

Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in Humboldt, Nebraska. Brandon Teena, 21, was brutally raped, beaten, and killed by two "friends." Teena, who had been living as a man, befriended John Lotter and Tom Nissen when she moved to Humboldt. After a local newspaper revealed Teena's true identity as anatomically female, Lotter and Nissen became enraged. On Christmas Day 1993, the pair beat and raped Teena. A week later the men stabbed and shot Teena to death.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

MIKE JENDRZEJCZYK: A LEGEND IN HUMAN RIGHTS

Mr. KENNEDY. Mr. President, all of us who knew him and admired him and worked with him were deeply saddened earlier this month by the sudden and untimely death of Mike Jendrzeczyk, and we extend our deepest condolences to his wife Janet and their family during this difficult time. Mike was one of a kind, and his ability and dedication, his tireless energy, his wonderful personality, and his many achievements for human rights will always be remembered.

I met Mike soon after he came to Washington more than a decade ago to work on human rights issues in Asia for the Washington, D.C. office of Human Rights Watch. Mike's work benefitted all of us who care about promoting respect for human rights. We quickly learned that his last Name was easy to pronounce even if we could never spell it. During the debates on most-favored nation trade status for China, he was a constant adviser to Senators and staff alike on the human rights aspects of the issue. He also helped draft legislation on a code of conduct for U.S. companies operating in China, and his proposals set the standard for many human rights codes developed by those firms.

I last saw Mike earlier this year as he escorted Xu Wenli, one of the many Chinese dissidents he assisted, on a round of visits to meet with members of Congress. He greeted me with his trademark good welcome and the unforgettable spirit and drive he brought to all his work. He was loved by everyone and his death is a great loss for all of us, and for the cause of human rights he served so brilliantly.

I ask unanimously consent that a series of articles on Mike be printed in the RECORD.

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

[From the New York Times, May 4, 2003]

MICHAEL JENDRZEJCZYK, 53, ADVOCATE FOR ASIANS, DIES

(By Elizabeth Becker)

Michael Jendrzeczyk, a human rights expert whose advocacy on behalf of victims in Asian nations made him an unlikely power broker in Washington, died on Thursday. He was 53 and lived in Tacoma Park, Md.

He died after collapsing during a walk near his office in Washington, has wife, Janet, said.

During more than a dozen years at the Washington office of Human Rights Watch, Mr. Jendrzeczyk (pronounced jen-DREE-zick) established himself as the Capitol's leading expert on Asian human rights, routinely testifying before Congress, writing opinion articles for newspapers and promoting his causes.

He made his name after the 1989 Chinese military action in Tiananmen Square by encouraging the United States to demand that the victims be protected or, at least, accounted for.

He later became prominent in Asian human rights issues like the protection of refugees from North Korea, ending financial assistance to the military government in Burma, connecting human rights to free trade and defending the religious freedom of Tibetans in China and Montagnards in Vietnam.

What set him apart from advocates was his mastery of details of subject as well as his networks of contacts with officials, academics and dissidents he helped protect.

The House Democratic leader, NANCY PELOSI of California, said it would be "difficult to count" the contributions Mr. Jendrzeczyk made in his promotion of human rights.

"We can point to famous dissidents who have been released from prison because of Mike, but there are tens of thousands of ordinary people, whose names we'll never know, whose lives were improved by his work," she said.

Mr. Jendrzeczyk, who was born and reared in New Britain, Conn., was a graduate of the University of Hartford. He joined the Army reserve during the Vietnam War but was discharged as a conscientious objector.

He taught at a preschool while protesting the Vietnam War and working in the civil rights movement. He became a peace advocate for the Fellowship of Reconciliation in Nyack, N.Y., and for Amnesty International in New York and London.

In addition to his wife, he is survived by his sister, Lynn Ashmore of Willimantic, Conn.

He joked about the difficulty of pronouncing his surname, telling others not to waste their time learning to say it or spell it, but just to call him Mike J. His easy manner was partly responsible for his wide reach.

Establishing himself in the relatively new field of human rights advocacy in Washington, Mr. Jendrzeczyk broke ground as a lobbyist for a cause without any obvious base of support. Susan Osnos, former associate director of Human Rights Watch, said he used information to promote his ideas.

"Over the years he evolved into someone who worked well in Washington, creating two-way streets that are the bread and butter of getting things done, especially when you are advocating things that people aren't naturally interested in," she said.

His constituents were the Asian dissidents who might have remained faceless without Mr. Jendrzeczyk's interventions. Tibetans,

Burmese, Chinese, Indonesians and other dissidents came to rely on him as their most reliable voice in Washington. When the Chinese dissident Liu Qing was released after 11 years in prison, Mr. Jendrzeczyk took him around Washington to explain to policy makers the human consequences of their votes. Today Mr. Liu works for the New York-based Human Rights in China.

During the final years of the Clinton administration, Mr. Jendrzeczyk took many dissidents to meet Harold Hongju Koh, a Yale law professor who was then an assistant secretary of state for human rights. Mr. Koh said while Mr. Jendrzeczyk pressed for countless changes in foreign policy to reflect human rights concerns he was never irritated by his demands.

"You start out in a professional relationship with him and end up considering him a dear friend," Mr. Koh said. "He was one of those happy warriors who never let you forget that you are holding a job not for personal gain but for the betterment of American policy."

[From the Washington Post, May 4, 2003]

A QUIET CHAMPION

In the culture of federal Washington, no doubt as in all cultures, there is a class of people who accomplish much by seeking little credit. These people bring information to reporters, suggest legislative language to Senate staffers, introduce experts from different fields to promote collaborations. Some do this work for profit, others for principle. One of the latter was Mike Jendrzeczyk, who died unexpectedly Thursday at age 53. He was far more influential than famous, and his death is a setback to the cause of freedom in Asia.

For Mr. Jendrzeczyk was in that subset of Washington achievers known as human rights advocates: Specifically, he was the Washington director of the Asia division of the nonprofit organization Human Rights Watch. He was not the sort of human rights champion who sneaks into totalitarian countries and emerges with damning videotape, nor did he devote much time to rhetoric or arcane points of international law and doctrine. Mr. Jendrzeczyk believed in getting things done. His ambitions were lofty, but they never stood in the way of accomplishment. He would rather see two dissidents freed from Chinese prisons than one, but he would take one over zero—and over the years, the number of political prisoners who owed their liberty in large part to his persistence grew to a formidable total. He would have liked to have seen democracy in China and Burma and Vietnam yesterday if not sooner, but he worked hard for intermediate steps: a loosening of political control, an improvement of conditions for workers, a visit by a United Nations human rights commissioner.

Those who knew Mike were always amazed at his perpetual cheerfulness even as he sought to bring attention to the worst horrors of human cruelty, to the sufferings of North Korean refugees and Burmese child laborers. He understood that human rights would always compete with commerce and security and other national interests in the formulation of foreign policy; he just wanted the voices of the oppressed not to be drowned out altogether. He was influential in part because his passion never diminished his honesty; if you asked for the best argument on the other side, he would deliver it, probably more eloquently than its true champions could. He influenced us, and will continue to do so.

HUMAN RIGHTS WATCH MOURNS DEATH OF ASIA ADVOCATE MIKE JENDRZEJCZYK
NEW YORK, May 2, 2003.—Human Rights Watch is deeply saddened to announce the

death of our beloved colleague Mike Jendrzeczyk. Mike was the Washington Director for the Asia division. He died of natural causes in Washington, D.C. on May 1. He was 53.

Mike has left a void that simply cannot be filled—not only as a powerful advocate for human rights, but also as a colleague and friend whose infectious energy, and passion for social justice inspired us all.

In his 13 years with Human Rights Watch, Mike was the leading advocate in the United States on human rights in Asia. His depth and breadth of knowledge was astounding. He was widely respected for his expertise on China, Japan's emerging global role, the World Bank and human rights, trade policy and worker rights, and US foreign policy in Asia. He was particularly engaged in seeking accountability for the 1989 Chinese military crackdown in Tiananmen Square, getting assistance to North Korean refugees, denying funding to abusive security forces across Asia, including Burma and Indonesia, and in defending religious freedom for minorities from Tibetans in China to Montagnards in Vietnam. In the past several years, Mike was also increasingly engaged in South Asian affairs, from the humanitarian consequences of the war in Afghanistan, to the human rights consequences of the military coup in Pakistan and the rise of religious intolerance in India.

Mike, who grew up in Connecticut, was the grandson of Polish immigrants, and an avid Bruce Springsteen fan. With his white short sleeve dress shirts, yellow ties, and contagious laugh, he used far more than his fair share of exclamation points!! Colleagues joked that if you could harness Mike's energy, it would power a small city. There's no one in D.C. who didn't know him, and no one in military fatigues in Asia who didn't have reason to fear him. He was late for every meeting, but only because he was saving the world on the other line. No email went unanswered, no phone call went unreturned, and no opportunity to make a difference was ever passed up. He has changed and saved the lives of so many.

For those who didn't know Mike, a comment from Human Rights Watch's former Asia Director Sidney Jones sums up the difference he made in so many people's lives:

"Mike has become an institution in DC. I have people I barely know who, once they know I'm from Human Rights Watch, begin to tell me how Mike is a national treasure; how effective he is, and how knowledgeable and well plugged-in. NGO colleagues from India to Indonesia know that by going through Mike, they can get access to more and higher-level officials than they can by going through anyone else.

Mike's ability to trade information is by now legendary. If he's gone into the stock market, he could have made a killing. He gets a piece of human rights news or gossip, floats it, and watches it circulate as everybody in a position to check it chases it down, and then waits until they call him back with the facts, grateful for the heads up he's given them."

Mike first became involved in the human rights movement as a Vietnam war protester in the 1970s and an anti-nuclear demonstrator in the 1980s. He began working at Amnesty International USA in the mid-1980's, then went on to work on the staff of the Amnesty International Secretariat in London in 1988. In 1990, he became Washington Director for the Asia division of Human Rights Watch. Once a pre-school teacher, he continued to teach us all.

Though most of us are unable still to correctly spell his last name, we simply could not have gotten through each day without him. It is hard to imagine how we will.

Our sincerest condolences go to Mike's wife, Janet.

Mr. MCCAIN. Mr. President, Mike Jendrzeczyk was an unusually decent man whose commitment to human freedom left an indelible imprint on all of us who knew him, and laid the foundation for a legacy of lasting importance to the cause of human rights in Asia and the world.

Everybody who works on Asia in Washington knew Mike, and many of us came to rely on his singular knowledge of human rights conditions across Asia, as well as his operational ability to get things done by astutely working with and through the myriad components of our government. Time and again, I found Mike to be a unique authority on the human rights agenda in Asia, and an extremely skilled advocate who was able to cajole, charm, shame, and ultimately convince his listener that a particular human rights initiative was not only a moral imperative, but would best serve the national interest. Mike's pragmatism never detracted from his high principles; on the contrary, the combination of pragmatism and principle was what led people in Government to reach out to Mike, time and again, for advice on how to advance the human rights agenda, given his unique talent for producing deliverables, in terms of policy and legislation, that advanced human freedom.

Mike was a man of unimpeachable integrity. You could trust his word and his judgment, a particularly admirable quality in Washington. He could speak to so many audiences so well: whether to Burmese dissidents, Tibetan exiles, Cambodian reformers, Chinese activists, Republicans, or Democrats, Mike had a way of engaging his listener without abandoning his trademark straight talk about practical solutions to the grave challenges that confront those who fight oppression every day. Mike had a friendly way of co-opting many of his allies, making them want to pursue the goals he had laid out, with the means he had proposed, in order to earn his respect and, as importantly, the respect associated with those causes that met with his approval.

Mike was in the process of helping my staff draft a bill related to human rights in Vietnam when we lost him. Just as he accomplished so much, Mike left behind so much more to do. I'd like to think Mike will remain a voice of conscience to each of us who had the privilege of working with him, and who found his work inspiring. Perhaps each of us will try a little harder to fill the space Mike left behind in his quest to advance the cause of basic human dignity, and hope.

There was no one like Mike. But if Mike's memory doesn't fade; if we still rhetorically fumble his amazing last name in recollecting his full life; if we each absorb a small bit of the energy that drove him; and if we are true to the principles he held so deeply, re-

mind us of our own obligation to uphold them as well, he will stay with us, and freedom's light will shine a little more brightly for it.

Mr. LEAHY. Mr. President, on May 1, 2003, the world lost one of those rare people who die long before their time but who touch the lives of more people than most of us do in a lifetime far longer.

I did not know Mike Jendrzeczyk well, although I had met him. I did know of his work, and my staff worked closely with him for over a decade. Shortly after Mike's sudden death, the New York Times and the Washington Post printed obituaries which described at length Mike's extraordinary career. I will not repeat what was written there, other than to say that they were remarkable for a person so young. They portrayed very movingly the extent and impact of Mike's work in the field of human rights.

It was because of Mike Jendrzeczyk and his colleague Sidney Jones at Human Rights Watch that I first became concerned about human rights violations in East Timor and Indonesia. In 1991, it was Mike's encouragement and advice that enabled me to sponsor the amendment which prohibited Indonesian military officers from participating in the International Military Education and Training program, after they slaughtered an estimated 200 peaceful demonstrators in a cemetery in Dili, East Timor. It was also Mike who helped me with a similar amendment after the Indonesian military orchestrated the mayhem in East Timor following the independence referendum there in 1999. Those were difficult issues, and the amendments were controversial. Without Mike's guidance, they would not have become law.

Today, as the Indonesian military launches a major attack against rebels in Aceh, the potential for widespread human rights violations is of great concern. Mike's absence will make it far harder for us to monitor what is happening there, and people in Aceh and throughout Asia will suffer because he is no longer here to stand up for them.

Mike was also a regular source of information and advice on Burma, Cambodia, and China, and many of the initiatives we have undertaken in those countries were a result of his input. I can remember an appearance of Mike's on ABC's Nightline when he spoke passionately about human rights in China.

Mike was so effective because of his ability to balance his deeply held beliefs about human rights with his understanding of the political realities we deal with every day here. He was a close observer of events in Southeast Asia. He saw opportunities for the U.S. Government to act to support the development of civil society and to protect human rights, the rule of law, and individuals who were persecuted for their political beliefs, and his recommendations to us of what action to take reflected his best judgment of what was possible.

Anyone who knew Mike, as my staff did over the course of so many years, saw that he was motivated out of a deep commitment to the rights and freedoms that the United States stands for. He believed, as I do, that those rights and freedoms are universal, and that Asians, like people in so many countries, yearn deeply for the right to express themselves and to associate freely, without fear of persecution. Throughout his career, Mike was a source of hope and support to thousands of people who he never met.

His goal was for Asian people to have the chance to enjoy those same rights and freedoms, and for the United States to live up to its own ideals, and he worked tirelessly to achieve those goals. They are goals I share, as do many others here. They are goals that I will continue to work towards in Mike Jendrzeczyk's memory.

Mrs. FEINSTEIN. Mr. President, I rise today to remember and pay tribute to Mike Jendrzeczyk, a tireless and dedicated champion of human rights who passed away earlier this month. A gaping hole has been left with his passing, but his life and commitment to fundamental values we all cherish will continue to inspire and motivate us all.

As the Washington director for the Asia Division of Human Rights Watch for 13 years, Mike became an institution in this city and a leader in his field. Few human rights issues in Asia escaped his attention and few of his colleagues could surpass his knowledge and level of expertise.

As Human Rights Watch noted, "There's no one in D.C. who didn't know him, and no one in military fatigues in Asia who didn't have a reason to fear him."

From Burma and Indonesia, to Vietnam and North Korea, Mike spoke up for those who could not speak for themselves. He shined a light on human rights abuses and made it his mission to see that justice was done. Time and time again he called on the United States to live up to the values that made this country great and be the leader for human rights that the world so desperately needed.

Recently, my office had worked with Mike on the need to bring safety and stability to the people of Afghanistan, particularly women and girls. We have lost a partner in that endeavor, but we have not lost the example he set, and I know his memory will push us to work even harder in the days and weeks ahead.

My thoughts and prayers go out to his wife Janet and his colleagues and friends at Human Rights Watch. Mike Jendrzeczyk will be sorely missed.

Mr. FEINGOLD. Mr. President, today I honor the late Mike Jendrzeczyk, the Washington director for the Asia division of Human Rights Watch, and a voice I have trusted and valued for many years. Mike was kind, smart, unquestionably committed, and amazingly energetic. He kept so many of us in Congress informed, always com-

binning savvy and idealism in his updates and enthusiastic calls to action. He brought extraordinary human rights leaders from Asia to the Hill, and by connecting us to these courageous people, he helped to round out our view of faraway places—showing us not just the ugly reality of abuse, but also the promise and bravery of those who resist.

By introducing Washington to these heroes, Mike turned resignation to resolve and did the crucial work of sustaining momentum for action and change. He became a hero himself. Mike helped countless people overseas in profound ways, but he helped the Congress as well. Mike helped us to believe that it is possible to do the right thing. His death is a terrible loss.

TRADE FACILITATION AND SECURITY

Mr. GRASSLEY. Mr. President, on behalf of myself and Mr. BAUCUS, I ask unanimous consent the following statement be printed in the RECORD.

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

CUSTOMS REVENUE FUNCTIONS AND HOMELAND SECURITY

Mr. President, On May 15, 2003, Treasury Secretary Snow signed Treasury Department order No. 100-15, which delegates authority related to certain revenue functions of the Bureau of Customs and Border Protection from the Department of Treasury to the Department of Homeland Security.

The Treasury order identifies a number of essentially commercial Customs functions over which the Secretary of the Treasury will continue to exercise sole authority to approve regulations, including import quotas, classification and valuation of imports under the U.S. Harmonized Tariff Schedules, eligibility for trade preference programs, marking and labeling regulations, and copyright and trademark enforcement. Authority to approve other regulations will now fall under the authority of the Secretary of Homeland Security.

The Customs Bureau serves two vital functions. One function is to protect our borders by making sure the goods that enter our country and the vehicles that carry them do not present a threat to the security of our nation. Customs also plays an equally critical role in supporting our country's economic security. By facilitating the movement of critical goods to American industry and its customers at home and abroad, Customs assures our continued economic growth and vitality. We are pleased that the Administration has worked with us to craft a division of responsibilities between Homeland Security and Treasury that recognizes the importance of both these functions.

The new Treasury order is intended to strike a balance between trade facilitation and security, but there remain concerns that the scope of authority remaining at Treasury may be too narrow. Over time and with experience, we may conclude that the balance requires further adjustment. The Treasury order calls for a review in twelve months. Two months prior to expiration, the Administration is required to consult closely with Congress on the upcoming review, and discuss where further adjustments to the division of authorities are warranted.

We look forward to our continued work with the Administration as the new division

of authorities takes effect. The Finance Committee remains committed to the goal of assuring that Customs and our nation can advance the twin goals of enhancing homeland security and promoting economic growth.

HONORING MARINE MATTHEW R. SMITH

Mr. BAYH. Mr. President, I rise today with great sadness and tremendous gratitude to honor the life of a fellow Hoosier, soldier, family man and friend, Matthew R. Smith, who died serving our country in Kuwait on May 10, 2003.

As those who knew Matthew can attest, his strong commitment to his State and country was reflected in his successful and distinguished career. He was the younger of two children and attended Indiana University. He stood about 5 feet 8 inches and weighed 140 pounds, but never let his small stature keep him from big accomplishments.

In the Marine Reserve, Matthew served as a radio operator and was deployed to Kuwait in February. He traveled all the way to Baghdad during the war and had since been working on essential supply convoys. As a reservist with the 4th Force Service support group based in Peru, Matthew met an untimely death while driving in a military convoy. Chief Warrant Officer Suzanne Handshoe, who was his commanding officer in a training trip last summer to the Mojave Desert, remembered Matthew as an overachiever saying that he was "a small guy, but was an extremely hard-working, can-do Marine." The day his son passed away, his father, David Smith received the first letter from his son since his deployment. In it, Matthew told his dad how proud he was to be overseas fighting for his country's freedom.

President Abraham Lincoln wrote in a letter to the mother of a fallen Union soldier: "I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom." These words ring as true today as they did 140 years ago, as we mourn the loss of Matthew R. Smith and honor the sacrifice he made for America and for all humanity.

It is my sad duty to enter the name of Matthew R. Smith in the official record of the Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that Matthew's family can find comfort in the word of the prophet Isaiah who said, "He will swallow up death in victory; and the lord God will wipe away tears from all faces."

May God grant strength and peace to those who mourn, and may God bless the United States of America.