

THE JUDICIARY

John A. Woodcock, Jr., of Maine, to be United States District Judge for the District of Maine.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

AIR FORCE

C-PN443 Air Force nominations (23) beginning EUGENE L. CAPONE, and ending ALLEN L. WOMACK, which nominations were received by the Senate and appeared in the Congressional Record of March 24, 2003.

C-PN182 Air Force nominations (104) beginning ELISE A. *AHLISWEDE, and ending PAUL K. *YENTER, which nominations were received by the Senate and appeared in the Congressional Record of January 13, 2003.

Ms. COLLINS. Mr. President, I further ask unanimous consent that at 10 a.m. on Friday, June 13, the Senate proceed to executive session for the consideration of Calendar No. 218, the nomination of R. Hewitt Pate to be an Assistant Attorney General; provided further that the Senate immediately proceed to a vote on the confirmation of the nomination, and that following the vote, the President be immediately notified of the Senate's action, and that the Senate then resume legislative session.

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

LEGISLATIVE SESSION

Ms. COLLINS. Mr. President, I now ask unanimous consent that the Senate resume legislative session.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

BURMA

Mr. MCCONNELL. Mr. President, last night at about this time we passed a Burma sanctions bill 97 to 1, which I hope sent a strong message to the thugs who are running the country at the moment that someday—and hopefully someday soon—they will have to honor the results of the 1990 election, won overwhelmingly by Aung San Suu Kyi and her party.

As I suspect the military junta may be trying to decipher what took place in Washington yesterday, I thought I would take a moment or two to help them out.

The U.S. Senate overwhelmingly condemned and sanctioned the State Peace and Development Council, SPDC, for its May 30 attack against Suu Kyi and her supporters and for its continued repressive actions that violate the human rights and dignity of the people of Burma.

I also had an opportunity to talk today to Secretary Colin Powell, who

is going out to Phnom Penh to the ASEAN Regional Forum next week, and I think they can anticipate a strong message from him when he is out in the region at that time.

Fifty-seven Senators cosponsored the legislation that passed last night to impose an import ban, expand visa restrictions, and freeze SPDC assets in the United States. Ninety-seven Senators voted to repudiate the actions of the Burmese junta.

This was a vote for freedom in Burma that demonstrated unequivocal support for Suu Kyi and all democrats in that country.

The generals in Rangoon should take note that a provision was included in the bill that guarantees that every year Burma will come up for discussion and debate in Congress. Every single year, we will have an opportunity to take a look at the fate of freedom in that country.

It is my hope we will not need that opportunity. It is my hope that Suu Kyi and other democrats will be governing Burma and that the only debate on the floor will be about the level of foreign assistance America should provide to a newly free Burma.

If this hope is not realized, within a year we will again discuss the persistent rapes of minority girls and women, the use of child and forced labor, and the manufacturing and trafficking of narcotics.

If the junta continues its repressive rule, we will again examine the number of political prisoners languishing in Burmese jails, efforts taken to counter an exploding HIV/AIDS infection rate, and opportunities to further democracy and the rule of law throughout the country.

If, however, American leadership translates into a full court press on junta, we might be able to celebrate a new dawn for democracy for the people of Burma.

The comments of Secretary of State Colin Powell in the Wall Street Journal today are both welcomed and promising.

As I indicated earlier, he is going to the ASEAN regional meeting next week, and I think the regime in Burma is going to hear a good deal more about the U.S. position on their behavior and activities.

He said this:

By attacking Aung San Suu Kyi and her supporters, the Burmese junta has finally and definitively rejected the efforts of the outside world to bring Burma back into the international community. Indeed, their refusal of the work of Ambassador Razali and of the rights of Aung San Suu Kyi and her supporters could not be clearer. Our response must be equally clear if the thugs who now rule Burma are to understand that their failure to restore democracy will only bring more and more pressure against them and their supporters.

Secretary Powell must work tirelessly to secure the release of Suu Kyi and all other democrats who continue to be detained by the SPDC. U.N. Special Envoy Razali's brief meeting with

her does not assuage my fears that she is under intense pressure or that her supporters continue to be tortured or killed. She and her supporters should be released immediately and unconditionally.

In the future, it might behoove Razali to temper his enthusiastic comments to more accurately reflect the climate of fear in Burma. He failed to secure Suu Kyi's release, and I am surprised that he did not say more to condemn the outrageous actions of the thugs in Rangoon.

Let me close by thanking my colleagues—and their staffs—for their support of this legislation. I could ask for no better allies than Senators FEINSTEIN and MCCAIN on this issue, and I look forward to continue to work with them to free Suu Kyi and bring democracy to Burma. Senators FRIST, LUGAR, BIDEN, BAUCUS, GRASSLEY, HAGEL, and BROWNBACK also deserve recognition for their support of freedom in Burma. The people of Burma will count on our support in the future—and we should not, and must not, fail them.

Mr. President, I ask that a copy of Secretary Powell's op-ed and an editorial from today's Baltimore Sun on Burma be printed in the RECORD.

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

[From the Wall Street Journal, June 12, 2003]

STANDING FOR FREEDOM

GET TOUGH ON RANGOON

(By Colin L. Powell)

United Nations Special Envoy Razali Ismail has just visited Burma and was able to bring us news that Aung San Suu Kyi, a Nobel Peace Prize winner and the leader of a peaceful democratic party known as the National League for Democracy, is well and unharmed. The thoughts and prayers of free people everywhere have been with her these past two weeks. Our fears for her current state of health are now somewhat lessened.

On May 30, her motorcade was attacked by thugs, and then the thugs who run the Burmese government placed her under "protective custody." We can take comfort in the fact that she is well. Unfortunately, the larger process that Ambassador Razali and Aung San Suu Kyi have been pursuing—to restore democracy in Burma—is failing despite their good will and sincere efforts. It is time to reassess our policy towards a military dictatorship that has repeatedly attacked democracy and jailed its heroes.

There is little doubt on the facts. Aung San Suu Kyi's party won an election in 1990 and since then has been denied its place in Burmese politics. Her party has continued to pursue a peaceful path, despite personal hardships and lengthy periods of house arrest or imprisonment for her and her followers. Hundreds of her supporters remain in prison, despite some initial releases and promises by the junta to release more. The party's offices have been closed and their supporters persecuted. Ambassador Razali has pursued every possible opening and worked earnestly to help Burma make a peaceful transition to democracy. Despite initial statements last year, the junta—which shamelessly calls itself the State Peace and Development Council (SPDC)—has now refused his efforts and betrayed its own promises.

At the end of last month, this rejection manifested itself in violence. After the May

30 attack on Aung San Suu Kyi's convoy, we sent U.S. Embassy officers to the scene to gather information. They reported back that the attack was planned in advance. A series of trucks followed her convoy to a remote location, blocked it and then unloaded thugs to swarm with fury over the cars of democracy supporters. The attackers were brutal and organized; the victims were peaceful and defenseless. The explanation by the Burmese military junta of what happened doesn't hold water. The SPDC has not made a credible report of how many people were killed and injured. It was clear to our embassy officers that the members of the junta were responsible for directing and producing this staged riot.

We have called for a full accounting of what happened that day. We have called for Aung San Suu Kyi to be released from confinement of any kind. We have called for the release of the other leaders of the National League for Democracy who were jailed by the SPDC before and after the attack. We have called for the offices of the National League for Democracy to be allowed to reopen. We are in touch with other governments who are concerned about the fate of democracy's leader and the fate of democracy in Burma to encourage them, too, to pressure the SPDC.

The Bush administration agrees with members of Congress, including Sen. Mitch McConnell, who has been a leading advocate of democracy in Burma, that the time has come to turn up the pressure on the SPDC.

Here's what we've done so far. The State Department has already extended our visa restrictions to include all officials of an organization related to the junta—the Union Solidarity and Development Association—and the managers of state-run enterprises so that they and their families can be banned as well.

The United States already uses our voice and our vote against loans to Burma from the World Bank and other international financial institutions. The State Department reports honestly and frankly on the crimes of the SPDC in our reports on Human Rights, Trafficking in Persons, Drugs, and International Religious Freedom. In all these areas, the junta gets a failing grade. We also speak out frequently and strongly in favor of the National League of Democracy, and against the SPDC. I will press the case in Cambodia next week when I meet with the leaders of Southeast Asia, despite their traditional reticence to confront a member and neighbor of their association, known as Asean.

Mr. McConnell has introduced the Burmese Freedom and Democracy Act in the Senate; Reps. Henry Hyde and Tom Lantos have introduced a similar bill in the House. We support the goals and intent of the bills and are working with the sponsors on an appropriate set of new steps. Those who follow this issue will know that our support for legislation is in fact a change in the position of this administration and previous ones as well. Simply put, the attack on Ms. Suu Kyi's convoy and the utter failure of the junta to accept efforts at peaceful change cannot be the last word on the matter. The junta that oppresses democracy inside Burma must find that its actions will not be allowed to stand.

There are a number of measures that should now be taken, many of them in the proposed legislations. It's time to freeze the financial assets of the SPDC. It's time to ban remittances to Burma so that the SPDC cannot benefit from the foreign exchange. With legislation, we can, and should, place restrictions on travel-related transactions that benefit the SPDC and its supporters. We also should further limit commerce with Burma which enriches the junta's generals. Of

course, we would need to ensure consistency with our World Trade Organization and other international obligations. Any legislation will need to be carefully crafted to take into account our WTO obligations and the president's need for waiver authority, but we should act now.

By attacking Aung San Suu Kyi and her supporters, the Burmese junta has finally and definitely rejected the efforts of the outside world to bring Burma back into the international community. Indeed, their refusal of the work of Ambassador Razali and of the rights of Aung San Suu Kyi and her supporters could not be clearer. Our response must be equally clear if the thugs who now rule Burma are to understand that their failure to restore democracy will only bring more and more pressure against them and their supporters.

[From the Baltimore Sun, June 12, 2003]

TIME FOR TYRANTS TO FEAR

A year ago, when the military junta illegally controlling Manmar last released its democratically elected leader, Aung San Suu Kyi, from house arrest, the generals promised a dialogue aimed at national reconciliation.

True dialogue in the nation once known as Burma would lead to a decided weakening, if not the total loss, of the generals' power, so that hasn't happened.

And as of yesterday, Ms. Suu Kyi, a Nobel Peace Prize laureate, remained back in detention after a violent government attack late last month on her and her supporters—and even after a Untied Nations envoy spent days trying to gain her release.

Given that Myanmar's military also has a long record of slave labor and drug trafficking, what more do responsible nations need to now get tougher with this regime?

With that in mind, these days are critical—starting with passage late yesterday of a U.S. senate bill to ban imports from Myanmar, seize the regime leaders' U.S. assets and bar U.S. visas for them.

This ban should give greater weight to heightened U.S. diplomatic effort to isolate these despots.

Virtually all Senate leaders from both parties, led by Kentucky Republican Mitch McConnell and California Democrat Dianne Feinstein, supported the ban. Maryland Sens. Barbara A. Mikulski and Paul S. Sarbanes were among its many co-signers, Mr. Sarbanes having signed on just yesterday after activists complained he hadn't.

A House subcommittee has approved a similar bill. Everything possible should be done to see that this ban—affecting a quarter of Myanmar's exports, worth about \$350 million a year—becomes law soon.

But even just Senate passage of the ban gives Secretary of State Colin L. Powell a bigger stick when he attends a meeting of the Association of Southeast Asian Nations (ASEAN) in Cambodia next week—a gathering at which the United States needs to lean even harder on Thailand and Japan to back off aiding this terrible regime.

Time is well past for allowing Myanmar's generals to enslave their own people. As Senator McConnell said yesterday in calling for the import ban vote: "It's time for tyrants to fear in Burma."

The import ban likely won't bring down these generals in itself. But it provides a key tool in building an effective worldwide movement—with roles for ASEAN, the European Union and the United Nations—to end their illegal reign.

Mr. McCONNELL. Mr. President, also the Travel Goods Association of America today came out for the legislation and for an import ban as well. This is

an important organization related to this whole issue of import restrictions—an organization that potentially would benefit from continuing imports from Burma. But they said they don't want to make money off of this regime. They, too, have announced their support for a ban today.

I ask unanimous consent that a press release indicating their support be printed in the RECORD.

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

TGA ANNOUNCES SUPPORT FOR A TOTAL BAN ON U.S. TRAVEL GOODS IMPORTS FROM BURMA—APPLAUDS PASSAGE OF LEGISLATION BY U.S. SENATE

PRINCETON, NJ, June 12, 2003.—Travel Goods Association (TGA) President Anne L. DeCicco announced today that, due to the on-going cruel and repressive nature of the ruling regime in Burma, TGA—the national trade association of the travel goods industry (luggage, handbags, briefcases, backpacks, flatgoods, etc.)—has called for an immediate and total ban on U.S. travel goods imports from that nation (SEE POLICY STATEMENT BELOW). Furthermore, TGA applauds Rep. Tom Lantos (D-CA) and Rep. Peter King (R-NY), and Diane Feinstein (D-CA) and their colleagues in both the House and Senate, for introducing The Burmese Freedom and Democracy Act of 2003 into both houses of the United States Congress. The bills call for a ban on all imports from Burma until it can be determined that the ruling Burmese government has made substantial and measurable progress to end its human rights abuses. The legislation passed the Senate on June 11, 2003 in a 97-1 vote.

"The government of Burma continues to abuse its citizens through force and intimidation, and refuses to respect the basic human rights of its people. TGA believes this unacceptable behavior should be met with condemnation from not only the international public community, but from private industry as well," said DeCicco.

According to the U.S. government's "2002 Country Report on Human Rights Practices" on Burma, the Burmese government has "... continued to restrict workers rights, ban unions, and use forced labor for public works and for the support of military garrisons. Other forced labor, including child labor, remain a serious problem despite recent ordinances outlawing the practice."

Additionally, in 2000, the International Labor Organization (ILO)—for the first time in its history—called on all ILO members to impose sanctions on Burma.

"TGA is pleased to learn that Congress, led by the U.S. Senate's historic vote on Wednesday, is taking an important step towards ending the human rights crisis that is happening in Burma today. We hope that Congress' efforts are only the first step towards international condemnation and sanctions on Burma through the United Nations," commented TGA Chairman Tom Sandler of Samsonite Corporation. He continued, "TGA, through its trade policy, promotes best practices to ensure that travel goods are produced in a socially responsible manner by encouraging its members to operate under programs that are compliant with applicable labor laws. Thus, the association and its membership fully support the legislation introduced by Reps. Lantos and King, as well as Senators McConnell and Feinstein and calls upon the U.S. House of Representatives to follow the Senate's lead in the swift and immediate passage of such important legislation."

The necessity for Congressional action is highlighted by the recent attacks of the country's ruling military junta on Nobel Laureate Aung San Suu Kyi, the leader of Burma's pro-democracy opposition, and her supporters. These attacks illustrate that Burma's regime has grown more oppressive than ever, despite worldwide condemnation.

TGA International Committee Chairman Michael Korchmar of the Leather Specialty Company, noted that, "TGA also wants to recognize and applaud the efforts of its own members that have already imposed bans on U.S. imports of Burmese travel goods from their own firms. Thanks in large part to the efforts of TGA members, U.S. imports of travel goods from Burma fell an incredible 74 percent between 2001 and 2002." Furthermore, TGA applauds the efforts of numerous U.S. and international governmental and non-governmental organizations to force Burma to respect the basic human rights of its citizens.

TRAVEL GOODS ASSOCIATION,
Princeton, NJ, June 12, 2003.

POLICY STATEMENT ON BURMA, JUNE 12, 2003

The Travel Goods Association (TGA)—the national trade association of the travel goods (luggage, briefcases, handbags, backpacks, flatgoods) industry—hereby expresses its strong support for a full and immediate ban on U.S. travel goods imports from Burma and strongly encourages the U.S. government to:

Impose an immediate and total ban on U.S. imports of travel goods from Burma;

Maintain this ban until Burma's rulers demonstrate that they respect and enforce basic human and labor rights for its own citizens;

Continue both unilaterally and through multilateral organizations to exert diplomatic, economic, and political pressure on Burma to respect and enforce basic human rights for its own citizens; and

Sign into law current legislation in Congress to impose such sanctions.

The TGA supports a U.S. ban on Burmese travel goods because Burma's military regime has:

Consistently rejected international demands to stop government-sanctioned forced and child labor practices against its own people;

According to the U.S. government's "2002 Country Report on Human Rights Practices" on Burma, "... continued to restrict worker rights, ban unions, and used forced labor for public works and for the support of military garrisons. Other forced labor, including forced child labor remained a serious problem, despite recent ordinances outlawing the practice;" and

Repeatedly failed to comply with internationally recognized conventions on labor, including forced and child labor. Due to its "widespread and systematic" use of forced labor, the International Labor Organization (ILO) in 2000, for the first time in its history, called on all ILO members to impose sanctions on Burma.

Through its trade policy, TGA:

"Promotes best practices to ensure that goods are produced in a socially responsible manner," by "Encouraging TGA members to operate under programs that foster socially responsible production practices compliant with applicable labor and environmental laws and regulations; Encouraging the United States, other governments and foreign trade associations to recognize and support programs designed to achieve these goals; and Pursuing policies that encourage development of human rights and democratic values in countries in which TGA members conduct business and discourage

trade with countries that promote or support terrorism."

Strongly supports the travel goods industry's use of effective social responsibility programs;

Applauds and supports the efforts of TGA member companies that have already imposed bans on U.S. imports of Burmese travel goods for their own firms;

Recognizes and applauds the efforts of numerous U.S. and international governmental and nongovernmental organizations to force Burma to respect the basic human rights of its citizens.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business.

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

CONTINUING CHALLENGES IN AFGHANISTAN

Mr. LEAHY. Mr. President, although our attention today is focused on the persistent attacks against U.S. Armed Forces in Iraq and the escalation of the bloodshed between Israelis and Palestinians, it is imperative that we not ignore the challenges we continue to face in Afghanistan.

In southeast Afghanistan, U.S. soldiers continue to battle with the remnants of al-Qaida and the Taliban, whose fighters have managed to regroup across the border inside Pakistan. Despite hundreds of millions of dollars in U.S. aid, the national impact has been difficult for many Afghans to see. Afghanistan is such a large, inaccessible, impoverished country that it will take many billions of dollars over many years to recover from decades of war, and that will be possible only if adequate security exists to implement these programs. Security will remain elusive as long as political and economic power outside of Kabul continues to be wielded by regional warlords.

An article by Carlotta Gall in yesterday's New York Times provides a sobering description of the continuing challenges in Afghanistan. I hope officials at USAID, the State Department, the Defense Department, and OMB took the time to read it. As with so many aid programs, we often focus on the trees and lose sight of the forest. We can point to lots of small success stories—new well dug here, a bridge repaired there, more girls enrolled in school. But when you step back the picture looks very different, as Ms. Gall's article shows.

We and our Allies have major stakes in Afghanistan's future, and I am confident that we will remain engaged. But let's do the job that needs to be done, not half measures. Without a more effective strategy to enhance security, strengthen the central government and support civil society, we will fall far short of our goals.

I ask unanimous consent that Ms. Gall's June 11, 2003, article in the New

York Times entitled "In Warlord Land, Democracy Tries Baby Steps" be printed in the RECORD.

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

IN WARLORD LAND, DEMOCRACY TRIES BABY STEPS

KABUL, Afghanistan, June 10.—In the hushed, rose-filled gardens of the royal palace in Kabul, life seems calm and good. Under the chandeliers of the meeting hall upstairs, President Hamid Karzai, just back from a trip to Britain and a meeting with the queen, manages to combine an expression of condolence for German peacekeepers killed in a suicide bomb attack in the capital Saturday with an upbeat assessment of the situation in his country.

The heavily armed American bodyguards who stand in the gardens and by the windows of the palace have become like the wallpaper, so much are they part of the scene now. The Taliban threat in the south and southeast, the car bomber who drove this week right into the city, the persistent factional fighting in the north of the country, all seem far away.

But in the last few months there has been a crisis of confidence in Afghanistan, a sense that the security situation may be spiraling downward and that the rise of regional warlords may be more than a temporary phenomenon. Attacks on peacekeepers and aid workers are increasing. After more than a year of waiting patiently for results, people here are increasingly asking: are the Americans getting it right?

Today, as American forces in Iraq struggle to establish order, as one or two American soldiers seem to fall every day, it seems likely to be a question the United States will soon face in Iraq as well.

Even the most pessimistic Afghanistan watchers acknowledge that this time is different from the sliding chaos of the early 1990's. The Americans are not going to turn their back on Afghanistan the way they did then, and the way they did in Iraq after the Persian Gulf war in 1991. The Americans are here and, by all accounts and appearances, here to stay.

But there is only a year left for Mr. Karzai and his American backers to get things right before his term is up. The Bonn process, which set up the interim administration led by Mr. Karzai, lays out a rapid program for a new constitution to be drawn up and approved by a grand assembly this October, and for national elections to be held next June.

For Afghanistan, one key to establishing order is the disarmament of the factional armies around the country. The United Nations and Afghanistan's new Human Rights Commission have already stressed that if the much delayed disarmament and demobilization program does not go ahead, the drafting of the constitution and national elections could be thrown into jeopardy.

"There is a real, but still avoidable, risk that the Bonn process will stall if security is not extended to the regions, and that Afghans will lose confidence in the central government if it cannot protect them," the United Nations special representative to Afghanistan, Lakhdar Brahimi, told the Security Council in New York last month.

Another difficulty is that the allies are tackling the problems in piecemeal fashion, a strategy that will only advance the country by tiny steps, critics say.

United States diplomats and aid officials like to draw attention to a large wall map in their embassy that is covered in a "blizzard" of yellow Post-it stickers marking every single project under way in the country. They