

Mr. DEWINE. I thank the Chair.

(The remarks of Mr. DEWINE pertaining to the introduction of S. 2270 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). The clerk will call the roll.

The assistant journal clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PERSONAL RESPONSIBILITY AND INDIVIDUAL DEVELOPMENT FOR EVERYONE ACT—Continued

NATIONAL PUBLIC RADIO

Mr. DURBIN. Mr. President, last week I took the floor of the Senate to note the decision which has been made by National Public Radio concerning the host of Morning Edition with Bob Edwards. It was announced in the Washington Post that National Public Radio management had decided after some 24 years to relieve Mr. EDWARDS of his responsibility as host of the morning show. There was not much given by way of explanation, and it was clear from comments by Bob Edwards that it wasn't his decision.

It has been interesting since I took the floor and noted my disappointment over that decision the response which I received from my colleagues in Congress. It turns out Members of Congress on both sides of the aisle feel as I do—that this decision by National Public Radio is the wrong decision; that Bob Edwards, who has been not only a host of this program but the most successful morning voice in America, is being moved away from this assignment in a situation and in a circumstance that is almost impossible to understand.

Many of my colleagues have come to me and asked, What can we do? Can we go after the appropriations of NPR? I don't recommend that at all. I think National Public Radio is such an important institution more than any single individual that we should do this in a positive and constructive fashion.

What I encourage my colleagues to do is to remember that National Public Radio is, in fact, public radio; that all of us who enjoy it so much, who rely on it so much, and who contribute to it from our own individual finances, have a responsibility if we disagree with this decision by the management. I have encouraged my friends and those who feel as I do to get onto their Internet and e-mail, and to e-mail NPR.org, to do it immediately and let them know that their decision to remove Bob Edwards at the end of this month of April is the wrong decision. I have done it myself.

I have received a reply from Mr. Kernis which, frankly, I find very trou-

bling. When asked why they think this man who has become such an institution in America should be removed, the response is nothing short of gobbledygook. They talk about bringing someone who has depth and experience. But who else would you turn to rather than Bob Edwards?

I would like to make part of the RECORD at the end of my statement a series of columns and editorials from across the United States from those who enjoy Bob Edwards in the morning and can't imagine public radio without him. Some of these, starting with the Chicago Tribune, were published recently as the news reached that city of the decision by National Public Radio.

As they said in this editorial in the Chicago Tribune, people do not understand why this decision was made. Here is what they concluded in the Tribune editorial about Bob Edwards:

In contrast to their audience, though, NPR executives seem to have forgotten about the public part of their title. In commercial broadcasting, a beloved host who had presided over huge ratings gains would almost never be nudged aside. Public broadcasting is valuable precisely because it is relatively free from such worldly concerns. But it is also, effectively, a public trust, and for the public to continue to trust it, this institution needs to do a better job of explaining its momentous decisions. This is not the only newspaper, by far.

In the St. Louis area, Linda Ellerbee, known to many of us because of her news reporting and posting of programs wrote: "Time and Age: NPR Tossing Out Bob Edwards." Linda Ellerbee should know. She was moved away from a television network position because they thought for a woman she was too old. She says:

But we're not aging the way our parents did. We're reinventing the process. Besides, there are a lot of us out here.

The point she made in her article about Bob Edwards is at his advanced age of 56—which I still consider very young—he speaks not only to people of my generation but so many older and younger. If it is the marketing belief of NPR they need to have a new, fresh voice, they are missing the big picture.

For 24 years every morning when my clock radio goes on, I hear Bob Edwards. I know whether times are bad, dangerous, or peaceful. I can count on him. I have done it this morning. I have done it so many mornings. I cannot imagine "Morning Edition" without him.

There is also a comment from the Washington Post, Richard Cohen. He tells about the same experience.

Now the news from NPR is that Edwards will soon be gone.

He talked about the fact he may just decide to start listening to Mozart on disk, rather than turning on "Morning Edition." He says:

NPR Executive Vice President Ken Stern told the Washington Post that the firing of Edwards was part of a "natural evolution," that had "to do with the changing needs of our listeners." What "natural evolution"? What does that mean? And what is "changing needs"?

Mr. Cohen goes on to say to the Washington Post:

Listen, Ken, my needs haven't changed. I still want news in the morning. I still want smart features. I do not want interviews with airheaded celebrities a la Matt and Katie or, worse, interviews with the latest humorless person Donald Trump has just fired from "The Apprentice."

He concludes:

But the firing-cum-transfer of Edwards (he may become a senior correspondent) is nonetheless disquieting. Maybe my fear is misplaced and maybe the end of the Edwards era will turn out not to be a bad thing. Still, it will be jarring to wake up in the morning with a stranger.

He closes by saying:

Goodbye, Bob. Get some sleep. You've earned it.

Mr. Cohen may have given up, but I haven't. I still believe the people across America should be contacting National Public Radio, npr.org. Send them your e-mail that Bob Edwards, "Morning Edition" is important to you. As a Senator, as a citizen, he is important to me.

The San Diego Union-Tribune in an editorial entitled "NPR Show Is a Big Hit, So It Must Need Fixing?" by Robert Laurence:

This story makes no sense.

As such, it's the kind of story that can only happen in the topsy-turvy Orwellian world of public broadcasting.

It's this: The host of a hugely successful morning radio show, a show where ratings have done nothing but climb for years, a man whose skill as an interviewer is unexcelled in the world of broadcasting, whose very voice helps millions of Americans get their day grounded, is being evicted from a seat in the studio.

Mr. Laurence goes on to say:

That's Bob Edwards, since November 1979 the host of National Public Radio's "Morning Edition . . ."

He goes on to talk about the explanations from NPR management, explanations he and I both find wanting. And Scripps Howard, Bill Maxwell and the St. Petersburg Times, entitled "A Morning Voice That Will Be Missed:"

All good things must come to an end.

And so it is with the ouster of Bob Edwards . . .

To say that Edwards is the end of an era is an understatement.

He continues:

Thanks in large part to "Morning Edition," when I report to the St. Petersburg Times editorial board each morning at 9:30, I know what's going on in the Nation and the rest of the world.

Millions of us would say the same thing.

Columbus Dispatch, Tim Feran: "Shame On NPR For Axing Edwards Before Big Date."

The big date, of course, is the 25th anniversary on the air. I agree with Mr. Feran.

The Cleveland Plain Dealer: "Not a Good Way To Start The Day," a title from Connie Schultz, a columnist. She writes:

The man I've been waking up with is leaving me.

She talks about her disappointment and how hard it is to understand why NPR is making this decision.

Turning to the Seattle Post Intelligencer, Bill Radke, a columnist, writes: "Mornings Without NPR's Colonel Bob."

He starts:

Bob Edwards has been canned, and there seem to be two types of people in the world: The ones saying, "You've ruined my life, Bob's life, and the lives of everyone I know," and the ones saying, "Who is Bob Edwards?" Those who did not listen to Bob Edwards may now never know. Those who do, understand full well.

The Hartford Courant, in Connecticut, by Jim Shea:

It's not often that you can use the words National Public Radio and stupid in the same sentence but such an occasion has arisen:

National Public Radio's decision to replace "Morning Edition" host Bob Edwards is just plain stupid. What are you bozos who run NPR thinking? You know, we've really got to do something about the fabulous ratings we have.

Bob Edwards is not just the bright, witty, urbane, insightful and immensely likable host of "Morning Edition," he is for the program's 13 million weekly listeners the voice of the morning.

There is something soothing, something comforting, something reassuring about stumbling from slumber into the gentle embrace of Edwards' mellifluous baritone that makes morning bearable.

He speaks for many people when he writes that.

Finally, on salon.com, Alexandra Marshall makes many of the same points about the importance of Bob Edwards' "Morning Edition."

Those who are following this debate may be puzzled as to why a Senator would stand up in this Chamber to make an issue over the replacement of a man who is, by all measures, just another voice in the morning. But Bob Edwards is not another voice in the morning. He is the voice we have counted on and the voice we rely on.

If he is as important to you as he is to so many of us, please, understand National Public Radio exists because of people like us who listen to it and contribute to it out of our own pockets, love it, and want it to continue to be the great institution which it is today. Those who are shareholders of National Public Radio by virtue of our contributions, if we disagree with this decision, have an obligation to tell the management right now.

I encourage those who feel as I do that the replacement of Bob Edwards is wrong, to do two things: First, go to your Internet, e-mail npr.org and let them know what you think; and second, call your local affiliate of the National Public Radio system and let them know this is a sad and sorry decision.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the Chair.

(The remarks of Mr. SPECTER pertaining to the submission of S. Res. 327

are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

RECENT VIOLENCE IN IRAQ

Mr. LAUTENBERG. Mr. President, I would like to take a minute to express my outrage and the outrage of Americans across this country in seeing the mutilation and the horrible attack on the Americans who were serving, not in the military but serving their country nevertheless, and the gleeful crowd gathered around.

We have to remember that it was a relatively small group of people. But nevertheless, the deed was so horrendous that it is hard for those of us who live in a democratic environment, as we do, who live with the respect that we have for other human beings, to look at this and in any way understand what is happening.

So we send our condolences to those families who lost someone they cared about, and to lose them in some kind of atrocious assault we hope will serve as a reminder to all of us of what responsibility we took on when we entered Iraq and the things we should have tried to contemplate before we got to the point that we are.

One cannot criticize our military. I was in Iraq a couple weeks ago. Most of my colleagues have been there at one time or another to see the courage and the willingness to serve that we have with our wonderful young people there. I talked to them. I especially met with those service people who come from New Jersey, men and women. I was very impressed with the quality of their thinking, their education, their view of life and country.

I served in World War II. We were some 14 million in uniform. I enlisted when I was 18. I remember the associations and friendships I made in the small unit in which I served in Europe during the war. When I saw the young people who are serving us today, I was truly impressed with the quality of those who wore that uniform.

We now see the situation in Iraq is a very grim one. I am not sure that the turnover on July 1 to a ruling council, a governing counsel, can stem the tide of violence or reduce the volume of our responsibility. But I wish all of our people well and make a pledge here that I would like to carry back the message that I got from my conversations with some soldiers there.

I asked them to be frank with me and tell me what, if anything, they thought they needed. And they were reluctant at first. I asked whether the food was all right, the shelter was OK. Oh, yes.

But one young captain finally felt comfortable enough to speak. And he said: Yes, I will tell you what we could use, Senator.

He said: The flack jacket that is the best available out there is being worn by members of the coalition in some places, and we don't have those. They are lighter, they are more efficient, and I don't understand why we don't have them.

Fair enough. He said: You see this rifle?

I think it was an M-16, but they have changed considerably from the time I carried a weapon in World War II.

He said: I see members of the coalition with lighter, better aiming mechanisms than we have on these guns. They are easier to work with at any time. We don't have them, and I don't understand why.

When he talked about armored vehicles, he said they don't have enough of them. I was almost dumbstruck. I didn't know what to say because I know we have allocated lots and lots of funds. We have placed over \$160 billion into the effort in Iraq, and we are about ready to place a lot more with a special allocation, a supplemental allotment. I asked our military leadership to tell us what it is that prevents us from delivering the kinds of tools, protections, and instruments that our people need to conduct their duty there.

I saw something in the paper last week that said much of the material we would like to have there is not sent because we don't have the transportation available. I think we ought to get after that problem. I pledge to do whatever I can to search out the reasons and make sure we expedite the process of getting our courageous service people, who serve us so well, the equipment and the support that is needed.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I thank the Senator from New Jersey for his leadership on this and so many issues. He expresses the feelings I have heard from soldiers returning from Iraq who are in Walter Reed Hospital recuperating, who are still strong in spirit and still dedicated to our country and hoping that we will help them win this battle and let them come home safely. There is a lot more we can and should do. I thank the Senator from New Jersey for his leadership in this area.

DIETARY SUPPLEMENTS

Mr. DURBIN. Mr. President, there has been an issue I have worked on now for almost 2 years relative to dietary supplements in America. We passed a law called the Dietary Supplement and Health Education Act in 1994. In passage of that legislation, we attempted to establish a standard for the legal treatment and regulation of dietary supplements. They are known to many Americans. It is a multibillion-dollar industry.

There are many of us who take vitamins and minerals and believe they are good for our health. I took one this morning. I hope it helps me. I don't think it will hurt me. For a lot of Americans, it is something they rely on.

There is another category that goes beyond ordinary vitamins and minerals, which are products known as dietary supplements. In many respects,

what they consist of are herbal extracts, so-called natural products that are put in combination and sold in stores with many claims about whether they can help you from a health viewpoint.

Most Americans who walk into a drugstore, pharmacy, or nutritional supplement store believe the products on the shelf being sold to them are, in fact, safe. They may believe they have been tested. They may believe the proper clinical evaluation has been done. They may believe the Government is monitoring whether there is something wrong with the drug that causes a bad health event. Those beliefs are right and true and accurate, when it comes to prescription drugs. They have to go through extensive testing before they are ever put on the market. The FDA and many agencies look at them carefully to make certain they are both safe and effective—in other words, that they will not harm you and, in fact, will do what they are supposed to do and help you. That happens for prescription drugs, and it is what happens to the key ingredients in over-the-counter drugs.

When you walk into a dietary supplement store, a health store, that is not the case at all. What you see on the shelves there are products which, by and large, have never, ever been tested. Never tested. The law we passed said the makers of those products, unlike the pharmaceutical companies that make prescription drugs and some over-the-counter drugs, have no responsibility to test their products for safety before they are sold to the public. In fact, the burden is shifted 180 degrees. The Food and Drug Administration of the Government has the burden to prove that what is sold on the shelf is unsafe.

Think about that for a moment. Think of the hundreds, thousands, tens of thousands or more dietary supplements for sale in the U.S., and you come to the obvious conclusion that there is no Government agency large enough to test every possible combination that can be included in a dietary supplement. So the simple fact is very few are tested.

This week, Consumer Reports magazine reported on the issue of dietary supplements. I think a lot of this magazine. I have subscribed to it over the years. I think what they present is done in a very dispassionate and objective fashion. In this issue, they identify the problem we face in America with dietary supplements. They note the fact that U.S. consumers, since passage of the law I mentioned earlier, have literally spent billions of dollars on dietary supplements. They say it is interesting that for 10 years, although the FDA had the authority to remove an unsafe dietary supplement from the shelf, they never did. I will quote:

Yet, until very recently, the U.S. Food and Drug Administration had not managed to remove a single dietary supplement from the market for safety reasons.

After seven years of trying, the agency announced a ban on the weight-loss aid ephedra in December of 2003. And in March 2004 it warned 23 companies to stop marketing the body-building supplement androstenedione (andro).

That is a steroid precursor. Here we have it on the books for 10 years, with thousands of products that fall under its purview, and only two have been removed. Frankly, what it comes down to is described later by Bruce Silverglade, legal director of the Center for Science in the Public Interest, a Washington, DC, consumer advocate group:

The standards for demonstrating a supplement is hazardous are so high that it can take the FDA years to build a case.

Years—while the product is still being sold. How many people at the FDA are responsible for monitoring dietary supplements, a multibillion-dollar industry, with thousands of products? Their supplement division consists of about 60 people with a budget of only \$10 million to police a \$19.4 billion-a-year industry.

Consumer Reports goes on to draw this comparison:

To regulate drugs, annual sales of which are 12 times the amount of supplement sales, the FDA has almost 43 times as much money and almost 48 times as many people.

So it is very clear this agency is not prepared and staffed and, frankly, doesn't have the authority to protect the American consumer. So what happens? People unsuspectingly go into these health food stores, vitamin stores, and see the dietary supplements with all sorts of claims on them; they buy them, they use them, and the consumers of America become the guinea pigs.

We are the ones who are testing these products to see if they are dangerous. You might say, if they are dangerous, if they hurt someone, clearly then the Government will take them off the shelf, right? No, I am sorry, that is not right because understand that the law we passed at the request of the industry does not require dietary supplement manufacturers to report to the Government when people are literally dying from the products they sell.

I am sure many people listening to this debate say that cannot be true. It is true.

Let me give a specific example. Metabolife International, a leading ephedra manufacturer, did not let the Food and Drug Administration know it had received 14,684 complaints of adverse events associated with ephedra products. But Metabolife 356, which you may remember, in the previous 5 years had received notice of 18 heart attacks, 26 strokes, 43 seizures, and 5 deaths. Under the law of the United States of America, Metabolife had no legal responsibility to tell the Government a product it was selling was killing people.

People listen to that and say that cannot be true, but it is. It is a fact.

When a Harris poll surveyed 1,000 Americans about what they thought

the law was, they found 59 percent of them said they believe supplements must be approved by a Government agency before they can be sold. They went on to say 68 percent said the Government requires warning labels on a supplement's potential side effects or dangers, and 55 percent said supplement manufacturers cannot make safety claims without solid scientific support.

Sadly, every single response by the overwhelming majority of Americans was plain wrong. There is no Government regulation of the products, there is no requirement for warning labels, and these companies can make safety claims without solid scientific support. That is a fact.

It seems the Institute of Medicine has decided it is time for a change, a change I believe is long overdue. Today the Institute of Medicine released this report. It is a framework for evaluating the safety of dietary supplements. In the fall of 2000, the Food and Drug Administration contracted with the Institute of Medicine to develop a scientific framework for safety evaluation of dietary supplements within the confines of the law. They also asked them to test their framework on six commonly used dietary supplements. The report took more than a year longer to complete than was expected, but it is comprehensive and thorough. It contains many observations we need to scrutinize closely.

First, their framework depends on the collection of data that is not required to be turned over to the FDA by supplement manufacturers, namely adverse event reports.

The IOM report states that the first step in the process for reviewing safety is to look for signals of safety problems, including adverse events. What do I mean by an "adverse event"? Does it mean if you have an upset stomach from a vitamin you have to report it to the Food and Drug Administration? Does it mean if you get dizzy from taking any kind of supplement, from garlic to fish oil, you have to call the Food and Drug Administration? No.

What I believe the standard should be is serious adverse health events. If you pass out, have a stroke, or heart attack, or die—serious things that can occur.

Lest you think this is something that does not happen, let me tell you the story of a young man, 16 years old, who lived a few miles from my home in Springfield, IL. Sean Riggins of Lincoln, IL, a 16-year-old high school student, played on the football team. He had a big game coming up. He went over to the local gas station—gas station, mind you—and saw a product on the shelf called Yellow Jackets. It was an ephedra product. Yellow Jackets were supposed to give him energy. This man thought: I need energy; I am going to play football. He purchased this product over the counter at a gas station in Lincoln, IL, washed it down with a Mountain Dew, which happens

to be loaded with caffeine, and started feeling sick. When he got to the football game, he didn't feel good at all. The next day, his mom and dad took him to the hospital, and later that morning he died from a dietary supplement with ephedra. Under the law as it is written, if the parents of Sean Riggin called the company that made Yellow Jackets and said, "Your product just killed my son," that company would not be required under law to even report that to the Government. That is not right.

The Institute of Medicine report we are looking at today recommends that that change. Metabolife misled the Government. Companies that make products such as Yellow Jacket sadly are not much better.

Let me tell you about another company called Rexall Sundown. It marketed an ephedra product called Metabolite described by the Government as having adverse event reports. In other words, people were getting sick who took this product. We heard about it and requested the company provide us with information about the adverse reports, about people getting sick after they took this product.

The response I received was truly astonishing. The company said Rexall Sundown was a new company and had never sold ephedra products. Therefore, it never had any adverse event reports in their possession. They used the oldest trick in the book to shield themselves from liability for the dangerous products they sold. They had dissolved their old company, started a new one with the same name, and tried to escape any liability for the life-threatening products they had been selling. We tried to get more information from them and failed, but we will continue that effort.

Let me also say to people who said, "Thank goodness, ephedra is off the market, so you can stop worrying," that is not the case. The same Consumer Reports magazine that is coming out has a table which I commend to everyone who takes dietary supplements. It is impossible to read this chart, I am sure, on television. I will summarize a few points of it for those who would like to understand what Consumer Reports, an objective magazine, says about 12 supplements. They said you should avoid these supplements.

A supplement that is "definitely hazardous" is aristolochic acid. This is something that is sold under a variety of names. They say it is a potent human carcinogen. It can cause cancer potentially, kidney failure, sometimes requiring transplant. The Food and Drug Administration warned consumers and the industry in April 2001. It has been banned in seven European countries and Egypt, Japan, and Venezuela. But it is still being sold in the United States. Aristolochic acid is also known as birthwort, snakeweed, sangree root, and so forth.

Then they list another group of "very likely hazardous" products banned in

other countries where we have a warning from the FDA: Comfrey, which includes blackwort, bruisewort, and so many other herbal names.

Incidentally, let me say at this moment how difficult it is for consumers to follow this because they change the names on these bottles in the dietary supplement store, and you have no idea what you are buying. The Food and Drug Administration advised the industry take it off the market in July 2001, but it is still being sold. It creates abnormal liver function or damage, often irreversible, causing death.

Androstenedione, I mentioned this earlier. The FDA finally banned it in supplements.

Chaparral is another product which is sold under a variety of names. It causes abnormal liver function or damage, often irreversible. FDA warned consumers in December 1992.

Germander is another product banned in France and Germany.

Kava is an ingredient in a variety of products. FDA warned consumers in March 2002 to avoid it. It is banned in Canada, Germany, Singapore, South Africa, and Switzerland, but it can still be sold legally in the United States because the Food and Drug Administration does not have the power and the authority to police this kind of dangerous product.

Under "likely hazardous" products there is one I would like to speak to, bitter orange, citrus aurantium. You will find this in Metabolife Ultra. When they took ephedra out, they put bitter orange in, and there are a lot of other products, diet products, energy products. It can cause high blood pressure and increased risk of heart arrhythmia.

We wrote to seven companies that make supplements that contain citrus aurantium and asked them: What kind of tests did you engage in to determine whether citrus aurantium, which is now replacing ephedra, is safe? One of the CEOs wrote back and said: We have a scientific study to prove our product is safe. So we looked at the study. The study did not have anything to do with citrus aurantium or bitter orange. It was about the safety of using orange juice—orange juice—in drug metabolism studies.

We then contacted one of the scientists involved in this study and asked: Do you realize this company that is selling thousands of products worth millions of dollars is claiming your scientific study says citrus aurantium is safe?

This scientist came back to us and said: That is an improper use of that study to justify the sale of that product.

So there is no scientific basis for the safety that CEO asserted. These manufacturers are literally putting together dangerous and sometimes lethal combinations of chemicals and selling them under the banner of dietary supplements to unsuspecting American consumers.

For some consumers, it is a waste of money. For others, it is much more dangerous.

There are other products that are mentioned here. I am probably going to fail to pronounce many of them properly: organ/glandular extracts, Lobelia, Pennyroyal oil, Scullcap and Yohimbe. When one goes through these, they will find many of these have been banned in other countries.

One of the conclusions from the Institute of Medicine, after looking at dietary supplements, is unreasonable risk does not mean the Food and Drug Administration has to prove the supplement is harmful.

The report concludes, given the limited amount of data available, definitive statements judging safety of these products may be difficult to completely substantiate scientifically.

The committee determined that concluding a supplement presents an unreasonable risk does not require complete evidence a dietary supplement causes a serious adverse event. In other words, the unreasonable risk standard that is written in the DSHEA law is a standard which frankly is going to be a very difficult one for the FDA or others to prove.

So what they are suggesting at the Institute of Medicine is we look to a different and more reasonable standard. They also talk about premarket review of some of these products, which I think is something that needs to be done.

I particularly believe stimulants should be subject to premarket review so we have some testing to make sure they are safe so many of these products here, such as bitter orange, citrus aurantium, which cause an increase in blood pressure—and, frankly, I believe what they are suggesting in the Institute of Medicine report kind of parallels legislation which I have introduced—to try to bring some sanity to this industry.

This has been a battle which I have been engaged in for almost 2 years now. I know what happens when one takes on a giant industry in America, a multibillion-dollar dietary supplement industry. If one walks into most vitamin stores around America, they will find my name, not in a praiseworthy fashion. They are passing out leaflets saying: Write to DURBIN and tell him to stop taking away your vitamins and minerals.

It is a scare tactic. It is a scare tactic from an industry that should be running scared. There are good actors in this industry and there are bad actors, but unfortunately the bad actors are being protected by the good ones.

Right now I believe Americans should be able to buy vitamins and minerals which have been tested and proven, make their own choices about their own health, but I also believe this industry has a responsibility when it sells products that can be dangerous to Americans to do two things.

First, if they are selling stimulants they should be tested in advance so we

do not have another ephedra which is going to take the life of an innocent young boy in Lincoln, IL, or a major league baseball player like Steve Bechler of the Baltimore Orioles.

Second, I believe all of these dietary supplement manufacturers should have a legal obligation to report to the Food and Drug Administration when people get seriously ill or die as a result of taking their products. I think that is the least we should demand.

I am happy to see the Institute of Medicine creating momentum for Congress to finally make a decision. I am happy to see the administration, after more than a year of urging, finally banning ephedra, but more has to be done. Today as we speak, innocent children and consumers across America are buying products which they presume to be safe and they are not.

We have an obligation to American consumers to set a standard of care so they know when they make a purchase, whether it is in a drugstore or in a vitamin store, they are buying a product that is more likely to help them than hurt them. Sadly, the DSHEA law which currently exists does not meet that standard.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COLEMAN. 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. COLEMAN. I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

GOPHER WOMEN BASKETBALL AND HOCKEY

Mr. COLEMAN. Mr. President, in these challenging times, it is always nice to rise to the floor of the Senate to speak about some good things, about the accomplishments of some of the folks from your State that elicit a great sense of pride.

Minnesota is the home to more than 15,000 lakes. It says on our license plates "10,000 Lakes," but there are more than 10,000 lakes. Judging from the performance of our homegrown college athletes this winter, there might be something very special in the water. I congratulate Coach Laura Halldorson and the University of Minnesota Golden Gophers Women's Ice-Hockey team, which claimed its first NCAA championship this Sunday with a convincing 6-to-2 victory over Harvard University.

Finishing with a record of 30 wins, 4 losses, and 2 ties, a conference championship, and the top seed in the NCAA tournament, the Gophers did what so many No. 1 seeds often fail to do, they finished the job and they brought home the hardware.

I think Americans love an underdog, but we also enjoy marveling at excellence, and the women Gopher hockey

team achieved this and they deserve our congratulations, they deserve our plaudits.

I wish to highlight the recent progress of women's hockey for a moment.

Hockey is to Minnesota what basketball is to Indiana or football is to Texas. Minnesota has been the center of the hockey universe for almost 100 years. Until very recently, women's college hockey was dominated by Eastern schools. In fact, Augsburg College was the first Minnesota school to field a women's hockey team in 1995. I can proudly say that since the inception of a NCAA Division I National Championship in 2001, no school outside Minnesota has won the national title.

The first three tournaments were won by the University of Minnesota-Duluth, which I had the pleasure of meeting last year.

The hockey rinks of Minnesota—and almost every town has at least one—have always been full of young ring rats wearing hockey jerseys with the names of Minnesota legends such as Broten, Bonin, Pohl, and Gaborik. Today, however, it is as common to see young ring rats skating around the ice with ponytails coming out of their helmets. I got my 14-year-old daughter her first pair of Betty hockey skates this winter, and she uses them proudly. They have the ponytails coming out of their helmets. They are wearing names such as Brodt, Darwitz, Wendell, and Potter on their backs. Minnesota has always been the State of men's hockey. Now, thanks to the pioneers of women's hockey such as the women who just won the national championship, Minnesota can rightly claim to be the State of all ice hockey.

Switching from the hockey rink to the basketball gym, the story that has all of Minnesota abuzz right now is the Minnesota Golden Gophers women's basketball team's appearance in the NCAA Final Four. After earning a seventh seed in the regional tournament, Minnesota defeated the No. 3 seed, the No. 2 seed, and finally top-ranked Duke, 82 to 75, on Tuesday night. Prior to this year, the Gophers had never made it past the Sweet Sixteen in three previous NCAA tournaments. Now the Gophers will be the highest seed to play in a Final Four since No. 9 Arkansas in 1998. I believe they are the first No. 7 seed to play in the Final Four.

I had a chance to watch—not watch, I watched here in Washington—the game against UCLA with my daughter in Minnesota who, in addition to wanting to be a hockey player, wants to be a basketball player. On the phone, play by play, as we were talking about it, I just loved the sense of excitement.

I was unable to watch the game against Duke the other night; I had a speaking engagement at the time of the game. But I was anxious, when I checked my cell phone as soon as that speaking engagement was over, to hear first a message from my daughter, with

just a couple of minutes left, that we were ahead and then this excited message that we won. We won. It is great to see young kids, young women look at other young women and look at their sense of accomplishment, athletic accomplishment and say, Boy, I would like to be like that. It is great to have role models, and we have them at the University of Minnesota now, led by second year coach Pam Borton and Most Valuable Player Lindsay Whalen, a young woman who broke her wrist and was out for a while and I believe the first game back in the tournament scored 31 points.

The Gopher women will face the University of Connecticut at 8:30 Minnesota time. I wish the team all the best of luck, and the thanks of millions of Minnesotans who will be glued to the television, cheering you on, including me and my daughter.

The University of Minnesota women's ice hockey and basketball teams have made all Minnesotans proud. A source of intense pride for all Minnesotans is that these championship teams are overwhelmingly comprised of Minnesota-grown young women. Eleven of the 14 players on the Gopher basketball team, and 12 out of 20 on the hockey team, are from Minnesota. These young women represent cities from corners of Minnesota, such as Fosston, Marshall, Stewartville, Moorhead, Hibbing, and the Twin Cities.

Congratulations to the University of Minnesota Golden Gophers women's ice hockey and women's basketball teams for their athletic success, and for, really, making all of Minnesota proud, doing such a fabulous job of representing Minnesota on the national stage.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CRAPO). Without objection, it is so ordered.

Mr. DORGAN. Mr. President, in the last couple of hours since we had our vote today, I have been asked by a couple of press people who are lingering in the hallways about the issue of obstructionism. Apparently, there are some who suggest there is obstruction going on in the Senate.

It is interesting to me that there are charges of obstructionism to the Senate's business. We are not voting today, really. We voted once on a cloture vote. We did not vote yesterday. Apparently, we are not voting now until next Wednesday.

Why is that the case? Because there was an amendment offered to increase the minimum wage, and the majority party did not want to vote on the amendment.

It seems to me if there is obstruction around here, it is obstructing the ability to have a vote on an amendment to

increase the minimum wage. The people at the bottom of the economic ladder in this country have not had an increase in the minimum wage for years. It is perfectly appropriate for us to consider that in the context of welfare reform.

So an amendment is offered; but because the majority does not want it to be voted on, business essentially is stopped dead on the floor, and there are no votes, and we are at parade rest for 4 or 5 days. If anybody is obstructing, I would say it is those who brought the welfare reform bill to the floor and then decided they did not want to vote on anything, and we go, day after day, with no votes. And those who create that situation now accuse others of obstructing.

I think it is a curious thing to do, but maybe there is a language here I have not yet learned and do not yet understand. But there is certainly no obstruction on the part of those of us who want to have a vote on the amendments we offered.

OUTSOURCING OF AMERICAN JOBS

Mr. President, we are going to be turning, we think, in the next week or two back to a piece of legislation that was on the floor of the Senate that was also pulled from consideration because they did not want a vote on an amendment that was pending. When that bill comes back that deals with the issue of tax incentives for foreign sales—when that bill comes back to the floor, I intend to offer an amendment dealing with an issue that has been discussed recently, and that is the movement of jobs from this country to overseas.

We talk a lot about the concern of the outsourcing of jobs. This country, as you know, has lost over 3 million jobs in recent years, the last 3 years or so, 3½ years, and we are now down a net roughly 2.5 million jobs. We gained a few jobs back, but we are about 2.5 million jobs less than we were 3½ years ago.

So the question is, will this economy create new jobs? We need them desperately. The other question is, why are we having policies in place that remain in place that actually incentivize the movement of jobs overseas?

Let me describe one of them I intend to fix with an amendment as soon as I have the ability to offer the amendment on the floor of the Senate.

Assume, for a moment, there are two businesses. Both produce garage door openers. They are both located in the United States. They both manufacture garage door openers, and they sell them in the United States. One of them decides they will move to China, so they move their plant to China. They fire their American workers. They hire workers in China. They make the same garage door opener in China and ship it back to our country.

There is one substantial difference now between those two firms, and that is the taxes they will pay on the profits they earn. The company that has moved to China to produce the product

to ship back into this country will pay a lower U.S. income tax. In fact, they will largely pay no U.S. income tax.

We have a tax incentive in our law books that says: If you move your plant overseas and produce there for the purpose of shipping back into our country, we will give you a tax cut.

You talk about perversity, this is it. Our country says: We will reward you if you shut down your American company, your American business, move it to China, move it to another country, and ship the product back into our country.

Well, at a time when we are losing jobs and desperately need jobs in our country, the very least we should do—at least the baby step we ought to take—is to shut down the perverse incentive in our Tax Code that says: Ship your jobs overseas and we will give you a big break.

We will have an opportunity to vote on that. The Senate voted on that, actually, in an amendment I offered some years ago, and my amendment came up short. Perhaps having lost now 2.5 million net jobs in the last 3½ years, the Senate will come to a different conclusion. I hope that is the case because this issue of jobs is critically important.

TRADE AGREEMENTS

Mr. President, I have spoken often on the floor of the Senate about the subject of international trade. I will do so again briefly, just to say we have recently negotiated two free trade agreements, negotiated by the trade ambassador. I do not expect either, frankly, to come to the floor of the Senate this year. Why? Because I do not expect the administration, which negotiated these trade agreements, will want to have a debate on them: the Central American Free Trade Agreement and the Australian Free Trade Agreement. Why don't they want to have a debate on them? Because, like most recent trade agreements, they are not mutually beneficial; that is, beneficial to us and those with whom we negotiated the treaty. In most cases, they will end up costing this country lost jobs and large trade deficits.

I will not go into great discussion about the so-called CAFTA, Central American Free Trade Agreement, or to go back and talk about NAFTA, the North American Free Trade Agreement, both of which are terrible agreements, or the recent bilateral agreement we did with China, which is an awful agreement, or the agreement with Australia that really short-changes us in terms of what we should have required to have happen with state trading enterprises. I will not do that. But suffice it to say, I do not expect there to be brought to this floor a debate on this trade agreement by the administration because that is the last thing they want between now and this election, because it will be a significant debate about jobs and whether these trade agreements cost us jobs or gain jobs. The record is quite clear, we

are losing jobs as a result of these many trade agreements.

We have the highest trade deficit in the history of this country, by far: a \$470 billion trade deficit. Every single day—every single day—almost \$1.5 billion in trade deficit; that is, goods we are importing in excess of goods we are exporting. Someday, someone has to pay the cost of that trade deficit.

Now let me describe my concern about this trade. I am not concerned about expanding trade. I happen to believe it is largely beneficial to expand trade. I think countries that engage in activities because of natural resources, and other things, where they have a natural advantage, that it makes sense for us to trade with them, and for those countries to trade with us in circumstances that are the reverse.

But that is not the case with most trade agreements today. In fact, the case is we have not a doctrine of comparative advantage, as Ricardo used to talk about nearly 200 years ago. The doctrine of comparative advantage is irrelevant. It is a natural advantage that becomes a political advantage by countries that create circumstances of production that are fundamentally unfair with respect to free trade.

An example: A country says: We will not allow workers to organize. If they try to organize, we will fire them. And, oh, by the way, we will not require the payment of any kind of a minimum wage. You can hire workers for 16 cents an hour, if you wish. And, by the way, there is no age issue with respect to child labor, so if you want to pay 16 cents an hour, and hire a 12-year-old kid to do it, that is fine as well. And, also, we will not require the workplace be safe. If you want to hire 12-year-olds, pay them 12 cents an hour, and put them in an unsafe workplace, that is all right, too. By the way, when you do it, and you have a 12-year-old working in an unsafe plant, working 12 hours a day, 7 days a week, you can dump the chemicals into the air and the water from that plant, and that is just fine as well.

Now if countries decide that is the condition of production in their country, and plants move to those countries to hire those workers so they can produce a product to ship back into our country, is that what we should aspire to have American workers compete with? The answer is, no, of course not. Yet that is exactly what is happening today. You think I am wrong? Check the facts. I am not saying in every factory they are hiring 12-year-olds, but I am saying it is happening in many parts of the world. I will give you one example I have used on the floor of the Senate previously to describe in more specific terms the way this works.

This is a picture of a Huffy bicycle. Most people know about Huffy bicycles—20 percent of the American marketplace. You can buy them at K-Mart, you can buy them at Wal-Mart, and you can buy them at Sears. Huffy bicycles used to be made in Ohio. They

were made by workers who made \$11 an hour. They would get up and go to their jobs. I am sure they were proud of their jobs. They worked \$11-an-hour jobs in Ohio to make Huffy bicycles. Right between the handlebars and the front fender they had a little insignia, a little metal insignia of the American flag.

Well, Huffy bicycles are no longer made in America. They are now made in China. The workers who made Huffy bicycles in Ohio were fired because \$11 an hour was too much to pay someone to make a bicycle. Huffy bicycles are now made in China by workers who work 7 days a week, 12 to 14 hours a day, and are paid 33 cents an hour. In fact, Huffy bicycles no longer have the decal of the American flag between the handlebar and the front fender. They have a decal of the globe, descriptive, it seems to me, of what is happening to the elements of production and the manufacturing base in this country.

The question is this: Is it fair competition to ask workers in Ohio, making \$11 an hour, to compete with workers in China who work 7 days a week, and make 33 cents an hour? Does that represent fair competition? Is that what we aspire to do? Or is this driving to the bottom the wages of American workers? And is it exporting the manufacturing expertise and base of the U.S. economy?

Globalization has happened quickly. The rules of globalization have not kept pace. We know that we don't want the product of Chinese prison labor to come in and hang on a store shelf in an American store and represent that as fair competition. Most all in the Chamber would probably agree the product of Chinese prison labor ought not be sold in this country because it is not fair competition. But then what about someone in Indonesia who works for 16 cents an hour? Is that fair competition for an American worker? Should we aspire to have an American worker compete in a circumstance where someone works 12 hours a day, sleeps in a bunker, 12 to a room, works 7 days a week in a plant that is unsafe?

The question of outsourcing of American jobs and the question of what is fair trade are questions that this Congress ultimately will have to answer because, if not, we will see a continued exodus from this country of jobs.

The economists, the so-called big thinkers who wear small glasses, tell us we are only talking about the outsourcing of low-tech, low-skill, low-wage jobs. That is absolutely untrue, flat out false. If those economists are still giving opinions and still making money, they should not be. I won't name the economists, but the economists who told us what would happen with the United States-Mexico trade agreement who were dead, flat out wrong. They said with that agreement we will import from Mexico the product of low-skilled, low-wage labor, and we will, therefore, benefit from that. It won't cost us high-skill, high-wage labor in the United States.

That is not true. The three largest exports from Mexico are automobiles, automobile parts, and electronics—the product of high-skilled labor. It has cost dearly American jobs.

There are so many elements to this that almost defy description. Part of it is the start of this process, when we negotiate the trade agreement. Let me give you one of the most idiotic provisions in an agreement I have ever seen. It was done a couple years ago. I have no idea which unnamed and unseen negotiator negotiated this, but we negotiated a bilateral trade agreement with China. And we have with China a very large trade deficit, now nearly \$130 billion a year. So this is what our side agreed to: we will put a 2.5-percent tariff on Chinese automobiles shipped to the United States, and the Chinese will impose a tariff 10 times higher on any U.S. cars that we aspire to sell in China.

How would one come to that agreement with a country with whom we have such a large trade deficit? I have no idea. It is fundamentally incompetent to negotiate treaties that so undermine the basic manufacturing interests of our country.

Another example of automobiles—I don't come from a State that produces automobiles—is the country of Korea. I have a chart that shows what is happening with Korea. We import a substantial number of cars from Korea. Most people know the names of those cars. They buy those cars. We have ships coming across the ocean loaded with Korean cars. In fact, in a recent year, we had 618,000 Korean cars shipped in the U.S. marketplace for sale. Do you know how many cars we sold in Korea? Two thousand eight hundred. So there were 618,000 cars coming from Korea to the United States and 2,800 cars from the United States to Korea.

Why is that the case? Is it because Korean consumers don't want to buy American cars? No. It is because the Korean government has put up barrier after barrier to try to stop such sales. That is why you have a ratio of 217 to 1 Korean cars sold in the United States to U.S. cars sold in Korea. Why do we put up with it? It is because this country lacks the backbone and the spine and the will to demand fair trade and stand up for our products. If our producers can't compete, shame on us. Then we lose. But requiring our producers to compete when the game is rigged, saying our producers ought to compete, when foreign markets are closed to us, is fundamentally wrong. Yet that is what is happening. Japan, Europe, Korea, China—you can go right down the list.

I have mentioned a number of times that we have a trade regime in this country and people who work in that area seem to lack the stiff backbone that is necessary to stand up for our own economic interests. There is no evidence that we ever get tough with anybody, no matter the circumstances,

because most of our trade policy is mushy-headed, foreign policy rather than sound, sensible economic policy.

We had a dispute with Europe on about beef trade, because Europe will not allow U.S. beef into its market. The WTO, for a change, ruled that the United States was right, and that we could retaliate on Europe for blocking our exports. And what do we do? We put tariffs on Roquefort cheese, goose liver, and truffles. That is going to scare the devil out of somebody, scare them with tariffs on Roquefort cheese, goose liver, and truffles, won't it?

Our country's trade officials don't have the foggiest idea how to deal with trade problems, whether it is standing up for beef interests in this country or standing up for manufacturers or the interests of workers. Our trade officials simply have been AWOL.

There is much to talk about with respect to international trade and jobs. The discussion about all of this relates to whether we have a job base to allow those who aspire to go to work to find a job. We have seen 2.5 million fewer jobs now than 3½ years ago, and at least a part of that is because we are outsourcing and seeing jobs move from this country to other countries.

At least two of the reasons for that are, one, we have a perverse Tax Code that actually rewards companies that move their jobs out of this country, and we ought to do something about that. And, second, we have basically incompetent trade agreements that fail to stand up for this country's economic interests.

My hope is that we could have a debate on trade in the Senate this year. It appears to me we are going to have a debate on virtually nothing. The minute someone offers an amendment, the others pack up their duffel bags and leave town. I don't understand it. Day after day we have no votes. Why? Because someone dared come to the floor to say, after 6 or 8 years, maybe we should have an increase in the minimum wage.

What does that do? It fills up airplanes leaving Washington, DC, because nobody wants to vote. And while they are out of town, they tell the press that those who offered the amendment are obstructionists, forgetting, of course, that the obstruction is really the refusal to give a vote to those who offered a very sensible amendment to the bill.

Most of us came here because we want to do serious things about serious issues. It would be good if, in the interest of this country, we could, in a spirit of some cooperation, decide here is the legislation we want on the floor, offer your amendments, have reasonable time agreements, have votes, and move on. Whatever the will of the Senate is, that is what we ought to do.

But instead, especially recently, we have seen a regrettable situation of the Senate deciding, if there is a controversial amendment that is offered, the majority doesn't like it, we will just stop working.

There is a lot to do. This country has an economy that regrettably at this point, while producing some growth, is not producing jobs. I just finished reading an article by an economist from the Reagan administration, Paul Craig Roberts, who was one of the architects of the economic strategy back in the 1980s. Paul Craig Roberts has it about right. He said this may well be an economic recovery without new jobs—a jobless recovery. And if that is the case, we are in trouble.

We need to search for ways to begin to create these jobs. If we have a recovery and no new jobs being created, we face some pretty difficult times. The American people want to go to work. These kids coming out of college want jobs. They want opportunity and hope. They want a good future. You do that by having an economy that produces jobs. There is no social program we discuss in the Congress that is as important or as productive as a good job that pays well.

That is what allows people to have a good life, provide for their family, and do the things they want to do. So the question for us is, what happened here? Why the disconnect? Why is an economy that is growing not producing jobs?

One answer is that we are seeing jobs moving to Sri Lanka, Bangladesh, China, Mexico—you name it. They are leaving. As they leave, a part of that departure is to be rewarded with a reverse tax cut, a tax incentive that says we will reward you while you leave.

We ought to close that now. We ought to go back and look at some of these trade agreements and decide whether it is in this country's interests not to be protectionist but to demand that the rules of trade be fair. If we are unwilling to do that, we are not going to see the creation of the kind of jobs that are necessary to restore the 2½ millions jobs that were lost and provide the additional jobs an increase in population requires year by year.

Mr. President, there are no votes today, tomorrow, Monday, or Tuesday. I guess the Senate comes back with perhaps a vote on Wednesday. I hope that perhaps we can start over and decide to treat seriously those things that are serious. There is such a tendency here to treat lightly those things that are serious and treat seriously those things that should be treated lightly. We never get to where we should be with respect to the interests of this country.

I yield the floor and 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. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. DOLE). Without objection, it is so ordered.

The Senator from Louisiana.

GET OUTDOORS ACT

Ms. LANDRIEU. Madam President, I rise with my colleague from Tennessee, to recognize the introduction of legislation in the House of Representatives today by Congressmen DON YOUNG of Alaska and GEORGE MILLER of California. The Get Outdoors Act is similar to an effort that many of us in the House and Senate were involved in during the 106th Congress.

I am particularly pleased to be joined by Senator ALEXANDER to announce our intention to introduce similar legislation in the Senate in the coming weeks.

The principles and concepts within this legislation from the 106th Congress were then and continue today to be one of the most significant conservation efforts ever considered by Congress. Our goal is to provide a steady, reliable stream of revenue to fund some of the most urgent conservation needs in the country.

The Get Outdoors Act, or GO Act, as the House bill will be referred to, is almost identical to the legislation considered by the House and Senate in the 106th Congress. That legislation had overwhelming bipartisan support. It was a landmark, multi-year commitment to conservation programs benefiting all 50 States.

The legislation we will be introducing uses a conservation royalty earned from the production of oil and gas off the Outer Continental Shelf for the protection and enhancement of our natural and cultural heritage, threatened coastal areas and wildlife habitat. It also reinvests in our local communities and provides for our children and grandchildren through enhanced outdoor recreational activities.

By enacting this legislation, we can ensure that we are making the most significant commitment of resources to conservation ever and ensure a positive legacy of protecting and enhancing cultural, natural, and recreational resources for Americans today and in the future.

As many of our colleagues will remember, during the 106th Congress the House of Representatives passed almost identical legislation by a vote of 315 to 102 and the Senate Committee on Energy and Natural Resources reported a similar version that had the support of both the Chairman and Ranking Member.

In addition, in September of 2000, a bipartisan group of 63 Senators sent a letter to the majority and minority leaders indicating their support to bring the bill to the floor. The effort was supported by Governors, Mayors and a coalition of over 5,000 organizations from throughout the country.

Unfortunately, despite that tremendous and unprecedented network of people who came together in support of the legislation, our efforts were cut short before a Bill could be signed into law. Instead a commitment was made by those who opposed the legislation to guarantee funding for these programs

each year through the appropriation process.

However, as we have painfully witnessed since then, that commitment has not been honored. What has happened is exactly what those of us who initiated the effort always anticipated. Each of these significant programs has been shortchanged and a number of them have left out altogether or forced to compete with each other for scarce resources. So, today, the House has taken a great step to introduce similar legislation. The principle of the bill Senator ALEXANDER and I will soon introduce provides a reliable, significant and steady stream of revenue for the urgent conservation and outdoor recreation needs of our rapidly growing cities.

If we were to look at a map of the country and put lights where most of the population is, we would see a bright ring around the country because two-thirds of our population reside within 50 miles of our coasts. As a Senator from a coastal State, I understand the pressures that confront many of our coastal communities.

Today, with the price of oil near a 13-year high we should channel some of those revenues and re-invest them in our natural resources.

Some of the programs in the legislation we plan to introduce will include: impact assistance, coastal conservation and fishery enhancement for all coastal States and eligible local governments and to mitigate the various impacts of producing States that serve as the "platform" for the crucial development of Federal offshore energy resources from the Outer Continental Shelf. It does not reward drilling, but it does acknowledge the impacts to and the contributions of States that are providing the energy to run the country; flexible and stable funding for the State and Federal sides of the Land and Water Conservation Fund while protecting the rights of private property owners and with a particular emphasis on alleviating the maintenance backlog confronting our national parks; wildlife conservation, education and restoration through the successful program of Pittman-Robertson; urban parks and recreation recovery to rehabilitate and develop recreation programs, sites and facilities enabling cities and towns to focus on enhancing the quality of life for populations within our more densely inhabited areas by providing more green-spaces, more playgrounds and ball fields for our youth and the parents and community leaders that support them; historic preservation programs, including full funding of grants to the States, maintaining the National Register of Historic Places and administering the numerous historic preservation programs that are crucial to remember our proud past and fully funding the Payment In Lieu of Taxes program, or PILT, in order to compensate local governments, predominantly out west, for

losses to their tax bases because the Federal Government owns so much land in a number of those States.

While we confront the challenges of a war, budget deficits and a struggling economy, I believe it would be wise and we would show good stewardship to take this opportunity to set aside a small portion of the oil and gas royalties to our States and localities for initiatives such as outdoor spaces or recreation facilities where our children can play. The essence of this legislation, the American Outdoors Act, is to take the proceeds from a non-renewable resource for the purpose of reinvesting a portion of these revenues in the conservation and enhancement of our renewable resources.

We wanted to come to the floor today to share these ideas with our colleagues, to encourage their input and ask them to be a part of this unique conservation effort.

I would also like to add how much I appreciate the leadership of Senator ALEXANDER. I think we will make a great team and thank him for his cosponsorship as we attempt to move this legislation through the process.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, the Presiding Officer and I are new Members of the Senate, but we learn our lessons pretty quickly. One of the things you learn here is if you want to have an impact in the Senate, you have to put a focus on something you care about and then keep after it.

The Senator from Louisiana has done that. In her first term here she focused on the great American outdoors. Working with others, she came pretty close to passing an important piece of legislation 3 years ago.

There were some problems in it for Members of the Senate. It is my goal, working with her this year, and we hope with many others of our colleagues on the Energy and Natural Resources Committee and others of our colleagues on both sides of the aisle, to solve those problems and come up with legislation that represents the conservation majority, the huge conservation majority that exists in the United States of America.

The conservation majority of this country does not have a line down the middle with chairs on each side. It exists on both sides of every aisle and has broad support. We are good legislators, and if we are as good as we hope we are, we will be able to work and represent what our constituents would like us to do. So it is a privilege for me to work with Senator LANDRIEU. We both serve on the Energy and Natural Resources Committee. We are fortunate under Chairman PETE DOMENICI and ranking member JEFF BINGAMAN that we, most of the time, are able to work in a bipartisan way. So we are off to a good start in terms of fashioning a piece of legislation that will gain the support of our colleagues.

We are deliberately today not offering legislation. We want to discuss it

first with members of our committee. We want to discuss it next with others, such as the Presiding Officer of the Senate, who has a long interest in conservation matters. We want her ideas and those of others. Then, perhaps in 3 weeks, after the recess, we will be able to come forward with a piece of legislation that has broad bipartisan support.

As the Senator from Louisiana said, this morning Congressman YOUNG of Alaska and GEORGE MILLER of California introduced the GO Act, the Get Outdoors Act of 2004. I believe they used it to emphasize we might do some work on this obesity problem that is really worrying us, in terms of health, if more of us spend a little more time walking outdoors, playing outdoors, and taking advantage of our country.

As the Senator from Louisiana said, the bill therefore will provide, I believe, about \$3 billion in guaranteed annual funding for outdoor recreation purposes. It would be paid for, as she described, by what I think of as a conservation royalty. This is the way I think of it. It is a royalty on the revenues from oil and gas drilling on offshore Federal lands. After the royalties are paid to the landowner and after the royalties are paid to the State, this conservation royalty would be paid to a trust fund which would then spend the money for the benefit of conservation. Then, after that, the rest of the Federal revenues would go into the regular Federal appropriations process.

That is the way I like to think about it and I hope that is the way a majority of the Members of the Senate will want to think about it as well.

As the Senator said, we will be discussing these concepts that she so well outlined with our colleagues. And we hope they will join us as cosponsors. As she said, our bill will be similar to that which was introduced this morning in the House of Representatives, but it will not be the same.

In addition, it will be similar to the so-called CARA legislation that Senator LANDRIEU and many others worked hard on 3 years ago, but it will not be the same. There are some lessons that we need to learn from what happened 3 years ago.

For example, the cost of the Senate legislation may not be as much as the cost of the legislation offered in the House. That is yet to be determined.

In addition, as the Senator said, we intend to discuss with our colleagues whether States should have the option, for example, of spending the Federal share of the Land and Water Conservation Fund for maintenance of Federal lands rather than for acquisition.

I have learned over the years that there is a big difference of opinion between Senators from the West and Senators from the East about the acquisition of Federal lands. In North Carolina and Tennessee, we don't have much Federal land. So a lot of us—even many of us conservative Republicans—would be glad to have a little more. Out West there are a lot of people who

think the Federal Government not only has enough but it has too much, and they don't want to see legislation that would acquire more.

We need to take that into account as we develop a piece of legislation that will represent the conservation majority but do it with respect for those States that are already largely owned by the Federal Government.

Our legislation, like that proposed in the House, will ensure that State and Federal parts of the Land and Water Conservation Fund will fulfill the intention that Congress originally envisioned. It will provide for wildlife conservation. That will benefit hunters and fishermen. There are more hunters and fish people with hunting and fishing licenses in Tennessee than there are people who vote. I am not sure that is a statistic to admire, but it is a fact, and it is one to which I pay attention. Bird watchers and all Americans who enjoy outdoor recreation will benefit from this legislation. It will provide funds to establish city parks so the children in and around our metropolitan areas can have decent, clean places to play; so families can have decent places to go; and so senior Americans can have decent, safe places to walk.

Someone once said Italy has its art, England has its history, and the United States has the Great American Outdoors. Walt Whitman wrote, "If you would understand me, go to the heights or watershores."

Our magnificent land, as much as our love for liberty, is at the core of the American character. It has inspired our pioneer spirit, our resourcefulness, and our generosity. Its greatness has fueled our individualism and optimism and has made us believe that anything is possible. It has influenced our music, literature, science, and language. It has served as the training ground of athletes and philosophers, of poets and defenders of American ideals.

That is why there is a conservation majority—a large conservation majority—in the United States of America.

That is why so many of us, as the Senator from Louisiana said, feel a responsibility in our generation to ensure to the next generation the inspiration of the dignity of the outdoors, its power, its elemental freedom; the opportunity to participate in the challenges of its discovery and personal involvement; and the fulfillment that is to be found in the endless opportunities for physical release and spiritual release.

Some of the words I just used came from the preamble of President Ronald Reagan's Commission on American Outdoors, which I chaired in 1985 and 1986.

In 1985, President Reagan asked a group of us—I was then the Governor of Tennessee—to look ahead for a generation and see what needed to be done for Americans to have appropriate places to go and what they wanted to do outdoors.

Our report, issued in 1987—very nearly a generation ago—recommended

that we light a prairie fire of action to protect what was important to us in the American outdoors and to build for the future. We focused on the importance of a higher outdoors ethic, suggested an "outdoor corps" to improve recreational facilities. We examined the role of voluntarism. We pointed out that the park most people like is the park closest to where they live and how important it is, therefore, to have urban parks as well as great national parks. We warned of how the liability crisis and runaway lawsuits threatened our outdoor activities and called for a new institution or set of institutions to train leadership for outdoor recreation.

We formed State commissions, such as Tennesseans Outdoors, which went to work with the same objectives in our own State that we had in our national Commission.

We envisioned a network of greenways, scenic byways, and shorelines. Most of the action we suggested was not from Washington, DC, but was community by community by community.

But we also acknowledged the important role the Federal Government has to play in providing outdoor recreation opportunities. Of course, we must have clean air and clean water, and we must protect and enhance recreation opportunities on Federal lands and waters.

Almost all of us on the Commission called for the creation of a \$1 billion fund to fully fund the Land and Water Conservation Fund—both the State share and the Federal share. This is a way of balancing our need for more oil and gas with our need for recreational opportunities in the outdoors.

As I mentioned earlier, I think of these annual payments from the revenues derived from offshore drilling for oil and gas on Federal land as a royalty payment. Pay the owner a royalty, pay the State its royalty, then pay a conservation royalty for the use of that resource. Then the rest of those revenues go into the Federal Treasury to be appropriated. Pay a \$3 billion annual conservation royalty—that is the number that the House bill uses—before it ever gets to the Federal appropriations process. Then appropriate the rest.

I believe this legislation will have broad bipartisan support in the Senate.

I look forward to working with Senator LANDRIEU, Chairman DOMENICI, with our colleagues on the Energy and Natural Resources Committee, and with all of our colleagues on both sides of the aisle to fashion legislation that is good legislation, that represents the overwhelming conservation majority in the United States of America, and which can pass the Senate and the House of Representatives this year.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I commend my colleague, the Senator from Tennessee, for his leadership—as I said, for not just this year and the years he has been in the Senate but for

his years of service in Tennessee, and as Chairman of this important Commission that outlined some of the principles we are talking about and searching for solutions to today; and for his eloquence in reminding us that even more than good stewardship is required.

One particularly fresh idea that he has brought to this effort is the conservation royalty.

I think we can begin to see that the companies are not only paying a royalty to the Government, but they are paying a royalty to future generations through conservation. I think it is royalty they would gladly pay. We are not asking them to pay more than they are today. But a portion of what they pay today.

I thank the Senator for his leadership, and I look forward to getting, as we said, ideas from our colleagues, taking it to the Energy Committee and developing broad bipartisan support. Even in these days of tight budgets, we can think about setting aside a portion of these revenues which are not insignificant. As you know, last year we generated \$6 billion off the coast primarily of Louisiana, Texas, Mississippi, and Alabama, while still honoring the moratorium that is in place along the western coasts the eastern coasts and Florida. Even honoring the moratorium in place, we still were able to generate billions of dollars. Hopefully through this legislation we can dedicate that conservation royalty, a portion, to the worthy causes.

I thank the Senator.

Mr. ALEXANDER. Madam President, I thank the Senator from Louisiana.

Her comments make me think of this report. Let me hold this up. So staff will not worry, I will not ask to put this in the CONGRESSIONAL RECORD. There is a summary I will bring to the Senate when we introduce the bill. This is the report of President Reagan's Commission on Americans Outdoors, published in 1987. It is a very good resource and backup for many of the ideas we envision being part of this legislation.

I learned very quickly as Chairman of this Commission that most of the decisions we have to deal with in environmental and conservation matters involve balance. Senator LANDRIEU and I know, because of our service on the Energy and Natural Resources Committee, as we work hard to try to develop a national energy policy, that we are having a difficult time as a country compromising, creating balance between our need to produce and our need to conserve.

I certainly do not want to draw into this discussion all of those arguments. I will say very little more about it except it would be nice to find in this contentious Presidential year, in this time when we have so much disagreement about energy production and conservation, one area where we could show we are skilled enough as legislators to properly represent the huge

conservation majority in the United States.

Most Americans, as President Reagan's Commission thought and almost all Members thought, of course, we have to drill for oil and gas; otherwise our natural gas prices are going through the roof; our jobs will be in Mexico; our lights will be out. Of course we have to do that.

Is that an insult to the environment? Yes, it is. What do we do about it? Shut down the wells? No, one thing we can do is take some of that money—actually a lot of this money—and pay a conservation royalty, compensate for that by creating a conservation benefit on the other side. This idea of the land and water conservation fund has been endorsed by politicians of both parties for a long time. What we are trying to do today is assure a steady stream of revenue to the State and Federal side of the conservation fund, plus a number of other conservation areas, in a way that respects each of our States. We can do it. There is enough of a majority; we can do that.

President Reagan's Commission on Americans Outdoors from 1985, 1986, and 1987, and the work that Senator LANDRIEU and the majority in both Houses did, form a wonderful beginning. We will see in the next few weeks if we are wise enough to take that to a successful conclusion.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALEXANDER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. DOLE. I ask unanimous consent that the order for the quorum call be rescinded.

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

FALLUJAH DEATHS

Mrs. DOLE. Mr. President, I watched with horror yesterday as the media displayed the images of crowded streets, in Fallujah—and burning bodies in the center of that horrific celebration. In the middle of that city that is part of the volatile Sunni Triangle, four Americans were attacked, executed, and then burned as a mob of Iraqis danced around the corpses.

I found it hard to believe I was watching a news program, given that the scene playing out before my eyes looked far more like a gruesome movie than tragic reality.

Sadly, it was a reality—and that reality continues today. Families have been notified that their loved ones were among the four casualties and are mourning the loss of these brave souls.

My home state of North Carolina grieves today as well. The four men who were brutally assassinated yesterday were employees from Blackwater Security Consulting, based in a city in northeastern North Carolina. Preliminary reports tell us that three had been Navy SEALs and one had been an Army Ranger.

The four contractors were stationed in Fallujah to provide a convoy of security—the very purpose of their presence was to protect the lives of Iraqi men and women and they in turn were subjected to such barbaric and despicable acts.

Yesterday's attack on these innocent men only further illustrates the evil influence Saddam Hussein still has over so many Iraqis. We are told that the 150,000 residents of Fallujah are being held captive by a brutal regime that wants nothing more than to return to the past days of tyrannical rule and streets of violence. The perpetrators of these ghastly acts hate freedom, loathe democracy and wish to turn back the clock—it is important to say now more than ever that we will not let this happen.

Mr. President, the horrific slaughters yesterday will not weaken the American resolve to bring order, democracy, and peace to this war torn nation. The criminal who orchestrated these murders are few—and the Iraqis who stand firm against such violence are the men and women we are seeking to serve as the Coalitional Provisional Authority acts to establish stability in the middle of chaos.

As peace and order are brought to all regions of Iraq, may justice arrive alongside them. It is my sincere hope that those responsible for these attacks will not escape punishment. Let our response be swift and just.

While I wish there were more I could offer to the families who grieve the horrific loss of their loved ones, my condolences and my prayers are all I have. My heart aches for the tears of so many—and my earnest prayer is that we see the end of these tragedies as brave Americans continue their work in Iraq. I deeply believe in their mission and in the cause of democracy, freedom, and peace.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. DOLE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CRAIG. I ask unanimous consent to speak for not more than 15 minutes as in morning business.

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

ENERGY PRICES

Mr. CRAIG. Madam President, I have spoken in the last 3 days about the current price crisis this country is experiencing with the critical resource energy. The American consumer is going to the pump in their local community today to refuel their car and paying record high prices; in fact, the highest ever recorded on average in our history. I would hope they are beginning to ask the question why, why is this happening and why am I having to pay another \$5 or \$6 per tank of gas, an av-

erage of maybe \$15 or \$20 or \$30 a month more.

In fact, I and the chairman of the Energy Committee, PETE DOMENICI, and others, held a press conference to speak to the issue of energy and why the Senate was not yet debating a comprehensive energy bill that is ready for us to debate once again and vote on.

At that time I mentioned the average consumer today will pay, as an individual, \$300 or \$400 more a year for the price of energy, and collectively, as a family, they may well pay more than that. When you consider their electrical bills and space heater bills, the average family is going to pay considerably more this year. That is money that won't come as a result of having a pay raise and, therefore, having the money to offset those costs. Those are dollars and cents that are going to come directly out of the family budget this year. It will have a substantial impact on that family's ability to do what they did a year ago, whether it was providing food for the table, clothes for their children, or maybe the family vacation, or the recreational value they place on a certain activity that would cost them a certain amount of energy.

I mentioned some days ago that I think probably families are already, if they own a motor home, recalculating whether they will actually be able to take that home and go someplace in the country this summer because of the potential cost, additional cost that 15 or 20 cents on a gallon of gas will mean this year. Those are all very real issues and some that clearly this Senate ought to address.

I have said for that average consumer who is asking the question why, I have an answer. The answer is that the Senate of the United States has refused to bring out and pass and set on our President's desk a comprehensive energy bill that addresses those and other issues that in the long term will get us back into the business of producing energy for our country and becoming less dependent on foreign supplies and, therefore, certainly dependent upon ourselves more than others. It is an important issue that we have before us today.

We have even seen it now break into Presidential politics, as Senator KERRY speaks of ways he can propose to bring down those prices. I have noticed he has not talked about production. He has not talked about increasing production. So there are going to be a lot of schemes. I use the word "scheme" because some are scheming at this moment as to how they might turn this to their political advantage, tragically enough; that is, the price of energy at this moment.

Why don't they just stop and ask the Senate why they can't pass a comprehensive national energy policy for our country? We have been 14 years without any new directions or new ideas as it relates to energy production, and it is clearly time we speak to

that. There is a proposal that has just been brought forth. It is called the Gasoline Free Market Competition Act of 2003. Each time we see something like this as an idea, it is important that we put it in the right context. Each time a government agency investigates gasoline prices—and there have been 29 such investigations by Federal and State agencies over the past several decades—the findings literally have been all the same. The market controls the price of energy, not some unscrupulous producer. It is the market forces that ultimately produce the price at the pump.

The purpose for antitrust law is to protect the interests of the consuming public, not to increase the profit of any level or type of distributions, which is what happens in the legislation I have mentioned, which is S. 1731. That particular legislation would try to dictate refiners' distribution practices. I don't think our Government ought to ever get into the micromanagement of a marketplace. Our goal—and it always should be our goal—is to create transparency in the markets so all of the parties involved can understand them.

As noted in a recent economic study on "The Economics of Gasoline Retailing," a Dr. Andrew Kleit, professor of energy and environmental economics at Penn State University, puts it this way:

There is a difference between protecting competition and protecting competitors. Protecting competition means moving to provide consumers with the lowest sustainable prices, not protecting the profits of any level of production or any individual firm.

Professor Kleit's analysis shows that eliminating the ability of refiners to restrict where their brands can be distributed, as proposed in S. 1737, would likely reduce refiners' investment in distribution outlets and ultimately harm consumers.

From a competitive point of view, Professor Kleit says, "these calls [for this type of distribution concepts in legislation] are [clearly] misguided."

The strategy at issue is the result of competition between various forms of distribution in gasoline marketing. This competition promotes efficiencies which benefit consumers by bringing products to market for less cost. My fear is S. 1737 would not protect competition, only some of the competitors.

That is clearly where we ought not be going. But what I think S. 1737 really does is it tries to speak to a market today that is a product of Government interference in the past. By that I mean standards and new standards that do not allow the normal marketplace to flow and that, ultimately, confuse the process and create dislocations, whereas a more free market approach certainly would allow that to happen.

As we have seen in recent years, the Federal Trade Commission has carefully studied many of the proposals about mergers within the industry. In many instances, the FTC has required

companies to sell assets to new competitors as these mergers occur. Let me give some examples.

For example, the Exxon Mobil merger in 1999 resulted in the largest retail divestiture in FTC history—the sale or assignment of approximately 2,431 Exxon Mobil gas stations in the Northeast and mid-Atlantic, some 1,740; California stations, some 360; Texas stations, 319; and in Guam, 12; and the sale of Exxon refineries in California, terminals, a pipeline and other assets.

So my point is, while we may try to micromanage and use that as an excuse or an attempt to help the marketplace, what the FTC has done relating to these mergers has in part done that. In other words, we have given them the authority to do so.

Similarly, when British Petroleum merged with Amoco in 1998, they agreed to make certain divestitures to free up more than 1,600 gas stations in 30 markets in order to satisfy FTC concerns that their merger would substantially lessen competition in certain wholesale gasoline markets.

Let's stop passing the buck on energy prices.

Let's stop attempting to tinker with the energy bill and apply untested concepts and theories in the hope that we can create the perfect bill while our citizens are being crushed by high energy prices.

Let's pass the energy bill and implement the energy policies included in that bipartisan piece of legislation.

Let's stop the partisan rancor and do what our constituents sent us here to do—protect their jobs, protect their quality of life, and protect their security by passing this energy bill.

While many Senators may come to the floor well meaning in the next several months to find some political safe haven in which to address the issue of high energy prices, there really are not any. Nobody is scheming today. Nobody is glutting the marketplace. The reality is a problem of supply and demand. While I am quite sure you will have some State attorneys general out there calling for investigations, the problem is supply and demand. It clearly is that, and there is no other argument that can really fit or begin to explain why we have record high gas prices.

This Senate needs to pass a comprehensive energy bill, and we have one. It is ready to come to the floor. We are being denied that opportunity to bring it to the floor. All I am saying is use due caution as it relates to all kinds of new ways to argue the problem in the marketplace. But when you don't have enough supply of product or crude to go around, when you have world demands and us now depending on a world market for our supply of crude, we have a problem. This Senate refuses to address that problem.

I hope in the coming days as gas prices continue to spike, consumers will ask the question why, and turn to the Senate and say very simply: Do

something. Pass a national energy policy. Put it on the President's desk and allow this country to get back into the business of production and meeting the supply to the market, instead of trying to find a scheme or another excuse that will only be a short, limited political ground on which to stand.

I believe there is no place to hide today and no Senator can have that opportunity. The vote has been on the record. Let's change the record and improve the record by the passage of a national energy policy that will once again put our country in the business of energy production.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

(The remarks of Ms. LANDRIEU pertaining to the introduction of S. 2274 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

JOBS CRISIS AND INDIFFERENCE TO WORKING FAMILIES

Mr. DASCHLE. Mr. President, in the last 3 years, America has lost nearly 3 million private-sector jobs, including nearly 2.9 million good manufacturing jobs.

The Bureau of Labor Statistics says there are 8.2 million Americans out of work today.

But that doesn't include the millions of "discouraged workers" who have stopped looking for jobs. And it doesn't include millions more who are underemployed.

All together, nearly 15 million American workers today are unemployed, underemployed, or have given up looking for work.

A month ago, the President's Council of Economic Advisors released its annual report on the economy. It predicted that the economy would create 3.8 million new jobs this year.

The President's own Labor and Commerce secretaries refused to endorse that prediction. Then the President himself backed away from those numbers.

After 3 years of promising jobs that never materialized, the Bush administration won't even predict anymore how many jobs their policies will create.

Last month, the economy added only 21,000 new jobs—every one of them in government. 21,000 new jobs. That is one job for every 389 Americans who need jobs.

All over America, people who have lost jobs are draining their savings accounts, tapping their 401(k)s, and running up expensive credit card debt to try to make ends meet.

The average length of unemployment is at a 20-year high.

When people finally find work, it often involves a substantial cut in pay. Jobs in growing industries pay, on average, 21 percent less than the jobs in industries that are shrinking.

We have a jobs crisis in this country. And it is not just unemployed workers who are feeling the pain.

With wages stagnant or falling, and health care and child care costs rising, many parents are working longer and harder than ever—and it's still not enough.

Consumer debt is at an all-time high. Home mortgage foreclosures, car reposessions, and credit card debt are all at record levels.

Millions and millions of American families are just one health crisis, one pink slip, or one bad break away from financial disaster.

You would never know any of this to look at the agenda of the Bush administration and Congressional Republicans.

The President and Congressional Republicans tell us, "don't worry, the economy is getting stronger."

Getting stronger for whom?

Not the millions of Americans who are unemployed and underemployed. Not the workers whose jobs are being shipped overseas with help—help—from this administration.

Not the 43 million Americans who can't afford health insurance and are living with the daily dread that one serious illness or accident could put them in a financial hole they will never dig their way out of.

America's families need jobs. And workers who have lost their jobs need help until they get back on their feet.

They need unemployment insurance, job training, and health care until they can find their next job.

Yet, this week, instead of just ignoring the economic stress so many American families are under, the Bush administration is knowingly, deliberately, increasing that stress.

Yesterday, the Federal unemployment insurance program expired.

Despite repeated Democratic efforts to extend the program, the Bush administration and Congressional Republicans have refused.

As a result, over one million workers have seen their unemployment benefits expire over the past 3 months, and nearly one million more will see their benefits expire in the next 3 months.

Last week, the President's Commerce Secretary said President Bush would sign an extension of the Federal unemployment program if Congress passed it.

So I urge President Bush to use his powers of persuasion to convince the Members of his own party to extend unemployment benefits.

It is wrong to punish workers who can't find jobs in a jobless recovery.

There is something else the President should do.

President Bush should make it clear that he will not strip overtime pay protections from one American worker. Not one.

Any day now, the Labor Department is expected to issue new regulations that could deny 8 million American workers their right to overtime pay. Those regulations were expected to be released yesterday, but they have now been delayed for some reason.

Bipartisan majorities in the House and the Senate voted last year to overturn the Bush regulations stripping workers of their overtime protections.

But the White House worked behind closed doors with Republican leaders in Congress to push the regulations through anyway.

If they have their way, up to 8 million workers—including firefighters, nurses, store supervisors and others—will lose their overtime pay.

Overtime pay isn't for luxuries; it is essential family income that's needed to pay mortgages, tuition, grocery bills, utility bills, health insurance premiums, and prescription drug costs.

For eligible workers, overtime pay makes up, on average, 25 percent of their income.

Last week, Republican leaders in the Senate actually pulled the JOBS bill to avoid voting on a Democratic amendment that would have preserved the overtime rights of American workers.

The Bush administration would rather force American companies to pay tariffs on the goods they sell in Europe than protect the overtime pay of American workers.

That shows how deeply out of touch this administration and its allies in Congress are with the real needs of average working Americans.

There are other signs as well. Two days ago, the Senate voted overwhelmingly to increase child-care funding in the welfare bill so that mothers who are moving from welfare to work won't have to leave their children home alone or with strangers.

Even though States are slashing funding for child care, the Bush administration insisted that no more money for child care is needed. If their view prevails, 450,000 children would be forced out of child care. That is how out of touch they are with this economy.

This administration has also refused, repeatedly, to raise the minimum wage.

It has fought to deny the earned income tax credit for low-income parents—at the same time it insists on more and bigger tax cuts for the wealthiest one percent.

The President's economic advisors even suggested re-classifying Burger

King jobs as manufacturing jobs to try to disguise how many manufacturing jobs America is losing.

I have some advice for them: Forget about creating better-sounding statistics and figure out how to create better-paying jobs here in America.

Millions of Americans are hurting and need help.

I urge the President and the members of his administration, and Republican leaders in Congress, to listen to them and extend the federal unemployment insurance payments, stop this effort to deny working people overtime pay, work with us in a bipartisan way to create and keep good jobs here in America and make affordable health care and child care available for working families.

VIOLENCE IN FALLUJAH

Mr. President, today, I offer my condolences to the families of the nine Americans who lost their lives in Iraq yesterday.

Five Marines were killed in the most deadly car bombing our forces in Iraq have yet seen in the 11 months since the fall of the Saddam Hussein regime.

In addition, yesterday four private security contractors were attacked and brutally killed by a mob in Fallujah.

The barbarity of these acts is shocking, and it reminds us of the courage of the men and women—both civilian and military—serving in Iraq, working to bring freedom to the Iraqi people.

Every day, our soldiers and the private contractors engaged in the work of serving our military and rebuilding Iraq face the fear of violence.

Yet every day, they go about their work with skill and resolve because they understand that their efforts are building a safer Iraq, and a more secure Middle East.

The cost to our Nation has been profound.

Six hundred American service men and women have lost their lives since the beginning of hostilities.

Over 3,000 soldiers have been wounded.

Just over the weekend, in fact, a young man from my hometown of Aberdeen, SD, Sergeant Sean Lessin, sustained a severe head injury in the course of his duties in Iraq.

Sgt. Lessin is a member of the 147th Field Artillery Unit and is now receiving treatment at the U.S. Military Combat Support Hospital in Baghdad.

Our thoughts and prayers go out to Sgt. Lessin and his wife Jessica in Aberdeen.

Someone once wrote that "True heroism is remarkably sober, very undramatic. It is not the urge to surpass all others at whatever cost, but the urge to serve others at whatever cost."

The Americans who lost their lives yesterday—indeed, all those serving their Nation in Iraq—are true heroes.

At times such as these, when our Nation faces great challenges, the loss of such heroes is particularly painful, because they are so rare, and so important.

To the families of those killed, we offer our deepest condolences and our unbounded thanks for the sacrifice your loved ones have made.

To the men and women still serving in Iraq, you have the thanks and admiration of your Nation.

We recognize the escalating violence you face, and we will spare no effort to ensure that you have every tool, every resource, every possible advantage we can offer to help you complete your work and return home safely to your loved ones.

America will not be intimidated by barbaric acts whose only goal is to spread fear and chaos throughout Iraq.

Yesterday's events will only serve to strengthen America's resolve and seal America's unity.

The brave people who lost their lives did not die in vain.

Americans stand together today and always to finish the work we started and bring peace and democracy to the citizens of Iraq.

I yield the floor.

Mr. ALLEN. Mr. President, I rise today in support of the Senator WYDEN's amendment to the PRIDE Act that provides States the option to extend current TANF waivers and create additional waiver authority.

Virginia has been a leader in many important national reform movements throughout the history of our country. In February of 1995, during my tenure as Governor of the Commonwealth, Virginia enacted one of the most principled, tough, comprehensive welfare reform measures in the United States. It was a tough fight to get this measure passed by a Democrat led General Assembly.

Many other States enacted successful reforms and our approach and that of Wisconsin and Massachusetts served as a model for the entire Nation and encouraged self-sufficiency, the dignity of work and the pride of independence rather than dependence.

The "Virginia Independence Program" transformed an outdated welfare system that was failing taxpayers, sapping initiative from welfare recipients, and breaking up families. I have had many former welfare recipients thank me for ending the downward cycle of dependency and despair.

Unlike the Federal work requirement outlined in the 1996 law, able-bodied recipients in Virginia were required work within 90 days, the State had a 2-year limit on benefits, with transition assistance in the third year and promoted individual responsibility by allowing no increase in State benefits for recipients who have more children while receiving welfare.

Vital reforms were made for children. Virginia ended the marriage penalty, increased enforcement of child support by suspending professional and driver's licenses for "deadbeat" parents, required mothers to identify the father to receive benefits, or receive no benefits—this led to 99 percent identification and more child support.

Finally, the law required that minor-age mothers having children while on welfare must live with a parent or guardian and stay in school, more commonly referred to as "Learnfare".

These reforms resulted in a 60 percent decrease in welfare rolls, and saved more than \$357 million in taxpayer funds in Virginia which were used for other priorities in education and law enforcement. Ultimately, I measure our success not by how many people are receiving welfare checks, but rather by how many people are leading independent, self-reliant lives.

Virginia's trailblazing welfare reform has been extremely successful in setting the stage for Federal welfare overhaul, significant declines in welfare roles nationwide, and increasing the number of former welfare recipients getting back to work. Virginia's waiver from Federal law has enabled much of the success in requiring able-bodied men and women to work for their benefits.

With the passage of the Federal welfare reform in the fall of 1996, Congress intended to give the States flexibility with the law. Flexibility through these waivers has allowed States the ability to develop innovative programs that best serve their citizens. Fifteen other States opted for waivers. Indeed, Virginia has far exceeded the goal of the Federal welfare legislation offering Virginians the best tools to provide for themselves and their families.

As of June 2003, Virginia's welfare waiver expired. It is imperative that the PRIDE Act, a continuation of welfare reform started in 1996, include waivers for States that have taken the initiative to make comprehensive welfare reforms. We need to ensure that States can continue to encourage independence through work, promote families and marriage and guarantee child-support enforcement.

I urge my colleagues to support this amendment so that States can maintain these positive results and successful welfare reforms.

UNEMPLOYMENT COMPENSATION

Mr. BINGAMAN. Mr. President, I rise today in support of the extension of the temporary extended unemployment compensation program, which expires today. I support this effort because, in my view, we still face an extremely serious problem of unemployment in the United States, specifically as it relates to the number of workers who have exhausted their unemployment insurance benefits and are still unable to find work.

The Democrats have tried to extend this program through unanimous consent at least a dozen times this winter and the effort has been rejected by Republican leadership every time. We tried in February of this year. We tried in January of this year. And we tried a number of times in November 2003. Each time the other side of the aisle said the program was no longer needed. Even worse, they said that extension of the program would only give incentives

to workers to stay home instead of look for work. This is a very different view of American workers than I have.

According to the latest data from the Department of Labor, between December and February there will be at least 781,000 workers that will have exhausted their regular State benefits and will go without additional Federal unemployment assistance. Based on extrapolations from that analysis, the Center for Budget and Policy Priorities argues that with each week that goes by, another 80,000 workers will be added to this list. In no other comparable data on record has there been this many "exhaustees."

In my State of New Mexico, it is estimated that 4,300 workers have exhausted their benefits from December 2003 through March 2004. Through September 2004, it is estimated that 7,200 workers will have exhausted their benefits. In a State where the most recent unemployment rate is 5.7 percent and jobs are very difficult to come by, this is hardly an encouraging figure.

The Bush administration has argued that extension of the TEUC program is not necessary because the unemployment rate is low and the economy is growing. They suggested again and again that we are on the verge of an economic recovery and jobs are being created. I respectfully disagree.

In 2001, the Bush administration claimed that their tax cuts would create at least 800,000 jobs by 2002. That did not happen. In 2002, the Bush administration claimed that 3 million jobs would be created in 2003. That did not happen. In February, the Bush administration claimed in their economic report that 2.6 million jobs will be created in 2004, but everyone in the administration quickly backed away from that number. No one truly believes that this will happen.

Given the lack of coherent or comprehensive policy proposals by the administration, I say it is time we in Congress act to address job creation and help the victims of their failed policies. Extending the temporary emergency unemployment compensation program is, in my view, the least we can do for Americans that have been attempting to find work but cannot do so. As a practical matter, this means workers can continue to get unemployment insurance benefits while they continue to search for work.

So I want to add my voice to the others today and say that we must pass this legislation before it expires. American workers deserve to be dealt with in a fair and equitable manner, especially in this time of need. They need a lifeline, and it is up to us to provide it.

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 for up to 10 minutes each.

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

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On July 4, 2000, an 18-year-old Brooklyn man was charged with allegedly slashing three men and threatening the life of another because he believed the men to be gay.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

DECRYING THE ETHNIC VIOLENCE IN KOSOVO

Mr. BIDEN. Mr. President, I rise today to condemn in the strongest possible terms the violence 2 weeks ago in Kosovo, which claimed the lives of 20 persons, injured more than 600 others, displaced more than 4,000 individuals, destroyed more than 500 homes, and destroyed or damaged more than 30 churches and monasteries.

In a reversal of the brutal murders and ethnic cleansing carried out in 1998 and 1999 against Kosovar Albanians by the forces of former Serbian strongman Slobodan Milosevic, the perpetrators of this violence were the former victims—the ethnic Albanians. Their principal targets were Kosovo Serbs, although Ashkali and other minorities in the province also suffered.

There is no way to gloss over or disguise these events: They are a disaster of the first magnitude. Five years ago last week, I submitted the resolution that was adopted by this body, authorizing military action against the Milosevic government in order to rescue the persecuted Kosovar Albanians. Over the subsequent eleven weeks the United States and its allies successfully waged an air war, which resulted in the withdrawal of Serbian forces from Kosovo. A United Nations Security Council Resolution created a protectorate administered by the United Nations Interim Administration in Kosovo—known popularly by its acronym UNMIK—under the military protection of NATO's Kosovo Force or KFOR.

Since the summer of 1999 the international community, working through these civilian and military structures, has attempted to pacify and stabilize the situation, rebuild the shattered infrastructure, and help guide the embittered and traumatized population toward eventual democratic self-rule. Resolution of Kosovo's final status was