

past September 30, no cost for Afghanistan, no cost for the war on terror, no cost for the war in Iraq, none.

When we ask him how can that be, his response is, gee, I really do not know what the cost is going to be. Well, the right answer is not zero. The right answer is not no cost.

The Congressional Budget Office tells us the cost is going to be \$280 billion, but the President does not acknowledge that cost. It is no wonder that he is able to say he is going to cut the deficit in half in 5 years. He just does not count things. He does not count the war cost. He does not count dealing with the alternative minimum tax crisis. He does not count paying back the \$2.4 trillion he is taking from Social Security, every penny of which he has to pay back but none of which he has a plan to do.

The President says he is going to cut the deficit in half in the next 5 years. We have gone back and included the cost of his war policies, his tax cut proposals, and the alternative minimum tax, just those three areas. What emerges is a more realistic view of where the deficit is headed. As we can see, there is no cutting the deficit in half.

In fact, we do not see the deficit ever getting below about \$600 billion. That is a realistic expectation, instead of what the President is telling the American people.

Here is what is happening to the debt: The gross debt of the United States is absolutely exploding, at the very time the President promised us he would have maximum paydown of the debt. Remember 2001, that is what he told us, that he would have maximum paydown of the debt. Instead, the debt is exploding from some \$6 trillion in 2001 to \$15 trillion by 2014.

This chart is one of the most sobering of all. The green bars show the Social Security trust fund, the blue bars the Medicare trust fund, and the red bars show the tax cuts already enacted and those proposed by the President. What this shows is right now we are being buffered from the full effect of what the President has proposed by the surpluses in the trust funds.

Look what happens when those trust funds go cash negative out in 2016. At that very time the cost of the President's tax cut proposals explode, driving us right over the cliff into deficits and debt never before seen in this country. Do not take my word for it. Here is the Congressional Budget Office report on the long-term budget outlook showing the President's tax cuts exploding the deficit at the very time the baby-boomers retire. This is not just reckless and irresponsible. It is wildly reckless and irresponsible.

This is what happens under the President's scenario. Where is the money coming from? Well, he is going to borrow \$2.4 trillion from Social Security with no plan to pay it back, but that is not the only place he is borrowing. Now he is borrowing from countries all

over the world. We are into Japan for over \$500 billion and this is from 2003. We know this is a much higher number now because Japan is buying dollars at a furious pace. So is China. We are into them for over \$140 billion, and that number would be much higher if we had a current number. We borrowed \$62 billion from Caribbean banking centers. We are in hock to Hong Kong for \$56 billion, to Taiwan for \$46 billion, but we have even borrowed \$43 billion from South Korea.

When I was growing up, if anybody had told me America would be having to borrow money from South Korea, that we would be having to be borrowing money from Japan and China, why nobody would have believed it. But that is what is happening.

This was the President's statement just the other day in Louisville, KY:

We've got plenty of money in Washington, DC, by the way.

This is not the statement of a serious person, "We've got plenty of money in Washington, DC, by the way." That is not the statement of a serious person when he is running the biggest deficit in the history of the United States of America, with no end in sight, and his proposal is to dig the hole deeper, to have no more spending and cut the revenue even more when we already are running record deficits, right on the eve of the retirement of the baby boom generation.

This President tells the American people that we have plenty of money? The only reason there is plenty of money is because he is borrowing it from every place that he can find somebody who will loan it to him.

There is \$2.4 trillion being borrowed from the Social Security trust fund with no plan to pay it back, and now Chairman Greenspan warns that the over commitments are so large that Social Security benefits ought to start being cut.

That is the logic of the President's course, and it is a disastrous course. It is one that risks the economic security of this country. It is one that risks putting upward pressure on interest rates that will choke off economic growth, that will cost this Nation even more jobs, and force this Congress and a future President into the most excruciating of choices.

This is a reckless course. This is not conservative. This is radical. It is reckless and it has to be stopped.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant journal clerk proceeded to call the roll.

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

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

Mr. HARKIN. Mr. President, parliamentary inquiry: Are Senators allotted a certain amount of time?

The PRESIDING OFFICER. The Senate is in morning business. Under the previous order, there is no time limit.

Mr. HARKIN. I thank the Presiding Officer.

#### HAITI

Mr. HARKIN. Mr. President, today things are peaceful in Washington, DC, and around the United States. We are all enjoying our time at home with our families knowing that we can walk outside and go to our local grocery store or to a shopping or a local theater, and knowing that we are reasonably assured we can do so with the assurance that we will not be subjected to being killed or be subjected to a violent activity.

But today, as we are here, a reign of terror has descended upon a small and impoverished country a few hundred miles off our coast, the poorest country in this hemisphere, Haiti. A reign of terror has descended upon Haiti. It is a crisis of immense human proportions.

As I take the floor today, the people of Haiti are living under the threat of anarchy—under the threat that a few well-armed thugs and killers who are well known to them because of their past involvement in plotting coup d'etat in Haiti because in the previous years they have been convicted by the courts in Haiti of murder. These same individuals now have guns, modern weapons, flak jackets, helmets, and communication gear. They are threatening to take over the democratically elected Government of Haiti, and they are going to do it by killing thousands of people.

Today, stores and shops are closed in Port-au-Prince. The situation is deteriorating by the hour. Commercial airlines have cancelled all flights in and out of Haiti. Private charter flights have been halted. Parts of the main port are reportedly on fire. U.S. diplomatic representatives are hunkered down in the embassy compound guarded by some Marines. France, Canada, Brazil, and the Dominican Republic have withdrawn their personnel.

What is our response? Silence, nothing. We are a pitiful, helpless giant when it comes to averting a humanitarian crisis in a small impoverished country in our hemisphere a few hundred miles from our shores.

We can send \$160 billion to Iraq. We can send our young men and women to Iraq to die. We can send billions of taxpayer dollars to Iraq to build their infrastructure. But we can do nothing to stop the bloodshed and the anarchy descending upon Haiti today.

I find this inexcusable. We have a moral obligation, a moral imperative because of our past relationships with Haiti, because it is a neighbor of ours, because it is in our hemisphere, because we are the most powerful country in this hemisphere, let alone the world, and because we believe in democracy, we believe in the rule of law, we believe in human rights and human dignity.

Do we only believe in it for Iraq? Do we only believe in it when it suits our

convenience? Do we only believe in these principles when the country has a lot of oil, for example? Are these just so many words we utter about human rights, democracy, and rule of law? When it comes to a small, black, impoverished nation where people are poorer than dirt, where they have been subject to centuries of dictatorial rule, where they have been ignored by their neighbors and by us for centuries, where they have been ground down for a couple of hundred years, I guess when it comes to a country like that, like Haiti, democracy, human rights, rule of law does not mean much. I guess it just means we can turn a deaf ear and a blind eye to what is happening.

The situation in Haiti cries out for us to do something. The poorest people in this hemisphere are crying out to us to help them. Somehow, we are saying we cannot do anything. Talk about a lack of moral spine. Where is the moral spine of this administration when it comes to Haiti, when it comes to a poor, black, impoverished country like that? What is our response to the situation?

I read in the newspaper this morning that Powell puts pressure on Haitian leader to resign, that Secretary Powell is questioning whether he should stay in office, and as Secretary Powell even said:

He is the democratically elected president, but he has had difficulties in his presidency.

United States officials, speaking on condition of anonymity, said a resignation would be in order, that Aristide should resign.

He has been democratically elected. He has had some difficulties, and therefore he should resign.

Let us take a look at that record, because I find this totally unacceptable and the American people ought to find this unacceptable. These statements, combined with our inaction, have encouraged and emboldened a lawless insurrection by armed thugs and murderers. This is no legitimate uprising indigenous to the people of Haiti. These are a few killers and thugs who got their hands on guns, who were in the old army Aristide disbanded, and now they want to come back and take over Haiti again. Guess what. We are helping them by our inaction.

Human Rights Watch has said these insurrections are by the very same people who are responsible for widespread killings and abuses that occurred during the military rule in the early 1990s.

Who are these people? We see them in the Post. They get pictures taken. They give interviews. Guy Philippe is quoted all the time. Kind of a handsome-looking guy. Guy Philippe has given all these interviews. He said in the paper he is going to get Aristide. We are going to get him. He said, No way, Jose, will he be allowed to stay in office. This Guy Philippe knows how to use colloquial English.

Who is Guy Philippe? Who is this individual who now says he wants to run the country, that he wants to take it

over, who has the guns and the arms? Well, not a very savory character. Guy Philippe was convicted of drug trafficking in Panama. He was extradited to the Dominican Republic, put in jail in the Dominican Republic. Somehow—we do not know how—somehow he got out of jail last year and, lo and behold, now he is in Haiti with guns and with his old thugs from the military.

Louis Jodel Chamblain, one of the main leaders of this FRAPH, the Revolution Front for Haitian Advancement Progress. It means "hit" in Creole. Again, where does he come from? Well, you do not have to go very far back. In the early 1990s during the military government this guy was very active—in killing people. In fact, he was convicted in absentia in September of 1995 and sentenced to life imprisonment for the murder of Antoine Izmayery, a well-known prodemocracy activist. Chamblain has been notorious for killing people in the past. Yet he is in Haiti right now, one of the guys who is going to liberate Haiti. And you have Jean Tatoune, Jean-Pierre Baptiste, also a FRAPH leader, also in Haiti, one of those responsible for the massacre in Raboteau in 1994. Again, he was convicted in absentia and sentenced to life imprisonment.

He is back again. He will liberate Haiti. These three individuals—and there are only three I mentioned; there are more who used to be in the military—want to take Haiti back. They do not want democratic government. They do not want to run for office.

Again, a little history is in order. We all know Haiti was one of the first countries where there was a slave uprising in 1804 and they threw off the French rule and defeated Napoleon, defeated Napoleon's forces and became a free country. It was kind of unsettling because we still had slavery in America and a lot of Senators and Congressmen at that time in the Congress of the United States were very upset about this slave revolt in Haiti. We had to be very careful it did not reach our shores.

After that, Haiti devolved into one dictatorship after another. For the better part of the last century, most of the dictators were supported by us, the Duvalier regime being the most infamous of them all.

Finally, after the Haitian people had been tortured and enough people killed, they rose up in the 1980s and they got rid of not only Papa "Doc" Duvalier, who died, but also his son, Baby "Doc," and ran him out of the country. They had an electoral process and had an election in 1990 everyone said was fair, and a guy by the name of John Bertrand Aristide won the Presidency in 1990. He was inaugurated, if I am not mistaken, in January of 1991.

How long was he President? Eight months. In 8 months the military came in and threw him out. There was a coup d'etat and they threw him out of the country. And thus began a ruthless killing field in Haiti. Of all those peo-

ple who had supported Aristide, the military went out and killed them. Some of these guys like Chamblain and Tatoune were involved in this.

The international community came down pretty hard on Haiti at that time. Under President Clinton, we sent about 20,000 troops to Haiti to restore order and to bring Aristide back as the elected President, which was accomplished.

It took 3 years, but we accomplished it. He came back, if I am not mistaken, in late 1994 or early 1995.

One of the things that was agreed upon with Aristide is that the 3 years he was out of the country would count as part of his presidency. For the good of Haiti, and to move democracy along, President Aristide agreed to that. Though he only served 8 months as President, he agreed they would count all the time he was out of the country as part of his presidency.

He came back, and he had about a year in office before he had to leave, on a 5-year term. Before he left office, though, he did one thing: President Aristide, in 1995, disbanded the military. He said: Haiti does not need a military. No one is going to invade us. It uses up a lot of the money that should go for hospitals and education and things like that, paying all these soldiers. We do not need soldiers.

He was right. Haiti did not need a military. So he disbanded the military. Since that time, there has not been a military in Haiti.

A lot of these military people left the country, Guy Philippe being one of them, who went to Panama and got involved in drug trafficking and got caught. He got put, as I said, in prison in the Dominican Republic. Now he is out. Now he is back with a gun.

A little history is important to see what happened.

Aristide was out for 5 years because he also agreed he would abide by the Constitution and he would not seek a consecutive reelection. The Constitution of Haiti says for a 5-year presidential term, you cannot have two consecutive terms. You can come back and run later on, but you cannot have two consecutive terms. President Aristide agreed to that.

From 1995 until 2000, there was another President in there named Preval. I will not go into that. Aristide basically was not heard of much during that period of time. He formed a new political party. He ran again in 2000 and was reelected in what was deemed a fair election. Some people say only 5 percent of the people turned out, but there are other accounts that as many as 60 percent of the people turned out to vote in that election. But the opposition wanted to boycott it, would not participate.

Aristide was reelected for another term. Since that time, the Bush administration has put an embargo on financial aid and assistance to Haiti. So when Secretary Powell says he has had difficulties in his presidency, sure, when we pull the rug out from underneath him, and we cut down aid and

support to a democratically elected government, of course they are going to have difficulties.

This is a poor country. This is a country where the military wants to take over again. This is a country that for 200 years had no democracy whatsoever and is still struggling to try to figure out how to make democracy work there. Of course there are difficulties. So I question Secretary Powell's and our administration's insistence somehow that Aristide has to go.

One other thing is important. Recently the CARICOM nations—this is the Caribbean community of nations—met in Jamaica to come up with a proposal to help try to solve the impasse in Haiti, the political stalemate in Haiti. They met. They invited the opposition to come. They invited Aristide to come. Aristide went to Kingston, Jamaica. The opposition boycotted it.

The CARICOM nations decided on a plan they promoted for a political settlement in Haiti. Guess who backed that plan. Our State Department, I assume speaking for the President. Our Secretary of State, the same Secretary Colin Powell, supported the CARICOM proposal, which was a power-sharing arrangement Aristide would have to give to the opposition. For the benefit of Haiti, to promote, again, democratic principles, Aristide agreed to that. He did not have to, but he agreed to it. Guess who did not agree to the CARICOM proposal. The opposition.

Let's get this straight. The Caribbean community comes up with a proposal for political settlement. Aristide agrees to it; the opposition does not. Our own Secretary of State promoted the CARICOM proposal, the settlement, and now our Secretary of State is saying it is Aristide who has to go. Wait a minute. He was the one who agreed to the proposal. It was the opposition who did not agree.

What is going on here? One has to ask, what is going on? I see this, and I say, there is a disconnect here. There is something wrong here. There is something wrong here when all of the focus is being put on Aristide to leave the country. When you have murderers and thugs, ex-military people convicted in absentia of vicious killings and murders in Haiti, who left the country, who are now coming back in with guns, modern weaponry, one has to ask, where did they get them?

This is a country of 8 million people. How many people are we talking about in Gonaives or in Cap-Haitien or places like that? The best estimates are maybe a couple hundred. One town got overrun with 40 people. Forty people with guns came in, shot the police chief, killed him, burned the police station down, and left the town. Out of 8 million people, you have 200 or 300 people who have these guns causing this trouble.

That is a popular uprising? You might say, well, why don't the Haitian people, then, confront these people? Because the Haitian people do not have

an army because Aristide disbanded the army. The police forces he set up are ill-trained, ill-equipped to deal with it because we did not come in to help them set up a professional police force in Haiti.

So when you come in with guns blazing, and you have the guns, who is going to stand up to you? That is why I opened my comments by saying, the people in Haiti are in a reign of terror right now. And make no mistake about it, if Guy Philippe and Chamblain and those armed thugs are able to take over Port-au-Prince and either kill President Aristide or somehow run him out of the country, there will be a killing field in Haiti. Thousands of people will lose their lives because this army, vicious as it was in the 1990s, will be even more vicious now in seeking retribution against those who supported Aristide in disbanding the Haitian military.

It is devolving into anarchy in Port-au-Prince and the rest of Haiti. People are fearful. They are fearful for their children, for their families. Businesses are closed. Food aid. We were feeding 300,000 people a day—malnourished, starving people. That now is not happening. Think about the implications of that. Think about it. Don't we have a moral obligation here? The Bush administration, justifying inaction, says it does not want to choose sides. I am not asking anyone to choose a side. What we are asking the administration to do is to—right now, this weekend, tomorrow—join with the OAS and send in a peacekeeping force to bring some order to let people know they cannot run roughshod, they cannot come in and shoot police stations up and burn buildings down, to help create some stability.

The side we should choose is the side of democracy. That is the side we should choose. These armed thugs were not elected. President Aristide was elected, not the armed thugs. It is clear that the administration's unwillingness to get involved is paying the way for the destruction of Haiti's fledgling democracy.

What about all this talk of spreading democracy? What about the forward strategy for freedom? Can you imagine how this must sound to Haitians as we embolden and encourage the gunmen, criminals, and thugs who are now trying to overthrow the democratically elected Government of Haiti? The administration speaks about democracy halfway around the world. What about democracy 600 miles off our shores?

To be sure, the fledgling democracy in Haiti is imperfect. I am the first to admit that. But it would be a profound mistake of historic proportions that I believe would have deep moral implications for our country if we abandon this fledgling democracy to the likes of these gunmen.

Well, maybe the administration says this is an easy way out. We don't do anything, we just let it go. Talk about an abdication of our position in this

hemisphere. We have a responsibility in Haiti—a responsibility based on our democratic values, a responsibility based on humanitarianism.

Mr. President, there is one other thing. There are now 20,000 U.S. citizens in Haiti. We have a responsibility to protect them also. What about those 20,000 American citizens in Haiti? Why are we not protecting them? I ask that question. Why are we not protecting the 20,000 U.S. citizens living in Haiti? Maybe you can draw your own conclusions. I don't know.

Well, what needs to be done? Right now, there is a debate on how we got there. Who is right? Who is wrong? Did Aristide do this, or did he not do that? Did he keep out the opposition? There is all this talk about how we got here. When your house is on fire, you put out the fire first. You don't go around saying, How did it start? Get the fire out, then we can have the debate about how we got there.

Haiti is on fire. It is burning right now. Innocent men, women, and children are being killed right now. We can stop it. We have the power to stop it—with very little involvement on our part. We have the power to stop it.

Tomorrow, the United States should deploy a stabilization force in Haiti along with the Organization of American States. The Organization of American States has a history in this, by the way. They have sent peacekeeping operations to places like Yugoslavia. The Caribbean countries are one-third of the OAS. They have sent people, too, as peacekeepers. They have experience in this. They can be involved with us in setting up a stabilizing force this weekend in Haiti. If we were to send that signal now, that would stop these thugs and gunmen and murderers in their tracks. But I can tell you, from conversations I have had on the phone with people in Haiti today, that the people in Haiti are thinking that we are on the side of the thugs and the killers. Why? Because we are not doing anything and they have the guns. If we were to send in a stabilization force, the people of Haiti would know we are on their side. That would give them courage. But right now, the poor people of Haiti believe that they are alone—alone, forgotten, abandoned, as they have tried to implement a democratic form of government in their country.

The administration says they don't want to act until there is a political settlement. Mr. President, you cannot have a political settlement until you have some stability. You cannot have a political settlement when people are being gunned down in the streets, when armed thugs are burning down police stations. Think about that.

The people who want to "liberate" Haiti are the people with guns. What are they doing? They are burning down police stations. Does that give you an idea of what they want to do after they take over?

The administration says they are reluctant to act without a political settlement. You cannot have a political

settlement without stability. Stability first. That is why I say this administration, tomorrow, needs to send in a peacekeeping force to Haiti, along with the Organization of American States. It can be done in less than 24 hours. It would stop the bloodshed immediately. Then we can work on the CARICOM proposal or other proposals for a political settlement.

How are you going to have a political dialog, a political settlement in this environment right now? Our own embassy staff cannot even leave the compound or move around. How can we work on dialog and a resolution? You have to have a secure environment in order for a productive dialog to take place. Is it this administration's intent to totally destabilize the Aristide government, the democratically elected government of Haiti, and let the gunmen take over and hope somehow we can deal with them later? Is that their intent? Because that is who is going to take over. It will not be the political opposition. It will be the people with the guns. The most lethal element in Haiti will be the ones who will take over. Don't take my word for it. Read the paper. What are Guy Philippe and Jodel Chamblain and others saying to the press? They are going to run things, not some civilian opposition.

After we would send in a stabilizing force this weekend, we would work with OAS, the CARICOM, to mediate a political solution, one that respects and preserves Haiti's emerging democracy. On February 20, I joined with a number of my colleagues in sending a letter to Secretary Powell saying the CARICOM initiative offers the best vehicle for a peaceful resolution of this critical situation. If we fail to act, there will be real consequences.

Consider what happened in 1993 and 1994 when we didn't act at that time. Thousands of Haitians were killed, torture chambers were set up. There was raping and pillaging and looting. Many more fled to the U.S. and other neighboring countries. That was in 1993. That is when we had a military dictatorship in Haiti. The same people are now trying to overthrow the Aristide government.

But today we are on the brink of even a bigger catastrophe. The World Food Program, which I have mentioned, is feeding about 300,000 Haitians a day. This distribution, for all intents and purposes, is stopping. A humanitarian crisis of immense proportions is happening on our own doorstep, and we do nothing.

What kind of signal do we send to the children of Haiti? Is it our signal that the only way to get anything done is to pick up a gun, to kill, to intimidate?

The issue is not about partisanship. The issue is about a humanitarian crisis. This small impoverished country, the poorest in our hemisphere, a nation with this long history of dictatorial regimes supported a lot by us is crying out for help.

We have a small, diminutive man, a former Catholic priest, Jean-Bertrand

Aristide, a hero to his people, elected freely twice, overthrown once by a murderous coup in the nineties who has come back fearlessly to try to engender a political democratic solution to the problems in Haiti, this very small diminutive man who disbanded the military in Haiti is asking for our help to save the democratic system.

Every time we have called upon President Aristide to take a step back to do something for the democratic process in Haiti, he has done so. As I said, when he was in exile in the nineties, in our dealing with the military in Haiti, we made Aristide agree that the 3 years he was in exile would be counted as part of his Presidency, even though he was not there, even though he served only 8 months as President. For the good of democracy and his constitution, he agreed to those requests. Even though he would have been reelected in a landslide in 1995, he abided by the constitution and did not seek reelection, as the constitution provides.

So this little man without an army, without any oil, without some strategic importance in the world community, this little diminutive man, Jean-Bertrand Aristide, a former Catholic priest, who, back when he first started in the eighties, only wanted to increase the educational level, the health level, the living standards of the poorest people in Haiti—it has been his life's work—is crying out for our help to save democracy.

What are we saying to him? Leave the country. You leave the country and turn it over to the gunmen. That is not saving democracy. That is destroying it. That is killing the fledgling democracy in Haiti.

President Aristide said he would serve until his term is up, I believe it is February of 2006, but when Secretary Powell and the CARICOM nations went to Aristide and said, Look, to save your fledgling democracy, you have to agree upon powersharing, upon this, all the elements they put into that package, what did Aristide say? OK, to save democracy in Haiti, he would do it. The opposition, to save democracy, would they come halfway and meet him? They said, no, they would not agree to that. The only thing they would agree to is Aristide going completely out of the country and them taking over.

One has to wonder what is going on. This is a seminal moment, I believe, in the history of our country and in our relationship to the rest of this hemisphere because what we do or do not do in Haiti this weekend and immediately speaks to what the American character is, what we really stand for. The moment is now.

Haiti could descend into anarchy at any moment. On the radios in Port-au-Prince, opposition people are getting on the air saying Aristide is fleeing the country; right now he is fleeing the country. The poor people who were counting on Aristide to protect them now are frightened, and it emboldens

the gunmen and the thugs to take over because they do not see us anywhere, and not seeing us anywhere must mean we are on the gunmen's side because they have the guns.

Now they are trying to say this is some kind of a popular uprising. These gunmen, these murderers, these ex-military people were not even in Haiti. They had been convicted by the courts in Haiti of murder, sentenced to life in prison in absentia. There is no popular uprising. These are armed thugs coming across the border from the Dominican Republic taking arms, communications equipment, and everything with them and terrorizing people, killing policemen, and burning down police stations.

They are well equipped. They have big weapons. They move at night. They know how to communicate. This is an uprising of Haitian people? Not a bit.

The people of Haiti are crying out to us. It speaks to our moral values. Are we going to pay attention to the poorest country in this hemisphere, one of the poorest in the world, almost an entirely black country where they have been beaten and trod upon for so long and where they saw a little bit of hope and finally getting out from under military rule, under dictatorial regimes, such as the Duvaliers, being able to have some power to vote for who they wanted to see in office, not who we wanted to see in office? Are we just now going to turn our backs on them?

I hope not. I hope that somewhere in this State Department, somewhere in this administration there is a spark of conscience that says we cannot stand by, that we must send a peacekeeping force to Haiti immediately, and we have to work upon a political settlement rather than a settlement at the end of a gun barrel held by thugs and murderers.

I hope there is a spark of conscience someplace because if there is not, a lot of people are going to die, a lot of innocent people, poor people, people who do not have much to begin with. They are going to get in their boats. They are going to want to flee the country. What did our President say? If they come out, we will pick them up and send them right back. Think about that. Poor people trying to flee the killing fields, and we are telling them if they get in a boat and try to go someplace, we will send them back.

Is this America? Is this the country my mother came to as an immigrant? There is a lot to ponder in our relationship with Haiti at this point in time. It is a seminal moment. I believe what happens within the next 24 to 48 hours will determine the fate of democracy in Haiti. It will determine the fate of thousands of innocent Haitian people and it will determine our moral standing, not only in this hemisphere but in the world.

I hope that spark of conscience happens very soon somewhere in this administration, because anarchy, murder,

and killings are going to happen very soon unless that spark of conscience happens somewhere in this administration.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant journal 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.

Mr. FRIST. Mr. President, we are still in some negotiations and will be in for a bit longer. But I will speak for a few moments on several issues while those negotiations continue.

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

#### COMMEMORATING BORIS TRAJKOVSKI, PRESIDENT OF MACEDONIA

Mr. FRIST. At this juncture, Mr. President, I rise with heavy heart in that Thursday morning, Boris Trajkovski, the President of Macedonia, perished in a plane crash in the mountains of Bosnia. He was a good man, a man I had met, a man with whom I had extensive discussions, a man who was a great leader. Indeed, the people of Macedonia have lost a true hero and, indeed, America has lost a great friend.

Elected to his country's highest post in 1999, President Trajkovski held his country together through terrible crises and conflicts. He kept the struggling new Republic from descending into anarchy and civil war and, in doing so, set an example for the entire region.

President Trajkovski was one of our first allies to publicly support Operation Iraqi Freedom and to commit troops to the liberation. The Iraqi people owe President Trajkovski and the Macedonian people a debt of gratitude for his belief in them.

He was a sincere champion of freedom. Only 47 years old, Boris Trajkovski was a President, a minister, an attorney, a father, and a husband. Our prayers go out to his family and the families of all who were lost on that fateful plane.

It is my hope that the people of Macedonia will honor him by carrying on his work of cultivating and nurturing their newfound freedom.

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

The PRESIDENT pro tempore. The clerk will call the roll.

The senior journal 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.

#### ASBESTOS LITIGATION

Mr. FRIST. Mr. President, I rise this afternoon to discuss the progress that has been made to date in my efforts to resolve a critically important issue; that is, the issue of asbestos litigation—a crisis that is currently playing out and has been playing out over the last several years, an issue I have addressed on the floor of the Senate. I wanted to give an update of where we are, a little bit about where we have been, but also what my expectations will be as we look to the future.

First and foremost, we have made good progress toward enacting Chairman HATCH's FAIR Act, which is the Fairness In Asbestos Injury Resolution Act. I have made this a personal priority in that the Senate must resolve this issue.

First of all, the crisis itself, the asbestos crisis. As I mentioned on the floor last fall, the magnitude of the asbestos crisis is truly overwhelming. The torrent of litigation has wreaked havoc on victims, on American jobs, and on the economy. The 600,000 claims that have been filed have already cost \$54 billion in settlements, in judgments, and in litigation costs.

Even with those billions being spent, the current asbestos tort system has today become nothing more than a litigation lottery. A few victims receive adequate compensation, and far more suffer long delays for unpredictable and inequitable awards, if they receive anything at all. Today, it is a system with only one real winner; that is, the plaintiffs' trial lawyers. They are taking half of every dollar that is awarded to victims. One-half of every dollar that is awarded to victims ends up going to plaintiffs' trial lawyers.

The future prospect for people who have been victimized even gets worse. But let me say it is not only the victims who suffer—that is clear—but workers lose their jobs. Asbestos-related bankruptcies spell doom for workers' jobs, for their incomes and, of course, for their retirement savings. It has already cost more than 60,000 Americans their jobs. For those who lose their jobs, the average personal loss in wages over a career is as much as \$50,000. That \$50,000 does not include lost retirement and lost health benefits.

Workers at asbestos-related bankrupt firms with 401(k) plans lost about 25 percent of the value of their 401(k) plans. The victims; yes. They have been hurt by the current system but, indeed, with the bankruptcy of these companies, employees are hurt all around the country.

The problem is there. It is a crisis. It is a crisis that is getting worse. It is not getting better. Thus, it is incumbent upon us to act.

I asked a simple question during my remarks last year. That question was, Can we create a system that is better than the status quo? The answer is, of course, yes. But time is running short. That is what brings me to the floor today.

First of all, progress to date: The crisis is there, it is getting worse, and it demands a response from us. As an update on what we have accomplished to date, the FAIR Act—Fairness In Asbestos Injury Resolution Act—has already made significant headway. Under the leadership of Chairman HATCH, it was passed by the Senate Judiciary Committee last July, and there have been ongoing discussions and negotiations ever since.

I commend Senator HATCH and the ranking minority member, Senator LEAHY, for their tremendous hard work on this bill.

I also want to recognize my colleague from Pennsylvania, Senator SPECTER, who has done hard work in conjunction with Judge Becker on this particular issue.

A strong bill, steady progress, and constant discussion.

I want to note that my Democratic colleagues as well as organized labor and other stakeholders have been deeply involved throughout the process.

Led by Senator HATCH, bipartisan breakthroughs were made on issues that previously have proved irreconcilable. These included a whole range of issues but included the linchpin issue of medical criteria that has proven historically to be so difficult and controversial.

In addition, much work was done over the winter recess to resolve outstanding issues regarding the appropriate administrative structures of the system for resolving current and future asbestos claims.

What has emerged under S. 1125 and the current negotiations is a streamlined national trust fund for paying asbestos claimants quickly, fairly, and efficiently. The new system will provide more certainty and efficiency for claimants, and more certainty and predictability for businesses.

Passing this bill will create enormous economic benefits. Certainty that flows from a bill will stimulate capital investment, preserving existing jobs and creating new ones. I had hoped to bring this bill to a floor vote before the end of last session, but we were simply unable to achieve that goal.

Chairman HATCH and Senator LEAHY worked hard to resolve many difficult issues at the committee level. Senator DASCHLE and I, along with our staffs, have continued to work with stakeholders to put more issues behind us over the past months. In fact, there have been more than 20 meetings starting last July at which my staff, Senator HATCH's staff, Senator SPECTER's staff, and staff representing the minority have negotiated these issues.

While there are many issues which remain outstanding, the core principles of an effective bill are now clear. The crisis is there, the crisis is getting worse, the bill has been delivered, continued progress, continued discussions with improvement of the bill.

Then the question is, Where do we go from here?