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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Dr. Keith Wright, executive director of the National Center for Leadership.

PRAYER

The guest Chaplain offered the following prayer:

Gracious God, we are grateful for this day and all the possibilities it holds. Throughout this day, we determine to live with joy, gratitude, integrity, and purpose. We are elated to live in the United States of America which offers so many freedoms, opportunities, and riches. We humbly acknowledge that our many blessings are gifts of Your grace.

We affirm with the Scriptures that You are more concerned with the condition of our inner lives than our position, accomplishments, or reputations. "The Lord does not look at the things people look at. People look at the outward appearance, but the Lord looks at the heart." Help us to see life from Your perspective and to walk in Your ways. May our hearts find joy in the things that bring You joy, and be broken by the things that break Your heart.

Enable each Senator to hear Your call, instill within them the character to match their high calling. Grant them true wisdom at each decision-making moment.

May these Senators be molded by Your authority, inspire people with a sense of purpose, practice servant leadership, and model good stewardship of Your creation. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning the Senate will resume consideration of S. 14, the Energy bill. Under the order from last night, Senator DORGAN's amendment regarding hydrogen fuel cells will be debated under a 30-minute time limit. A vote will occur in relation to that amendment at sometime this morning before the recess for the policy luncheons. The Senate will recess for the policy meetings from 12:30 to 2:15 today. Other Energy amendments will be debated during today's session, and therefore Senators can expect votes throughout the day.

Again, I will state that each day we continue to work towards a filing deadline or a list of amendments to the Energy bill. I will be consulting with the Democratic leadership to see when we might lock in a list of amendments to this bill. I am very hopeful we can do that as soon as possible. It is also our hope to reach a consent agreement to allow the Senate to consider the Burma sanctions bill introduced by the distinguished Senator from Kentucky, the majority whip. He will want to speak on this issue shortly. We will continue to press for a consent agreement on this measure.

At this juncture, I will withhold a few of the comments I want to make on an issue we will be addressing in 2 weeks on Medicare and strengthening Medicare, but at this juncture I will yield to the assistant minority leader for comments and then the Senator from Kentucky.

Mr. REID. Mr. President, responding to the majority leader, we are

hotlining later today a time tomorrow people would have to give us a list of their amendments, that we would have a finite list. As I indicated, Senator MCCONNELL and I and the two managers of the bill would immediately begin working through that to see what we can do to expedite passage of the Energy bill. We are on track to do that sometime tomorrow. We have the ranking member of the Finance Committee here today to deal with the matter about which Senator MCCONNELL is going to shortly make a unanimous consent request.

The PRESIDENT pro tempore. The Senator from Kentucky.

UNANIMOUS CONSENT REQUEST— S. 182

Mr. MCCONNELL. Mr. President, I will take very little time.

To underscore where we are on the Burma sanctions issue, I tried to get this bill cleared for this morning for an hour equally divided and a rollcall vote, but there was an objection on the other side with the suggestion that we modify the bill to have the sanctions end in 1 year. Of course, that is exactly the wrong message to send to the military junta in Burma. That is not acceptable to this side.

The Washington Post, in this morning's editorial, gets it right by saying: Senators supportive of democracy in Burma should vote for the bill without condition for expiration dates. That is the way the bill ought to pass. That is the way the bill was introduced. That is the way I hope we will be able to reach consent to take it up in the near future.

In that regard, I ask unanimous consent that the Foreign Relations Committee be discharged from further action of S. 182, the Burma sanctions legislation; that the Senate proceed to its immediate consideration; further that there be 1 hour of debate equally divided in the usual form and that no

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



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amendments be in order; that upon the use or yielding back of time, the bill be read the third time, and the Senate proceed to a vote in relation to the measure, with no intervening action or debate.

The PRESIDENT pro tempore. Is there objection?

Mr. BAUCUS. Mr. President, reserving the right to object, this is obviously a very important matter, and we should address this in a very careful and appropriate way. I might say to Senators, this matter has not been referred to the Senate Finance Committee. The committee has jurisdiction on it. Rather, it is coming straight to the floor with a request that there be no amendments, which I think is a little bit bizarre.

I might also point out that in other sanctions areas, for example, China, we had a long, deep, involved debate a few years ago and agreed to how we should address sanctions, particularly trade sanctions against China.

I might also inform Senators, I have been in consultation with the chairman of the Finance Committee who agrees with me that it would be inappropriate to proceed at this time, certainly in the manner suggested by the Senator from Kentucky.

I might ask the Senator if he will agree to modify his request in a way I think is much more appropriate, particularly even stronger than the resolution suggested by the Senator. And that would be for similar, as was the case with China MFN, annual extensions or annual sanctions, but that the President would suggest that the sanctions be continued and that would be the case unless there is a motion of disapproval passed by both Houses of Congress. I believe the executive branch should be part of this. This is not just a legislative branch issue. When it comes to sanctions, clearly the executive branch should play a very important role.

I might ask the Senator if he would agree to modify his request in the nature of an annual request. If the President wants to continue, he certainly could make an annual request, and that would be subject to disapproval by both Houses of Congress.

Is the Senator agreeable to make that change?

Mr. MCCONNELL. I would say to my friend from Montana, there is already a sunset provision in the bill. It occurs as soon as democracy is restored in Burma. There was a legitimate election there in 1990. Aung San Suu Kyi and her party won 80 percent of the vote. She has been under house arrest now for 14 years. The sanctions would terminate under the bill that I hope we will pass just as soon as she is allowed to take power. Such a provision is already in the bill. I am happy to continue the discussions with my friend from Montana.

The reason the Finance Committee didn't get the bill is because the Parliamentarian sent it to the Foreign Re-

lations Committee and both the chairman of the Foreign Relations Committee and the ranking member support the bill, as do the majority and minority leaders of the Senate.

I know the majority leader is waiting to speak on another issue. If I could, I will proceed to try to get this on the calendar. I understand S. 1215 is at the desk and is due for its second reading.

The PRESIDENT pro tempore. Is there objection?

Mr. REID. Reserving the right to object, Mr. President, I know the deepness of the feelings of the Senator from Kentucky. I want the record to reflect that this is bipartisan legislation. One of the chief cosponsors is the Senator from California. This was not an objection made on the other side; it was an objection made by the chairman and ranking member of the Finance Committee. I hope this most important issue can be resolved along the lines suggested by the ranking member and the chairman of the Finance Committee, that this resolution will be passed and that each year it would stay in effect until both Houses of Congress say it should stay in effect. I think that would be a reasonable resolution of this most important issue. I, therefore, object.

The PRESIDENT pro tempore. Objection is heard. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senator HARKIN be added as a cosponsor.

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

MEASURE PLACED ON CALENDAR—S. 1215

Mr. MCCONNELL. Mr. President, I understand that S. 1215 is at the desk and due for its second reading; is that correct?

The PRESIDENT pro tempore. The Senator is correct.

Mr. MCCONNELL. I ask unanimous consent that it be in order to read the title of the measure.

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

The clerk will read the title of the bill for the second time.

A bill (S. 1215) to sanction the ruling Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people, and for other purposes.

Mr. MCCONNELL. I ask that the Senate proceed to the measure and object to further proceeding.

The PRESIDENT pro tempore. Objection is heard. The item will be placed on the calendar under rule XIV.

Mr. MCCONNELL. Mr. President, this measure has broad bipartisan support. It was referred to the Foreign Relations Committee, not the Finance Committee. Both the chairman of the Foreign Relations Committee and the ranking member support this measure, as do the majority and minority leaders of the Senate.

It is time to act. Aung San Suu Kyi, we hope, is still alive. There is some urgency about this. This is an unusual situation. The U.S. needs to send a message about this now and lead the rest of the world into a policy of multilateral sanctions that truly squeeze this regime. I hope we can continue our discussion and get this bill up for a vote no later than sometime today.

I thank the majority leader.

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. FRIST. Mr. President, I wish to make a few comments on Medicare and the importance of strengthening and improving Medicare. We are addressing this in the Finance Committee currently and will have it on the floor of the Senate. I want to take this opportunity first to comment on the exchange that we heard on the floor.

As my friend and distinguished colleague from Kentucky stated, both the majority leader and the minority leader are sponsors and strongly support the legislation on Burma. Burma's brutal military regime is perpetrating a wave of crackdowns, including incarcerating the Nobel Prize winner, Aung San Suu Kyi. That is why there is this sense of immediacy and why we feel very strongly that this bill should be addressed on the floor of the Senate. I am very hopeful, in spite of the reaction to the unanimous consent request we just heard on the floor, that over the course of the morning we can work out what is necessary to bring this legislation to the floor and have a vote on it today.

I do join my colleagues in supporting this and the Burmese Freedom and Democracy Act of 2003, introduced by Senator MCCONNELL and cosponsored by a bipartisan group of Senators, including Senators FEINSTEIN, MCCAIN, LEAHY, SPECTER, KENNEDY, MIKULSKI, KYL, DASCHLE, and many others who will be added over the course of the morning.

The legislation, importantly, among other things, would impose a U.S. import ban on goods manufactured in Burma and those made by what is called the State Peace and Development Council, SPDC, and companies that are owned by the SPDC. It would also freeze the assets of the regime itself that are held in the U.S. and require the U.S. to oppose and vote against loans or other assistance proposed for Burma by international financial institutions.

Why? Because the situation in Burma indeed is severe. After what apparently was an assassination attempt of Aung San Suu Kyi, who won a landslide victory in Burma's last election, authorities now hold, as we all know, this duly elected leader and numerous other activists—we don't know exactly how many—incommunicado. Reports indicate that Suu Kyi is being held in a military camp about 40 kilometers outside of Rangoon. It is believed that she does suffer from some injuries and lacerations of her face and an injured