

every turn. If I had just tried to work with Republicans when tackling these matters, you can bet that nothing would have ever been accomplished. These success stories were achieved in a bipartisan and constructive manner. I looked forward to the same experience when entering this great body last year; however, the pattern of obstructionism occurring over the past few months is at a crossroads.

The opportunity to vote—to even vote—on the following legislation has been blocked:

**Medical liability reform:** After a comprehensive bipartisan bill was blocked last July, two additional targeted attempts to protect access to ERs and OB-GYNs were blocked February 24 and April 7.

A comprehensive Energy bill has been thwarted for 3 years—3 years. Passage would not only create an estimated 1 million American jobs but also reduce our dependence on foreign oil. Energy tax relief that would have created an estimated 650,000 jobs was also blocked on April 7.

**Workforce Investment Act:** This legislation, projected to help more than 940,000 dislocated workers obtain the training they need to get good jobs was passed by both the House and Senate but now my friends across the aisle refuse to even appoint conferees.

There are other examples of blocked legislation: Class action reform, Faith based/charities—the Care Act—welfare reform, and the Fair Act—Asbestos—but I want to highlight the legislation that could directly benefit the economy. And I use the word “could” because unfortunately none of this legislation can even get the courtesy of an up or down vote.

You cannot have it both ways. You cannot come down to the Senate floor and deride the administration’s economic policies—then, in the same day, vote to block job-creating legislation.

A piece of legislation that underscores this point is S. 1637, the JOBS bill. Why in the world would we not be passing this legislation? I really want to know the answer so I can tell my constituents, in a State that has been hit especially hard by manufacturing job losses. Why is there objection to removing tariffs from our companies? Why is there objection to cutting taxes on manufacturing companies when they need it most? I must be missing something. When a bill is passed out of the Finance Committee 19-2—yes 19-2—and it is blocked from coming to a vote on two separate, that is simply outrageous.

Those of us on both sides of the aisle recognize the need to deal with the increasing concerns associated with the current Extraterritorial Tax Regime ETI. The World Trade Organizations has determined that if not repealed, the current rules for exportation would necessitate \$4 billion in tariffs. If passed, the JOBS bill will not only eliminate the WTO’s exorbitant tariff imposition; it will also replace ETI’s

tax relief with a tax deduction for domestic manufacturers.

At a time when America’s manufacturing industries need immediate relief, the benefits of this legislation are clear—and the necessity of its passage is obvious. However, Senate Democrats are continuing to play petty political games and in so doing, are preventing direct aid to our hurting manufacturers. These partisan antics harm our American businesses directly—businesses run by men and women who deserve better from their elected officials.

I am particularly focused on this issue because North Carolina has areas that are severely affected by the loss of manufacturing jobs, mainly in textiles and furniture. This past summer, North Carolina experienced the largest layoff in State history when textile giant Pillowtex closed its doors forever. The result of Pillowtex’s closing was 4,400 people losing their jobs in a single day—and eventually nearly 5,000 being laid off.

In eastern North Carolina, layoffs and plant closures have resulted in more than 2,200 layoffs since last summer. In just the past few months, the western region of North Carolina has lost more than 1,500 jobs. And in February, 22 of North Carolina’s 100 counties had double-digit unemployment rates. Now there are signs that the situation is improving—initial data for March unemployment in North Carolina shows that just four counties have double-digit rates—but we must take action to help our manufacturers and to ensure upward trends will continue.

Action can begin with final passage of the JOBS bill. This is not the time for political games. This is a time for doing what is right for the American people—and providing our manufacturers with legislation that will directly benefit their businesses. I urge my colleagues to allow the final vote on the passage of S. 1637 to protect our companies from undo tariffs and excessive taxes.

Democrats say they want to find a way to rejuvenate our economy and prevent more factories from shutting down. If they are truly searching for such answers, then why don’t they step forward and allow for the solution to reach final passage? I am hoping my friends on the other side of the aisle will remember the American people who depend on Congress and put aside partisan antics and pass good legislation. We need to put an end to this obstruction and work together to get things done in the Senate.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Kentucky.

#### 9/11 COMMISSION AND IRAQ

Mr. McCONNELL. Mr. President, I wish to talk about a couple of events that are in the news: the proceedings of the 9/11 Commission and the debate about the President’s policy in Iraq.

As I said last week, I am troubled by the partisanship and public posturing of some members of the 9/11 Commission, both in the hearing room and in TV studios.

I am not the only one who is troubled. The former National Security Advisor under President Clinton, Tony Lake, has said the hearings are “a sad spectacle that has become so partisan.”

And Max Holland, a former fellow at the University of Virginia who is writing a history of the Warren Commission, notes that “in some respects” the proceedings of the commission are “definitely a new low.” He added that “this is a commission charged with establishing facts and the truth rather than posturing for political gain. But some of the hearings amounted to lecturing and posturing.”

Still others, like Professor Juliette Kayyem, of the Kennedy School of Government at Harvard, who served on a congressional terrorism panel to investigate the 1998 African embassy bombings, have questioned why 9/11 commission members have granted so many interviews. She notes that “they have become too public,” and that “tempts commissioners into making assessments and conclusions prematurely.”

My understanding of the 9/11 Commission was that it was to impartially determine the facts and make non-partisan recommendations on how to go forward.

So far, the 9/11 Commission’s descent into “gotcha” questioning has only highlighted a tendency to fight each other rather than the terrorists. Unfortunately, while American politicians are busy blaming each other, the terrorists are busy plotting our doom.

This partisanship, unfortunately, is not confined to the 9/11 Commission. Clearly, the central front in the war against terrorism has shifted to Iraq. Al Qaeda operatives and foreign terrorists have flocked to Iraq to make a desperate final stand against American troops, and we must see to it that they lose.

On the issue of Iraq, the most important thing this body could do is to have an open and honest debate about how to build a moderate democracy in that country. If Senator KERRY, in particular, believes he has a solution to the difficult challenges facing our troops and diplomats in Iraq, let him offer a plan, rather than simply guessing and criticizing.

Let me be clear: placing the UN in charge in Iraq is not a plan. It is a pure fantasy.

America did the right thing by liberating the Iraqi people from Saddam’s tyrannical regime, and by so doing, we are making the American people safer. Succeeding in our efforts to help the Iraqis replace one of the most repressive regimes on the planet with the single most representative government in the Arab World will dramatically alter the political landscape of the Middle East.

Only if the citizens of the Middle East experience the freedoms and opportunity of democratic reform can we hope to win the war against terrorism. We can kill terrorists one by one in Afghanistan and Iraq, but until we change the individual and personal calculations of thousands of young men who are taught to value death over life, there will always be more terrorists around every street corner. A free Iraq will be an oasis of liberty in the heart of the Middle East and a source of democratic influence on its undemocratic neighbors.

Bringing democratic reform to the Middle East is not a lofty hope but a necessary reality and a long-term strategy. Citizens who can voice their frustrations at the ballot box are less likely to do so by strapping bombs to their bodies.

It is no coincidence that democratic Muslim states such as Turkey and reforming states such as Jordan, Egypt, and Morocco are not state supporters of terrorism, while oppressive states such as Syria and Iran provide aid and succor to international terrorists.

President Bush's multi-tiered approach to combating terrorism is the right one. And it is improving.

Likewise, our Nation's efforts can be improved upon if we conduct our debates with the gravity and objectivity required by the high stakes of the war against terrorism, but forgive me for not being optimistic.

Until now, the critics have proposed two alternatives to President Bush's plan to stay the course in Iraq. One alternative is to cut and run or to cede control to the U.N., whose member states by and large want America to cut and run.

Unless failure is our goal, these are not serious proposals. And they discount the very simple fact that unless America delivers on its commitment to eliminate havens for terrorists and support democracy in Iraq, Afghanistan and elsewhere, we will embolden the terrorists who delight and attack when America wavers.

How do I know this? Because Osama bin Laden has told us. In his 1998 "Declaration of War Against the Americans" bin Laden noted, and I quote: "When tens of your soldiers were killed in minor battles and one American Pilot was dragged in the street of Mogadishu, you left the area in disappointment, humiliation and defeat, carrying your dead with you."

Former Secretary of Defense James Schlesinger recently noted that Bin Laden also observed: "when people see a strong horse and a weak horse, they naturally gravitate toward the strong horse."

The terrorists are watching us closely, and we must show strength, not weakness. We must not allow Iraq to become another Somalia because going home early is the surest way to embolden the terrorists and ensure the failure of our efforts to bring peace and security to the Middle East.

It is clear to this Senator that al-Qaida wants us to fail in Iraq, just as it wants us to fail in Afghanistan. Al-Qaida terrorists and other foreign Jihadis are aligning themselves with violent Iraqi insurgents whose radical ideology has no place in a democratic Iraq. These zealots want the United States to appear in the Arab world as a weak horse.

The terrorists are watching us closely, and we must show our strength, not our weaknesses, as we confront the security challenges in Iraq that lie between despotism and democracy.

I yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). The majority leader.

### JOBS BILL

Mr. FRIST. Mr. President, this week our colleague, Senator JOHN KERRY, is traveling to the Midwest to discuss ways to help boost job creation. While I applaud his intention on this issue, I also want to make certain Senator KERRY is aware we have scheduled a third floor debate on the JOBS bill—that is the very important bill on manufacturing in this country, S. 1637—to start next week. That important bill seeks to protect more than a million high-quality manufacturing jobs in the United States.

Unfortunately, Senator KERRY's Democrat colleagues in the Senate are waging a filibuster against this jumpstart our business strength bill, the JOBS bill, having twice voted to prevent us from completing action on this essential manufacturing legislation.

I do ask Senator KERRY to use his new position as his party's presumptive nominee, but in all likelihood the nominee, to help convince his colleagues to abandon this filibuster and move this legislation quickly toward passage.

According to the National Foreign Trade Council, there are currently 147,200 jobs in Ohio that hinge on passage of this JOBS bill; in Michigan, some 150,000 jobs will be impacted by this ill-advised filibuster; and in Pennsylvania, nearly 142,000 jobs are tied to this legislation.

We must repeal these European tariffs on at least 100 U.S.-made products. People say: What sort of products? They include safety glass. They include portable handheld tools. They include marine engines. They include aluminum wire, steel wire. They include printing paper. This Euro tax started at \$200 million in March. It increased to \$240 million in April. It will increase again to \$280 million this Saturday and will continue to climb upward to \$680 million next year if we fail to act.

Senator KERRY was a cosponsor of this bill and supported it in the Finance Committee. I urge him to join us in a bipartisan effort to end his fellow Democrats' filibuster and agree to a time to pass and send to President

Bush a jobs bill, a jobs bill that will benefit manufacturing workers throughout the United States.

We must pass this JOBS bill to protect America's manufacturing base and the manufacturing jobs of thousands of our workers across the United States. America's workers are depending on us.

Mr. President, I ask unanimous consent that a letter from me to Senator KERRY dated April 28, 2004, be printed in the RECORD.

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

U.S. SENATE,  
OFFICE OF THE MAJORITY LEADER,  
Washington, DC, April 28, 2004.

Hon. JOHN KERRY,  
Russell Office Building,  
Washington, DC.

DEAR SENATOR KERRY: This week you are campaigning in the Midwest to discuss ways to help create jobs for the American people.

While I applaud your enthusiasm, I want to make certain you are aware that we have scheduled a third floor debate on the JOBS bill, S. 1637, to start next week. As you know, this important legislation seeks to protect more than a million high-quality manufacturing jobs in the United States.

Unfortunately, your Democrat colleagues in the Senate are waging a filibuster against the Jumpstart Our Business Strength bill (JOBS), having twice voted to prevent us from completing action on this essential legislation.

It is my hope that you will use your position to help convince your Senate Democrat colleagues of the importance of this legislation and help us to move it quickly toward passage. After all, according to the National Foreign Trade Council, there are currently 147,200 jobs in Ohio that hinge on passage of the JOBS bill. In Michigan, some 150,000 jobs will be impacted by this ill-advised filibuster. In Pennsylvania, nearly 142,000 jobs are tied to this legislation. It is my hope that you will join with us in a bipartisan effort to end the Democrat filibuster and press for timely action on the JOBS measure.

Since you were once a co-sponsor of this bill and supported it in the Finance Committee, I know you appreciate how important it is that we approve this measure and repeal the European tariffs on at least 100 US-made products. This Euro-tax started at \$200 million in March, increased to \$240 million in April, will increase to \$280 million this Saturday, and will continue to climb upward to \$680 million by next year if we fail to act.

We look forward to your support in passing a measure that is absolutely essential if we are to protect America's manufacturing base and the manufacturing jobs of thousands of our workers across the United States.

Sincerely yours,  
WILLIAM H. FRIST, MD,  
Majority Leader,  
United States Senate.

Mr. FRIST. I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I ask unanimous consent that I have 5 additional minutes of leader time.

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

### STAYING THE COURSE

Mr. DASCHLE. Mr. President, I want to respond to the distinguished majority leader.