

sure that our free-market economy operates efficiently and serves the public.

Mr. Pate comes before the United States Senate with an impressive track record of public service in the Antitrust Division. In June 2001, he was appointed as the Deputy Assistant Attorney General responsible for Regulatory Matters, and served ably under then Assistant Attorney General Charles James. In November 2002, after Mr. James' departure, Mr. Pate was appointed as Acting Assistant Attorney general for the Antitrust Division. During that time, he has demonstrated his talent and ability to lead the Antitrust Division.

Prior to joining the Justice Department in 2001, Mr. Pate practiced at the distinguished law firm of Hunton & Williams in Richmond, Virginia, where he had a distinguished record in representing both plaintiffs and defendants in a variety of antitrust and business law cases. After graduating first in his class at the University of Virginia Law School in 1987, Mr. Pate went on to clerk for the honorable J. Harvie Wilkinson, at the United States Court of Appeals for the Fourth Circuit, Supreme Court Justice Lewis Powell, and Supreme Court Justice Anthony Kennedy. During his tenure at the firm of Hunton & Williams, Mr. Pate found time to teach at the University of Richmond and University of Virginia Law Schools.

With such an impressive background, both in private practice and in antitrust enforcement, particularly given his proven track record, I am confident that Mr. Pate will be an excellent Assistant Attorney General for the Antitrust Division. I am hopeful that this Senate will act quickly to confirm Mr. Pate's nomination.

Mr. LOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. CHAFEE). Is there a sufficient second? There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of R. Hewitt Pate, of Virginia, to be an Assistant Attorney General? The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Mississippi (Mr. COCHRAN), the Senator from Wyoming (Mr. ENZI), the Senator from North Carolina (Mrs. DOLE), the Senator from Illinois (Mr. FITZGERALD), the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), the Senator from Oklahoma (Mr. NICKLES), the Senator from KANSAS (Mr. ROBERTS), the Senator from Oregon (Mr. SMITH), the Senator from Wyoming (Mr. THOMAS), the Senator from Ohio (Mr. VOINOVICH), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. REID. I announce that the Senator from Louisiana (Mr. BREAUX), the Senator from Delaware (Mr. CARPER), the Senator from North Dakota (Mr.

DORGAN), the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Iowa (Mr. HARKIN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Vermont (Mr. JEFFORDS), the Senator from Massachusetts (Mr. KERRY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Georgia (Mr. MILLER), the Senator from Washington (Mrs. MURRAY), the Senator from Florida (Mr. NELSON), and the Senator from Nebraska (Mr. NELSON) are necessarily absent.

I also announce that the Senator from Rhode Island (Mr. REED) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "yea".

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring a vote?

The result was announced—yeas 71, nays 0, as follows:

[Rollcall Vote No. 226 Ex.]

YEAS—71

Akaka	Corzine	Leahy
Alexander	Craig	Levin
Allard	Crapo	Lincoln
Allen	Daschle	Lott
Baucus	Dayton	Lugar
Bayh	DeWine	McCain
Bennett	Dodd	McConnell
Biden	Domenici	Murkowski
Bingaman	Durbin	Pryor
Bond	Ensign	Reid
Boxer	Feingold	Rockefeller
Brownback	Feinstein	Santorum
Bunning	Frist	Sarbanes
Burns	Grassley	Schumer
Byrd	Gregg	Sessions
Campbell	Hagel	Shelby
Cantwell	Hatch	Snowe
Chafee	Hutchison	Specter
Chambliss	Inouye	Stabenow
Clinton	Johnson	Stevens
Coleman	Kennedy	Stevens
Collins	Kohl	Sununu
Conrad	Kyl	Talent
Cornyn	Landrieu	Wyden

NOT VOTING—29

Breaux	Harkin	Nelson (FL)
Carper	Hollings	Nelson (NE)
Cochran	Inhofe	Nickles
Dole	Jeffords	Reed
Dorgan	Kerry	Roberts
Edwards	Lautenberg	Smith
Enzi	Lieberman	Thomas
Fitzgerald	Mikulski	Voinovich
Graham (FL)	Miller	Warner
Graham (SC)	Murray	

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

UNANIMOUS CONSENT AGREEMENT—S. 1

Mr. ALEXANDER. MR. President, I ask unanimous consent that at 2 p.m. on Monday, June 16, the Senate proceed to the consideration of S. 1, the Prescription Drug Benefits bill, reported by the Finance Committee; provided further that this order will be vi-

tiated if the bill is not available by that time. I ask consent that on Monday there be debate only with respect to the bill.

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

MORNING BUSINESS

Mr. ALEXANDER. I ask unanimous consent there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

CHANGE OF VOTE

Mr. BAYH. Mr. President, on rollcall vote No. 221 I voted nay. It was my intention to vote yea. Therefore, I ask unanimous consent that I be permitted to change my vote. This will in no way change the outcome of the vote.

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

ZIMBABWE

Mr. ALEXANDER. Mr. President, I rise today to bring to the attention of the Senate the oppression of democracy and freedom underway in Zimbabwe. A number of my colleagues, including the Senators from Arizona and Kentucky, have led this body in discussions about oppression in Burma. I share their concerns.

But as Chairman of the Foreign Relations Subcommittee on African Affairs, I would be remiss not to note a struggle in Zimbabwe that bears at least some similarity to events in Burma. As in Burma, the leader of the democratic opposition in Zimbabwe has been imprisoned by an illegitimate government in a cruel attempt to maintain power.

The so-called "President" of Zimbabwe, Robert Mugabe, has engaged in a systematic campaign of intimidation, torture, and terror to oppress opposition to his rule over Zimbabwe. Since the elections of 2000, when Mugabe's ruling party rigged the elections in its favor and terrorized voters for the opposition, Zimbabwe has been thrown into a downward spiral. Youth brigades not unlike the Hitler Youth or Chinese Red Guard roam the streets and invoke terror on those who resist Mugabe's rule. The country's infrastructure, which was fairly good prior to this time, has deteriorated rapidly.

In the last week the situation has grown worse. A little over 1 week ago, for the second time this year, the people of Zimbabwe stood up and said enough is enough. Strikes and work stoppages occurred throughout the country as many citizens engaged in a massive protest of Mugabe's illegitimate regime. Many rightly blame Mugabe not only for political turmoil, but also economic decay, led by fuel and food shortages.

The government's response was swift and brutal. Armed troops descended upon neighborhoods where opposition members lived and violently beat those suspected of opposing Mugabe. More than 800 individuals were arrested, many of them tortured. According to the most recent reports I have seen, about 150 individuals have now been released, but only after paying an "admission of guilt" penalty of \$3,000 to \$5,000. In order to get out of jail, you have to admit your guilt and pay a huge fine.

Here is Mugabe's justification. He is quoted as saying, "The actions are blatantly illegal in that they are aimed at an unconstitutional removal of the country's head of state." He is essentially saying that by protesting his rule, protestors are committing a crime. And he is arresting and torturing them as a result. The only crime being committed is the continued rule of Robert Mugabe.

Just prior to the first crackdown in March, which followed a similar protest and work stoppage, Mugabe said, and I am quoting, "I am still the Hitler of the time." Let me say that again. He said, "I am still the Hitler of the time." He purposely chose to compare himself to Adolph Hitler, perhaps the most evil leader in the entire 20th century. After that announcement in March, military forces loyal to Mugabe burst into people's homes in pre-dawn raids, raping and beating those suspected of supporting the Movement for Democratic Change, Zimbabwe's opposition party. Torture tactics included rape, electrocution, forced consumption of chemicals and urine, cigarette burning, whipping with steel cable, barbed wire and sustained beatings.

What makes these events truly tragic is that prior to Mugabe's actions, Zimbabwe was not a dilapidated country ready to collapse. On the contrary, it was a leading African nation with a strong economy and infrastructure. Zimbabwe's roads were among the best in Africa, and its agricultural sector was a major exporter. As an example of the rapid decline Zimbabwe faces, their GDP has shrunk from \$9.3 billion in 2001 to only \$5.4 billion today. It has been cut nearly in half in only 2 years.

The latest news reports from Zimbabwe show that Mugabe is now actively imprisoning and torturing leaders of the opposition party, the Movement for Democratic Change or MDC. Morgan Tsvangirai, the leader of the MDC, is in prison and charged with treason as are hundreds of party activists. Tsvangirai lost last year's rigged Presidential elections, and has begun legal proceedings against Mugabe because the elections were not conducted properly. I can only hope that Tsvangirai and the MDC survive Mugabe's violent rampage against them.

The White House and the State Department have responded to this crisis, and I hope will continue to work to achieve a change of leadership in

Zimbabwe. President Bush recently imposed sanctions on the Mugabe government. The sanctions, which began on March 7, prohibit any U.S. corporation from making business deals with Zimbabwe and also freeze any assets top Zimbabwean officials in the Mugabe government may have in U.S. banking institutions. The State Department has condemned Mugabe's actions, and taken other appropriate diplomatic action.

The people of Zimbabwe deserve better. They deserve better than a regime that commits violence on its own people. They deserve better than to see their economic infrastructure destroyed by a dictator-on-the-rampage. And they are standing up for themselves by actively demonstrating against this terrible regime. I hope other countries in the region will join with the United States and others in opposing this brutal regime in the hope of bringing new, democratic leadership to power in Zimbabwe.

The PRESIDING OFFICER. The Senator from Texas.

TRIBUTE TO SENATOR KAY BAILEY HUTCHISON

Mr. CORNYN. Mr. President, I want to take a few moments to say some words in tribute to the senior Senator from Texas, one who this week marks her tenth anniversary as a Member of this august body, Senator Kay Bailey Hutchison.

Senator HUTCHISON is a wonderful spouse to her husband, Ray; a wonderful mother to her children, Bailey and Houston; an excellent Senator; and a great Texan. I am enormously grateful to be able to work alongside of a woman of her vision, a woman of her energy, and someone who represents the very best of the State of Texas.

After 10 years in the Senate, Senator HUTCHISON has shown herself to be a great leader in so many different ways. She has devoted herself to our national security. She has dedicated herself to preserving our homeland security. She has energetically sought legislation that will create jobs and greater opportunities for all Americans. She has worked hard to improve health care, not just for people in our State, the State of Texas, but for all Americans.

All of us came here from our various States to serve those States, but we also came here to serve this great Nation. Senator HUTCHISON came here, in addition, to make a difference, to work to find solutions to the complex problems of modern society, to attain real and lasting change for the good. She has succeeded in brilliant fashion.

President Ronald Reagan once said:

We have been blessed with the opportunity to stand for something, for liberty and freedom and fairness, and these are things worth fighting for, worth devoting our lives to.

Senator HUTCHISON has devoted her life to these very values. Her life serves as an example to us all, a life of patriotism, responsibility, dedication, and

abundant friendship. She has been a leader in Texas and here in the Senate. It is lives like Senator HUTCHISON's that make me proud to say I am from the great State of Texas, and prouder still to call her my friend.

Senator HUTCHISON, over these last 10 years in the Senate, has made Texas proud as she works hard for all Americans as a woman of great valor. I thank Senator HUTCHISON for her leadership, for her counsel, and for her steadfast service to the great State of Texas and to the United States of America.

I yield the floor.

Mr. ALEXANDER. Mr. President, I commend my colleague, Senator CORNYN, for his remarks. Senator KAY BAILEY HUTCHISON has distinguished herself over these 10 years. It is very appropriate that her junior colleague bring that to the attention of the Senate. She is a Senator from our second largest State. She has been a pioneer in women's rights and advancement by women. When she began her career, as was true for our colleague from North Carolina, Senator DOLE, not many legal jobs were available to women, much less positions in the Senate.

She has achieved a lot. She is part of our leadership, and I am glad I was here to hear Senator CORNYN's remarks.

I hope both Senators will permit me to comment on the fact that some of the best things in Texas come from Tennessee. A lot of Tennesseans went to Texas in the 1830s. One of Senator HUTCHISON's ancestors was Governor Hall, of Tennessee, just as Sam Houston was Governor of Tennessee before he was Governor and Senator from Texas. So Tennesseans take special pride in 10 years of service by someone we consider, if not our daughter, at least our cousin.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I thank my desk mate and member of the freshman class of 2002 in the Senate, LAMAR ALEXANDER, for his comments and his friendship and his great service, not only on behalf of Tennessee but on behalf of the Nation. He did make a very appropriate observation about the connection between the people of the State of Tennessee and Texas. Some have said many of the people who populated Texas were evading their creditors in Tennessee, which is one reason for their going to Texas in the first place, where they believed there would be great opportunity. With a land the size of Texas, with the opportunity to till the soil and take risks and perhaps reap the rewards of that risk, many people came from all over the United States—indeed, the world—to Texas.

One great Tennessean—and I want to just make this comment while Senator ALEXANDER is here—with whom I am proud to connect myself is Sam Houston, who was a distinguished figure in Tennessee before he came to Texas, then served as Governor, President of the Republic, and whose seat in the