television featured an anti-Semitic series, entitled "Ash-Shatat" (or "The Diaspora"), which depicts Jewish people hatching a plot for Jewish control of the world.

(6) The sharp rise in anti-Semitic violence has caused international organizations such as the Organization for Security and Cooperation in Europe (OSCE) to elevate, and bring renewed focus to, the issue, including the convening by the OSCE in June 2003 of a conference in Vienna dedicated solely to the issue of anti-Semitism.

(7) The OSCE will again convene a conference dedicated to addressing the problem of anti-Semitism on April 28-29, 2004, in Berlin, with the United States delegation to be led by former Mayor of New York City Ed Koch.

(8) The United States Government has strongly supported efforts to address anti-Semitism through bilateral relationships and interaction with international organizations such as the OSCE, the European Union, and the United Nations.

(9) Congress has consistently supported efforts to address the rise in anti-Semitic violence. During the 107th Congress, both the Senate and the House of Representatives passed resolutions expressing strong concern with the sharp escalation of anti-Semitic violence in Europe and calling on the Department of State to thoroughly document the phenomenon.

### SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States Government should continue to strongly support efforts to combat anti-Semitism worldwide through bilateral relationships and interaction with international organizations such as the OSCE; and

(2) the Department of State should thoroughly document acts of anti-Semitism that occur around the world.

### SEC. 4. REPORTS.

(a) ONE-TIME REPORT.—Not later than November 15, 2004, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report on acts of anti-Semitism around the world, including a description of—

(1) acts of physical violence against, or harassment of, Jewish people, and acts of violence against, or vandalism of, Jewish community institutions, such as schools, synagogues, or cemeteries, that occurred in each country;

(2) the responses of the governments of those countries to such actions;

(3) the actions taken by such governments to enact and enforce laws relating to the protection of the right to religious freedom of Jewish people; and

(4) the efforts by such governments to promote anti-bias and tolerance education.

(b) INFORMATION REQUIRED IN ANNUAL DEPARTMENT OF STATE REPORTS.—The Secretary of State shall include the information required under subsection (a) in the annual reports of the Department of State known as the Annual Report on International Religious Freedom and the Annual Human Rights Report.

the proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, the Senate then begin a period of morning business, with Senators to speak therein for up to 10 minutes each.

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

### PROGRAM

Mr. FRIST. Mr. President, on Monday, the Senate will be in morning business. It is possible that the Senate will resume consideration of the FSC/ETI JOBS bill Monday afternoon to consider amendments relevant to the bill. Moments ago, I filed a cloture motion to the bill which provided for a vote on Tuesday. I believe the managers will be prepared to dispose of the relevant amendments prior to that cloture vote, and we will continue to discuss that option on Monday.

Also, on Monday, we expect that the Senate will vote or will act on the Iraqi prisoner resolution. It is important for the Senate to speak out in a formal way. Most colleagues have spoken out individually on this issue in a bipartisan, single voice. Therefore, I would like to put Senators on notice that we can expect a rollcall vote at approximately 5:30 p.m. on Monday.

### ADJOURNMENT UNTIL MONDAY, MAY 10, 2004, AT 2 P.M.

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 12:16 p.m., adjourned until Monday, May 10, 2004, at 2 p.m.

### ORDERS FOR MONDAY, MAY 10, 2004

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, May 10. I further ask that following the prayer and the pledge, the morning hour be deemed to have expired, the Journal of