

should be addressed separate and apart from this legislation.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COLEMAN). The clerk will call the roll. The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

#### HONORING OUR ARMED FORCES

CORPORAL JUAN C. CABRALBANUELOS

Mr. HATCH. Mr. President, these truly are "the times that try men's souls" and challenge our resolve as a Nation. Today, it is with profound regret that I stand to pay tribute to a true patriot of liberty who gave his life so that others may live in freedom. His name was Juan C. Cabralbanuelos and he was a soldier in the U.S. Army.

Many have stood in this chamber to reflect on the loss that our Nation has felt and the price that it has paid to remain free. Today, I stand to remember one who was a citizen of another nation, one who loved the United States and freedom so much, he was willing to give his life to preserve an idea: freedom. He truly deserves the honor of being called an American patriot.

Coporal Cabralbanuelos leaves behind a wife Anita and two sons ages seven and one. To them, I know that nothing that I say here will temper your grief. But know this: your loss will not go unnoticed and unrecognized, your fellow Americans now and always will stand behind you and support you through the trying times ahead.

And so another name has been added to Utah's List of Honor: Corporal Juan Carlos Cabralbanuelos. He joins an illustrious list that includes Specialist David J. Goldberg, US Army Reserve; Captain Nathan S. Dalley, West Point graduate and a member of the Army's 1st Armored Division; staff Sergeant James W. Cawley, United States Marine Corps Reserve; Staff Sergeant Nino D. Livaudais of the Army's Ranger Regiment; Randall S. Rehn, of the Army's 3rd Infantry Division; Sergeant Mason D. Whetstone of the United States Army; and former Special Forces soldier Brett Thorpe.

Their names and the service they performed is something that I shall never forget. I shall always honor them and their families.

SPECIALIST JUSTIN A. SCOTT

Mr. BUNNING. Mr. President, today I will take the opportunity to honor the

service of Spec. Justin A. Scott of Bellevue, KY. His death while performing his duty to this country is a great loss to us all.

On January 29, 2004, Justin and 11 other soldiers were investigating a cache of weapons about a hundred miles short of Bagram Air Base in Afghanistan. Suddenly, there was an explosion and Justin and seven other soldiers were killed. I offer my sincerest condolences to Spec. Scott's family and loved ones.

His service with the 87th Infantry Regiment of the 10th Mountain Division at Ft. Drum, NY, was exemplary and duly appreciated. As one of the U.S. Senators from Kentucky, I know that Spec. Scott served as a fine example of what it means to be a true patriot and an American of the highest caliber.

We are humbled and honored by the sacrifice Spec. Scott has made. His loss reminds us of the heavy cost exacted for our freedom. We must remember that the American way of life has been made possible by the bravery of men and women like Spec. Scott. When freedom has been challenged many like him have answered the call to arms. We must never forget that.

#### DAVID KAY'S SENATE TESTIMONY

Mr. KYL. Mr. President, there has been a great deal of focus on the recent Senate testimony of David Kay, the former head of the Iraq Survey Group. Unfortunately, most media reports have highlighted only those statements by Dr. Kay that might be used to criticize the administration. They have largely ignored Dr. Kay's assertions that Iraq was more dangerous than we even realized prior to the war, that Saddam Hussein clearly intended to continue developing weapons of mass destruction, and other statements which contradict the false notion that the administration "hyped" intelligence on Iraq.

I thought it would be beneficial for the American people to have a chance to read Dr. Kay's entire testimony, including his edifying exchanges with members of the Senate Armed Services Committee.

I therefore ask unanimous consent that his entire testimony be printed in the RECORD.

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

HEARING, SENATE ARMED SERVICES COMMITTEE, JANUARY 28, 2004

(Joined in progress due to committee hearing room audio system).

WARNER: . . . a further report—and I stress a further report—from Dr. David Kay on his efforts and the efforts of the team which he was privileged to work with, known as ISG. He served as the special adviser to the director of Central Intelligence in determining the status of weapons of mass destruction and related programs in Iraq.

After assuming this position last July, Dr. Kay made his initial interim official report to this committee on October 3rd. As mem-

bers of the committee are aware, Dr. Kay has stepped down from this position and has been succeeded by Mr. Charles A. Duelfer, a former colleague and member of the U.N. Special Commission with Dr. Kay, who has been appointed by Director Tenet to continue this important mission.

I met with Mr. Duelfer the day before yesterday and we just momentarily met with him in the Intel Committee room.

Dr. Kay volunteered—and I emphasize that—volunteered to resume his public service, worked diligently for six months in Iraq under difficult and often dangerous conditions, and just concluded his work last week and reported to the director of Central Intelligence.

I thank you and I thank your wife for public service.

Working with General Dayton and the Iraq Survey Group, ISG, your mission was to search for all facts—repeat, all facts—relevant to the many issues about Iraq weapons of mass destruction and related programs. You initiated what was and continues—I emphasize continues—to be a very difficult, complex mission that, in your own words, is yet to be completed.

As you cautioned us when you took up this post in July, patience is required to ensure we complete a thorough assessment of this important issue.

In this hearing today we hope to receive your assessment of what has been accomplished to date—I repeat, to date—and what in your professional judgment remains to be done by the ISG. It is far too early to reach any final judgments or conclusions.

In recent days, I mentioned, I met with both General Dayton, I've met extensively with your over the recess period, and Mr. Duelfer, and received the assurance of Dayton and Duelfer that they will be prepared to present to the Congress a second official interim report of the ISG group in the time frame of late March.

WARNER: It is crucial that the important work of the ISG group go on. Thus far the findings have been significant.

Dr. Kay has stated that, although we have not found evidence of large stockpiles of WMD, or forward-deployed weapons, the ISG group have made the following evidence as a part of their record that will be forthcoming: first, evidence of Saddam Hussein's intent to pursue WMD programs on a large scale; actual ongoing chemical and biological research programs; an active program to use the deadly chemical ricin as a weapon, a program that was interrupted only by the start of the war in March; and evidence of missile programs; and evidence that in all probability they were going to build those weapons to incorporate in the warheads, what we know not for sure, but certainly the possibility of weapons of mass destruction; evidence that Saddam Hussein was attempting to reconstitute his fledgling nuclear program as late as 2001; and, most important, evidence that clearly indicates Saddam Hussein was conducting a wide range of activities in clear contravention of the United Nations resolutions.

As you recently stated, Dr. Kay—and I quote you—"It was reasonable to conclude that Iraq posed an imminent threat. What we learned during the inspection made Iraq a more dangerous place potentially than, in fact, we thought it was even before the war," end quote.

WARNER: Further, you said on NBC's "Today Show" on Tuesday that it was, quote, "absolutely prudent for the U.S. to go to war."

Dr. Kay, I concur in those conclusions. I believe a real and growing threat has been eliminated and a coalition of nations acted prudently in the cause of freedom. I'd be interested if you concur in my conclusions.

While some have asserted that the president and his senior advisers may have exaggerated or manipulated prewar intelligence on Iraq's WMD programs, Dr. Kay reached the following conclusion, which I think is different.

As you stated recently, quote, "We have to remember that this view of Iraq (prewar assessment of WMD capabilities) was held during the Clinton administration and did not change in the Bush administration. It is not a political got-you issue. Often estimates are different than reality. The important thing is when they differ to understand why," end quote.

That's precisely why I called this meeting, Dr. Kay, to continue the work of this committee in developing a body of fact from which reasonable people, at the conclusion of that collection of facts, can reach their own objective thoughts and conclusions. It's been a difficult process but the ISG work is not completed.

Now, you have stated that you believe there did not exist large stockpiles of biological and chemical weapons. But I hope that you will, in your testimony, indicate that since work is not completed, since Iraq is as big as California and Baghdad approximates the sprawling territory of Los Angeles, that we could find caches and reserves of weapons of mass destruction, chemical or biological or even further evidence about their nuclear program.

WARNER: We also would hope that you'd address the question of whether or not Saddam Hussein had some kind of, quote, "breakout capability" for quickly producing chemical or biological weapons, and was this not a basis for constituting a conclusion that there was an imminent threat from Saddam Hussein and his military?

Why were the Iraq WMD records systematically looted or destroyed? And why do scientists in custody today continue not to be forthcoming if there was nothing to hide or nothing substantial existed?

The work of the Iraq Survey Group has shown that Saddam Hussein had WMD intentions, had WMD programs that did survive, and did outwit for 12 years the United Nations Security Council and the resolutions—indeed, the inspections, in large measure.

If ultimately, the findings of the Iraq Survey Group do differ from the prewar assessments of our intelligence community, differ from assessments of the United Nations, differ from assessments of intelligence services of many other nations, indeed that is cause for concern. But we are not there yet in terms of the totality of fact on which to draw such serious conclusions.

Today and tomorrow, our policy-makers must be able to rely on the intelligence they are provided. The safety and security of the men and women of the armed forces are dependent on intelligence and, indeed, the security of our Nation.

So collectively, all of us—the Congress, the executive branch and other nations—we must vigorously continue to pursue the collection of the facts, as the ISC is doing, and upon that completion, then draw our conclusions and take such corrective measures as may be necessary.

WARNER: As we speak, over 1,400 individuals—military and civilian—are on the ground in Iraq seeking the facts about Iraq's WMD programs. I have confidence in the commitment and the ability of General Dayton, Mr. Duelfer, your successor, and representatives from our coalition partners to complete this mission. They have some of the best and brightest of our military and our intelligence community to complete this task. And Congress has provided the necessary means, a very substantial appropriation of recent.

We remain committed to providing the resources that are necessary for the completion of the ISG work.

Dr. Kay, I thank you for your public service once again.

#### BELARUSIAN AUTHORITIES CONTINUE TO STIFLE DEMOCRACY

Mr. CAMPBELL. Mr. President, as co-chairman of the Commission on Security and Cooperation in Europe, I want to update colleagues on developments in the Republic of Belarus, a country with the poorest human rights record of any country in Europe today. In the last year, Belarusian dictator Lukashenka's assault on civil society has steadily intensified, with the liquidation of NGOs, violence against opposition activists, and repression of the independent media and trade unions. The situation in Belarus continues its downward spiral with daily reports of growing repression and new human rights violations.

Since the beginning of the still relatively new year, NGOs such as the Belarusian Language Society and the Belarusian Helsinki Committee have stepped up harassment. The Minsk City Court has ordered the liquidation of the Independent Association of Legal Research. Leaders of the opposition "Five Plus" bloc, who are in Washington this week, were recently detained and searched by customs officials at the Polish-Belarusian border. The officials were reportedly looking for printed, audio or video materials that could "damage the political and economic interests of the country." Human rights activists or independent journalists such as Natalya Kolyada, Nina Davydovskaya, Iryna Makavetskaya, Aksana Novikava and Aleksandr Silitsky continue to be subjected to threats, detentions or heavy fines. Others, including activists of the youth group ZUBR, have been arrested for holding an unauthorized picket demanding a thorough investigation of the disappearances of three democratic opposition members Yuri Zakharenka, Victor Gonchar, Anatoly Krasovskiy, and journalist Dmitri Zavadsky.

Independent media outlets also continue to feel the wrath of the powers that be, including libel proceedings against Narodnaya Volya, Belarus' largest independent daily; the confiscation of Asambleya, a bulletin of the Assembly of the Belarusian Democratic NGOs; the refusal by the Belarusian Postal Service to distribute the independent newspaper Regionalniye Novosti; the confiscation of copies, in the town of Smorgon, of the independent newspaper, Mestnaya Gazeta; and the censoring of the independent newspaper Volnaya Hlybokaye in the Vitebsk region. Several Jewish cemeteries are being destroyed, Baptist congregations are being fined and Krishna followers detained.

In an unusual step, the International Labor Organization, ILO, has established a commission of inquiry—only

the eleventh time in the body's 84-year history—to examine violations of trade union rights in Belarus. Meanwhile, the Parliamentary Assembly of the Council of Europe's Committee on Legal Affairs and Human Rights unanimously ratified a report on political disappearances in Belarus. The just-released report severely criticizes the Belarusian authorities, stating that "steps were taken at the highest level of the State actively to cover up the . . . disappearances" of several high-profile members of the opposition in 1999 to 2000 and that senior Belarusian officials may be involved.

Last year I introduced the Belarus Democracy Act of 2003, S. 700, which is designed to help promote democratic development, human rights and rule of law in the Republic of Belarus, as well as encourage the consolidation and strengthening of Belarus' sovereignty and independence.

While some might be tempted to dismiss Belarus as an anomaly, the stakes are too high and the costs too great to ignore. It is important for us to stay the course and support Belarus in becoming a genuine European state, in which respect for human rights and democracy is the norm and in which the long-suffering Belarusian people are able to overcome the legacy of dictatorship—past and present. The Belarus Democracy Act—which enjoys bipartisan support—is an important, concrete way to exhibit our support. I urge colleagues to support this measure and look forward to timely consideration of the Belarus Democracy Act.

#### AMERICAN HOSTAGES IN COLOMBIA

Mr. DODD. Mr. President, it has been almost a year since three Americans—Marc Gonsalves, Keith Stansell, and Thomas Howes—were taken hostage by the Revolutionary Armed Forces of Colombia, FARC. The presence of American hostages in Colombia is deeply troubling, and one can only imagine the struggles and trials that these three brave individuals have had to endure since their plane crashed in the Colombian jungle last year on February 13. I rise today to again call attention to their plight and urge the Bush administration and Colombian Government to do everything possible to gain their release.

There is no higher priority than finding a way to bring these three Americans home safely, and I know that all of our prayers remain with them and their families during these difficult times. For the families of Marc, Keith, and Tom, this past year has been a heart wrenching experience. I have a special interest in the fate of Marc Gonsalves, whose mother, Jo Rosano, is a Connecticut resident. Marc's father, George Gonsavales, is also a resident of our State.

At every opportunity, I have worked to bring about the release of these three Americans. Indeed, over the last