

S. 2179

At the request of Mr. BROWNBAC, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2179, a bill to posthumously award a Congressional Gold Medal to the Reverend Oliver L. Brown.

S. 2215

At the request of Mr. REED, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2215, a bill to amend the Higher Education Act of 1965 to provide funds for campus mental and behavioral health service centers.

S. 2264

At the request of Mr. FEINGOLD, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of S. 2264, a bill to require a report on the conflict in Uganda, and for other purposes.

S. 2292

At the request of Mr. VOINOVICH, the names of the Senator from Minnesota (Mr. COLEMAN), the Senator from New Jersey (Mr. CORZINE), the Senator from Maryland (Mr. SARBANES) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. 2292, a bill to require a report on acts of anti-Semitism around the world.

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 2292, *supra*.

S. 2313

At the request of Mr. GRAHAM of Florida, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 2313, a bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent record or hardcopy under title III of such Act, and for other purposes.

S. 2328

At the request of Mr. DORGAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2328, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S.J. RES. 33

At the request of Mr. BROWNBAC, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S.J. Res. 33, a joint resolution expressing support for freedom in Hong Kong.

S.J. RES. 34

At the request of Mr. CONRAD, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S.J. Res. 34, a joint resolution designating May 29, 2004, on the occasion of the dedication of the National World War II Memorial, as Remembrance of World War II Veterans Day.

S. CON. RES. 8

At the request of Ms. COLLINS, the name of the Senator from Indiana (Mr.

BAYH) was added as a cosponsor of S. Con. Res. 8, a concurrent resolution designating the second week in May each year as "National Visiting Nurse Association Week".

S. CON. RES. 90

At the request of Mr. LEVIN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. Con. Res. 90, a concurrent resolution expressing the Sense of the Congress regarding negotiating, in the United States-Thailand Free Trade Agreement, access to the United States automobile industry.

S. CON. RES. 99

At the request of Mr. BROWNBAC, the names of the Senator from Delaware (Mr. BIDEN), the Senator from New Jersey (Mr. CORZINE) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. Con. Res. 99, a concurrent resolution condemning the Government of the Republic of the Sudan for its participation and complicity in the attacks against innocent civilians in the impoverished Darfur region of western Sudan.

S. CON. RES. 100

At the request of Mr. ALEXANDER, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. Con. Res. 100, a concurrent resolution celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country.

S. RES. 332

At the request of Mr. FEINGOLD, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. Res. 332, a resolution observing the tenth anniversary of the Rwandan Genocide of 1994.

S. RES. 343

At the request of Mr. LUGAR, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. Res. 343, a resolution calling on the Government of the Socialist Republic of Vietnam to respect all universally recognized human rights, including the right to freedom of religion and to participate in religious activities and institutions without interference or involvement of the Government; and to respect the human rights of ethnic minority groups in the Central Highlands and elsewhere in Vietnam.

S. RES. 344

At the request of Mr. BOND, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. Res. 344, a resolution welcoming the Prime Minister of Singapore on the occasion of his visit to the United States, expressing gratitude to the Government of Singapore for its support in the reconstruction of Iraq and its strong cooperation with the United States in the campaign against terrorism, and reaffirming the commit-

ment of the Senate to the continued expansion of friendship and cooperation between the United States and Singapore.

AMENDMENT NO. 3052

At the request of Mrs. FEINSTEIN, the names of the Senator from Ohio (Mr. VOINOVICH), the Senator from Hawaii (Mr. INOUE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of amendment No. 3052 proposed to S. 150, a bill to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act.

At the request of Mr. GRAHAM of Florida, his name was added as a cosponsor of amendment No. 3052 proposed to S. 150, *supra*.

AMENDMENT NO. 3082

At the request of Mr. BINGAMAN, his name was added as a cosponsor of amendment No. 3082 proposed to S. 150, a bill to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. CLINTON (for herself, Mr. GRAHAM of Florida, and Mr. DAYTON):

S. 2360. A bill to provide higher education assistance for nontraditional students, and for other purposes; to the Committee on Finance.

Mrs. CLINTON. Mr. President, I rise today to introduce legislation that will address a growing trend in higher education—the changing face of today's college student.

Over the last decade, there has been a steady increase in the number of non-traditional students entering or returning to college. Nationwide, non-traditional students on college campuses are slowly becoming the norm—the percentage of non-traditional students on college campuses has increased to 47 percent in 2001 from 34 percent in 1991.

Non-traditional students come in many different forms. Some waited to go to college until their mid to late twenties or later—or were put in the position of having to go back to college late in life because they lost their job. Others are attending college part-time while they work full-time and/or are financially independent. Others have children, and may or may not have the support of a spouse. And still others never obtained a high school diploma.

As you can imagine, these students face unique challenges that make it more difficult for them to graduate than their traditional peers. These challenges include affording their education, balancing work, school, and family responsibilities, and sometimes overcoming inadequate preparation.

Unfortunately, many of our current higher education policies make it harder, not easier, for non-traditional students to complete their degrees. That is why today I am pleased to be introducing, along with my colleague from the state of Florida, Senator GRAHAM, The Non-Traditional Students Success Act.

This legislation is a comprehensive solution to the barriers non-traditional students face as they try to earn a college degree. It is timely, and our system is long overdue for improvement.

When I travel throughout New York, I hear about the challenges faced by many of our citizens, particularly those who have found themselves unemployed after years of working in companies like Kodak, Xerox, Corning, and IBM. Many of these citizens are in need of retraining—some are returning to school, while others are attending college for the first time.

The goal of this legislation is to increase graduation rates for non-traditional students by addressing the range of barriers they face—financial, academic, and social.

First, I will begin with the financial; this legislation includes several provisions to make it more affordable for non-traditional students to complete their postsecondary education.

It increases the maximum Pell Grant to \$11,600 by 2010. Pell Grants work and there is no reason why we should not continue to invest in this worthwhile solution.

This bill also increases the income protection allowance so that working students can keep more of their income. Our bill sets the level at \$18,000 per year as opposed to only \$5,000 per year—which is current law for single independent students.

It increases the amount of education expenses that students can claim under the Lifetime Learning credit from 20 percent to 50 percent. Under current law, students receive a credit of only \$300 for education expenses towards the Lifetime Learning credit. Under this proposal, they could claim \$750—money that would go a long way towards offsetting the cost of higher education today.

I am also proposing an information campaign so that students will know more about the financial aid available to them. Research shows that one of the most significant challenges to making “lifelong learning” a reality is to overcome the perception held by many non-traditional students, especially first-generation and adults with few work skills, that they are not “student material.”

A direct mailing campaign combined with outreach to employers about the financial resources available to non-traditional students could significantly boost attendance and retention of non-traditional students.

Secondly, The Non-Traditional Students Success Act addresses the daily challenges of balancing work, family and school by creating a pilot program

to provide financial aid to students who are attending school less than half-time while maintaining a full-time work schedule.

This provision will provide resources to schools that create class schedules that accommodate the realities of non-traditional students’ lives—classes that are taught in short, compressed modules, on weekends, in the evenings, and over the Internet.

This bill also creates a pilot program that will make Pell Grants available year round so students are not forced to discontinue their studies for the three-month summer period. These students want to complete their studies as soon as possible, and the three-month delay only impedes their progress.

We are also putting forward ideas to put reliable childcare within the reach of students who have children. During my husband’s administration we created CCAMPIS—a program to provide quality childcare on college campuses. This is an excellent program that deserves to be expanded. It has never received more than \$25 million in funding, even though the need for reliable childcare on campuses is overwhelming.

The Non-Traditional Student Support Act will expand the CCAMPIS program and provide a supplemental grant to low-income parents attending school.

This legislation also increases funding to TRIO and Gear-Up. These programs have been successful in helping many non-traditional students achieve the goal of a college degree, and we must continue to support and expand these programs.

We have also included language that requires these programs to give special attention to first-year students, as research shows completion of the first year is a key indicator of retention through graduation.

I am very pleased with this legislation; it shows that we are moving in the right direction, tweaking our higher education policies to better serve our changing student population. I look forward to working with my colleagues to incorporate these provisions into the reauthorization of the higher education act.

Mr. GRAHAM of Florida. Mr. President, the face of the American undergraduate is changing, and there is a growing need to reflect this transformation in our Federal education policy. In 2001, 47 percent of all undergraduates were considered non-traditional students. Despite this evolving landscape of higher education, many of our Nation’s financial aid policies and student support services only address the financial needs and lifestyle demands of traditional students.

Fewer and fewer of today’s undergraduates come straight from high school, depend on parental financial support, and enroll as full-time students. Today’s colleges and universities are filled with an unprecedented amount of non-traditional students.

These students have a variety of responsibilities beyond their education that demand their time, attention, and income.

Older scholars are in the unenviable position of having to balance school, work, family responsibilities, and the obligation of meeting the cost of higher education. Recent studies suggest that 39 percent of all undergraduates are 25 years or older and 27 percent have children. Further, 40 percent of undergraduates work full-time and 48 percent attend college part-time.

Unfortunately, the needs of many devoted parents and hard working employees who attend college are not adequately supported by federal policy. For this reason, it is no surprise that non-traditional students are less likely than traditional students to complete a bachelors or associates degree.

The consequences of our higher education policy failing to address the challenges faced by non-traditional students are great. In the global economy of the 21st century, a quality, accessible education remains the gatekeeper to achieving the American dream of economic self-sufficiency and meaningful employment.

Indeed, never before has a college degree been so vital to so many. Today’s marketplace demands a well-educated work force. According to the Bureau of Labor Statistics, postsecondary education will be essential for 42 percent of the new jobs created in this decade. Higher education is not only the ticket to a good paying job, it is also an avenue to improved health care, childcare, housing, and nutrition.

I am pleased to join Senator CLINTON in introducing the Non-Traditional Student Success Act, legislation designed to address the barriers that non-traditional students encounter while pursuing a college education.

Escalating college costs are a central obstacle to all students, but can be especially devastating to non-traditional students who often have families to care for. Responding to the rising cost of obtaining a college degree and the declining purchasing power of federal financial assistance, this legislation will help ensure that college is affordable and accessible to non-traditional students.

With this goal in mind, our bill will increase the maximum Pell Grant to \$11,600 over the next five years and pilot a program that would make this aid available year-round. This provision will ease the financial burden non-traditional students endure and help them complete their degree programs more quickly.

Our legislation also addresses a problem many non-traditional students experience, not being able to qualify for a sufficient amount of financial aid due to their less-than-full-time enrollment status. We propose establishing a pilot program to provide more financial aid to students enrolled in a degree program less-than-half-time, students

with compressed or alternative schedules, and/or students in distance learning. It is imperative that our financial aid system no longer exists at odds with the needs and course loads of non-traditional students. This measure takes a critical first step towards correcting this situation.

Our bill also expands the list of education expenses for the Lifetime Learning tax credit to include not just the costs of tuition and fees but also books, supplies and equipment, childcare and living expenses. Non-traditional students often have more expenses than tuition and fees that must be considered if a college degree is going to be financially possible.

A common sense way of making higher education more accessible is to increase the public's awareness of available financial aid, including education tax credits. In 2001, only 21 percent of respondents in a national survey had heard of the education tax credits. Our bill will promote what financial aid programs are available.

It is not enough that we improve the affordability of college for non-traditional students without improving student support services that promote retention and academic success among these students. This legislation increases funding for on-campus childcare to help nontraditional students with children. Additionally, we propose an increase in funding for Student Support Service programs, GEAR UP and College Assistance Migrant Programs. These programs provide counseling, mentoring, tutoring and other services to help non-traditional students succeed.

I encourage my colleagues to support the Non-Traditional Student Success Act. This legislation contains a variety of common sense provisions that make college more affordable and success more probable for non-traditional students. By supporting the Non-Traditional Student Success Act, you help bring the American dream within reach for a large segment of our Nation's undergraduate population.

By Mr. DEWINE:

S. 2361. A bill to amend the Public Health Service Act to enhance research, training, and health information dissemination with respect to urologic diseases, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DEWINE. Mr. President, I rise to introduce the Training and Research in Urology Act—or the TRU Act. During my career in the U.S. Senate, I have supported the successful effort to double NIH research funding and have provided a strong voice for our children. This bill complements my past and continued efforts. It helps provide urologic scientists with the tools they need to find new cures for the many debilitating urologic diseases impacting men, women, and children. This legislation is important to my home State of Ohio and would impact positively

many families in Ohio and nationwide who are afflicted with urologic diseases.

Ohio is a leader in urologic research. Researchers at the Children's Hospital of Cincinnati, the Cleveland Clinic, Case Western Reserve, and Ohio State University have made great strides toward achieving treatments. The fact is that urologic conditions affect millions of children and adults. Urology is a physiological system distinct from other body systems. Urologic conditions include incontinence, infertility, and impotence—all of which are extremely common, yet serious and debilitating. As many as 10 million children—more than 30,000 in Ohio—are affected by urinary tract problems, and some forms of these problems can be deadly. At least half of all diabetics have bladder dysfunctions, which can include urinary retention, changes in bladder compliance, and incontinence. Interstitial Cystitis (IC), a painful bladder syndrome, affects 200,000 people, mostly women. There are no known causes or cures, and few minimally effective treatments. Additionally, there are 7 million urinary tract infections in the U.S. each year.

Incontinence costs the healthcare system \$25 billion each year and is a leading reason people are forced to enter nursing homes, impacting Medicare and Medicaid costs. Urinary tract infection treatment costs total more than \$1 billion each year. Many urologic diseases, incontinence, erectile dysfunction, and cancer, increase in aging populations. Prostate cancer is the most common cancer in American men, and African-American men are at a greater risk for the disease. Medicare beneficiaries suffer from benign prostatic hyperplasia (BPH), which results in bladder dysfunction and urinary frequency. Fifty percent of men at age 60 have BPH. Treatment and surgery cost \$2 billion per year.

Research for urologic disorders has failed to keep pace. Further delay translates into increased costs—in dollars, in needless suffering, and in the loss of human dignity. Incontinence costs the healthcare system \$23 billion each year, yet only 90 cents per patient is spent on research—little more than the cost of a single adult undergarment. In 2002, only \$5 million of the \$88 million in new initiatives from the National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK) was designated to urologic diseases and conditions. Of that \$5 million, no new initiatives were announced for women's urologic health problems. In 2001, we spent less than five cents per child on research into pediatric urologic problems. The medications currently used are very expensive and have unknown, long-term side effects.

The TRU Act establishes a Division of Urology at the NIDDK—the home of the urology basic science program—and expands existing research mechanisms, like the successful George O'Brien Urology Research Centers. This will

give NIH new opportunities for investment in efforts to combat and vanquish these diseases.

This legislation is necessary to elevate leadership in urology research at the NIDDK. When the Institute was created in its current form nearly 20 years ago, Congress specifically provided for three separate Division Directors. Regrettably, the current statute fails to provide the NIDDK with the flexibility to create additional Division Directors when necessary to better respond to current scientific opportunities. This prescriptive statutory language is unique to the NIDDK. For example, the National Cancer Institute and the National Heart, Lung, and Blood Institute do not have any statutory language regarding Division Directors.

The basic science breakthroughs of the last decade are literally passing urology by. A greater focus on urological diseases is needed at the NIDDK and will be best accomplished with senior leadership with expertise in urology as provided in the TRU Act. This legislation is supported by the Coalition for Urologic Research & Education (CURE)—a group representing tens of thousands of patients, researchers and healthcare providers. I urge my colleagues to join me as cosponsors of the TRU Act.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2361

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Training and Research in Urology Act of 2004”.

SEC. 2. RESEARCH, TRAINING, AND HEALTH INFORMATION DISSEMINATION WITH RESPECT TO UROLOGIC DISEASES.

(a) DIVISION DIRECTOR OF UROLOGY.—Section 428 of the Public Health Service Act (42 U.S.C. 285c-2) is amended—

(1) in subsection (a)(1), by striking “and a Division Director for Kidney, Urologic, and Hematologic Diseases” and inserting “a Division Director for Urologic Diseases, and a Division Director for Kidney and Hematologic Diseases”; and

(2) in subsection (b)—

(A) by striking “and the Division Director for Kidney, Urologic, and Hematologic Diseases” and inserting “the Division Director for Urologic Diseases, and the Division Director for Kidney and Hematologic Diseases”; and

(B) by striking “(1) carry out programs” and all that follows through the end and inserting the following:

“(1) carry out programs of support for research and training (other than training for which National Research Service Awards may be made under section 487) in the diagnosis, prevention, and treatment of diabetes mellitus and endocrine and metabolic diseases, digestive diseases and nutritional disorders, and kidney, urologic, and hematologic diseases, including support for training in medical schools, graduate clinical training (with particular attention to programs geared to the needs of urology residents and

fellows), graduate training in epidemiology, epidemiology studies, clinical trials, and interdisciplinary research programs;

“(2) establish programs of evaluation, planning, and dissemination of knowledge related to such research and training;

“(3) in cooperation with the urologic scientific and patient community, develop and submit to the Congress not later than January 1, 2006, a national urologic research plan that identifies research needs in the various areas of urologic diseases, including pediatrics, interstitial cystitis, incontinence, stone disease, urinary tract infections, and benign prostatic diseases; and

“(4) in cooperation with the urologic scientific and patient community, review the national urologic research plan every 3 years beginning in 2009 and submit to the Congress any revisions or additional recommendations.”; and

(3) at the end of the section, by adding the following:

“(c) There are authorized to be appropriated \$500,000 for each of fiscal years 2004 and 2005 to carry out paragraphs (3) and (4) of subsection (b), and such sums as may be necessary thereafter.”.

(b) UROLOGIC DISEASES DATA SYSTEM AND INFORMATION CLEARINGHOUSE.—Section 427 of the Public Health Service Act (42 U.S.C. 285c-1) is amended—

(1) in subsection (c), by striking the terms “and Urologic” and “and urologic” each place either such term appears; and

(2) by adding at the end the following:

“(d) The Director of the Institute shall—

“(1) establish the National Urologic Diseases Data System for the collection, storage, analysis, retrieval, and dissemination of data derived from patient populations with urologic diseases, including, where possible, data involving general populations for the purpose of detection of individuals with a risk of developing urologic diseases; and

“(2) establish the National Urologic Diseases Information Clearinghouse to facilitate and enhance knowledge and understanding of urologic diseases on the part of health professionals, patients, and the public through the effective dissemination of information.”.

(c) STRENGTHENING THE UROLOGY INTERAGENCY COORDINATING COMMITTEE.—Section 429 of the Public Health Service Act (42 U.S.C. 285c-3) is amended—

(1) in subsection (a), by striking “and a Kidney, Urologic, and Hematologic Diseases Coordinating Committee” and inserting “a Urologic Diseases Interagency Coordinating Committee, and a Kidney and Hematologic Diseases Interagency Coordinating Committee”;

(2) in subsection (b), by striking “the Chief Medical Director of the Veterans’ Administration,” and inserting “the Under Secretary for Health of the Department of Veterans Affairs”; and

(3) by adding at the end the following:

“(d) The urology interagency coordinating committee may encourage, conduct, or support intra- or interagency activities in urology research, including joint training programs, joint research projects, planning activities, and clinical trials.

“(e) For the purpose of carrying out the activities of the Urologic Diseases Interagency Coordinating Committee, there are authorized to be appropriated \$5,000,000 for each of fiscal years 2004 through 2008, and such sums as may be necessary thereafter.”.

(d) NATIONAL UROLOGIC DISEASES ADVISORY BOARD.—Section 430 of the Public Health Service Act (42 U.S.C. 285c-4) is amended by striking “and the National Kidney and Urologic Diseases Advisory Board” and inserting “the National Urologic Diseases Advisory Board, and the National Kidney Diseases Advisory Board”.

(e) EXPANSION OF O’BRIEN UROLOGIC DISEASE RESEARCH CENTERS.—

(1) IN GENERAL.—Subsection (c) of section 431 of the Public Health Service Act (42 U.S.C. 285c-5(c)) is amended in the matter preceding paragraph (1) by inserting “There shall be no fewer than 15 such centers focused exclusively on research of various aspects of urologic diseases, including pediatrics, interstitial cystitis, incontinence, stone disease, urinary tract infections, and benign prostatic diseases.” before “Each center developed”.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 431 of the Public Health Service Act (42 U.S.C. 285c-5) is amended by adding at the end the following:

“(f) There are authorized to be appropriated for the urologic disease research centers described in subsection (c) \$22,500,000 for each of fiscal years 2004 through 2008, and such sums as are necessary thereafter.”.

(3) TECHNICAL AMENDMENT.—Subsection (c) of section 431 of the Public Health Service Act (42 U.S.C. 285c-5(c)) is amended at the beginning of the unnumbered paragraph—

(A) by striking “shall develop and conduct” and inserting “(2) shall develop and conduct”; and

(B) by aligning the indentation of such paragraph with the indentation of paragraphs (1), (3), and (4).

(f) SUBCOMMITTEE ON UROLOGIC DISEASES.—Section 432 of the Public Health Service Act (42 U.S.C. 285c-6) is amended by striking “and a subcommittee on kidney, urologic, and hematologic diseases” and inserting “a subcommittee on urologic diseases, and a subcommittee on kidney and hematologic diseases”.

(g) LOAN REPAYMENT TO ENCOURAGE UROLOGISTS AND OTHER SCIENTISTS TO ENTER RESEARCH CAREERS.—Subpart 3 of part C of title IV of the Public Health Service Act (42 U.S.C. 285c et seq.) is amended by inserting after section 434A the following:

“LOAN REPAYMENT PROGRAM FOR UROLOGY RESEARCH

“SEC. 434B. (a) ESTABLISHMENT.—Subject to subsection (b), the Secretary shall carry out a program of entering into contracts with appropriately qualified health professionals or other qualified scientists under which such health professionals or scientists agree to conduct research in the field of urology, as employees of the National Institutes of Health or of an academic department, division, or section of urology, in consideration of the Federal Government agreeing to repay, for each year of such research, not more than \$35,000 of the principal and interest of the educational loans of such health professionals or scientists.

“(b) LIMITATION.—The Secretary may not enter into an agreement with a health professional or scientist pursuant to subsection (a) unless the professional or scientist—

“(1) has a substantial amount of educational loans relative to income; and

“(2) agrees to serve as an employee of the National Institutes of Health or of an academic department, division, or section of urology for purposes of the research requirement of subsection (a) for a period of not less than 3 years.

“(c) APPLICABILITY OF CERTAIN PROVISIONS.—Except as inconsistent with this section, the provisions of subpart 3 of part D of title III apply to the program established under subsection (a) in the same manner and to the same extent as such provisions apply to the National Health Service Corps Loan Repayment Program established under such subpart.”.

(h) AUTHORIZATION OF APPROPRIATIONS FOR UROLOGY RESEARCH.—Subpart 3 of part C of title IV of the Public Health Service Act (42

U.S.C. 285c et seq.) (as amended by subsection (g)) is further amended by inserting after section 434B the following:

“AUTHORIZATION OF APPROPRIATIONS FOR UROLOGY RESEARCH

“SEC. 434C. There are authorized to be appropriated to the Director of NIH for the purpose of carrying out intra- and interagency activities in urology research (including training programs, joint research projects, and joint clinical trials) \$5,000,000 for each of fiscal years 2004 through 2008, and such sums as may be necessary thereafter. Amounts authorized to be appropriated under this section shall be in addition to amounts otherwise available for such purpose.”.

By Mr. HATCH (for himself, Mr. LEAHY, Mr. DEWINE, Mr. KOHL, and Mr. BIDEN):

S. 2363. A bill to revise and extend the Boys and Girls Clubs of America; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, I rise today to speak about the reauthorization of the Boys and Girls Club of America, legislation that Senator LEAHY and I introduced today. Congress first granted the Boys and Girls Club of America a charter in 1991, but the Club existed for over 90 years before that. There are currently 3,500 Clubs across America and around the world on our military bases serving over 3.6 million children, ages 6–18.

Over 70 percent of those children who benefit from the Boys and Girls Club of America live in America’s inner cities. Almost half of the Club members come from single parent homes. The Club offers young people a positive alternative to roaming the streets as well as a positive adult influence. These children are able to find a safe place to learn and grow in the Boys and Girls Clubs. Most importantly, the Clubs offer hope and opportunity to millions of young people who would otherwise face disadvantaged circumstances.

This reauthorization will allow the Boys and Girls Club of America to expand their clubs even more. The bill authorizes the Club to receive funds through 2010 and increases the number of clubs in existence. By 2010, there will be 5,000 Clubs nationwide serving over 5 million young people.

I urge my colleagues to support this small but important reauthorization.

Mr. LEAHY. Mr. President, I rise today as a long-time supporter of the Boys & Girls Clubs of America to join Senators HATCH, DEWINE, KOHL, and BIDEN in introducing this legislation, S. 2363, to revise and extend the Boys & Girls Clubs of America.

Senator HATCH has been one of the best friends and supporters Boys and Girls Clubs could ever have and I have been privileged to work with him on issues that matter to the Boys & Girls Clubs. Too often the public sees Republicans and Democrats disagreeing. From time to time, even Senator HATCH and I disagree on important issues. But when it comes to the Boys & Girls Clubs of America there is no doubt that we see eye-to-eye: Today we

introduce this bill to show the unified support of Republicans and Democrats for Boys & Girls Clubs nationwide.

Children are the future of our country, and we have a responsibility to make sure they are safe and secure. I know firsthand how well Boys & Girls Clubs work and what topnotch organizations they are. When I was a prosecutor in Vermont, I was convinced of the great need for Boys & Girls Clubs because we rarely encountered children from these kinds of programs. In fact, after I became a U.S. Senator, a police chief was such a big fan that he asked me to help fund a Boys & Girls Club in his district rather than helping him get a couple more police officers.

In Vermont, Boys and Girls Clubs have succeeded in preventing crime and supporting our children. The first Club was established in Burlington 62 years ago. Now we have 22 club sites operating throughout the State: seven clubs in Brattleboro, one in Springfield, two clubs in Burlington, one in Winooski, two clubs in Montpelier, five clubs in Randolph, one club in Rutland, two clubs in Vergennes and one in Bristol. There are 10 additional project sites that will be on board and serving kids by the end of 2005: one in Bennington, two in Burlington, one in Duxbury, one in St. Johnsbury, one in Hardwick, three in Randolph and one in Ludlow. These clubs will serve well over 10,000 kids statewide.

As a senior member of the Senate Appropriations Committee, I have pushed for more Federal funding for Boys and Girls Clubs. Since 1998, Congress has increased Federal support for Boys and Girls Clubs from \$20 million to \$80 million in this year. Due in large part to this increase in funding, there now exist 3,300 Boys & Girls Clubs in all 50 States serving more than 3.6 million young people. Because of these successes, I was both surprised and disappointed to see that the President requested a reduction of \$20 million for fiscal year 2005. That request will leave thousands of children and their Clubs behind and we cannot allow such a thing to happen.

In the 107th Congress, Senator HATCH and I worked together to pass the 21st Century Department of Justice Appropriations Authorization Act, which included a provision to reauthorize Justice Department grants to establish new Boys and Girls Clubs nationwide. By authorizing \$80 million in Justice grants for each of the fiscal years through 2005, we sought to establish 1,200 additional Boys and Girls Clubs nationwide. This was to bring the number of Boys and Girls Clubs to 4,000, serving no less than 5 million young people. The bill we introduce today will build upon this: We authorize Justice Department grants at \$80 million for fiscal year 2006, \$85 million for fiscal year 2007, \$90 million for fiscal year 2008, \$95 million for fiscal year 2009, and \$100 million for fiscal year 2010 to Boys and Girls Clubs to help establish 1,500 additional Boys and Girls Clubs across

the nation with the goal of having 5,000 Boys and Girls Clubs in operation by December 31, 2010.

If we have a Boys & Girls Club in every community, prosecutors in our country would have a lot less work to do because of the values that are being instilled in children from the Boys & Girls Clubs of America. Each time I visit a club in Vermont, I am approached by parents, educators, teachers, grandparents, and law enforcement officers who tell me "Keep doing this! These clubs give our children the chance to grow up free of drugs, gangs, and crime."

You cannot argue that these are just Democratic or Republican ideas, or Conservative or Liberal ideals—they are simply good sense ideas. We need safe havens where our youth—the future of our country—can learn and grow up free from the influence of drugs, gangs, and crime. That is why Boys & Girls Clubs are so important to our children.

I urge my colleagues to support this bill to expand Federal support for the Boys and Girls Clubs of America. We all know instinctively that our country's strength and ultimate success lies with our children. Our greatest responsibility is to help them inhabit this century the best way possible and we can help do that by supporting the Boys & Girls Clubs of America.

By Mr. CORZINE (for himself, Ms. COLLINS, and Mr. LAUTENBERG):

S. 2364. A bill to amend title 36, United States Code, to grant a Federal charter to the Irish American Cultural Institute; to the Committee on the Judiciary.

Mr. CORZINE. Mr. President, today I am proud to be introducing a bill, along with Senator COLLINS and Senator LAUTENBERG, to grant a Federal Charter to the Irish American Cultural Institute, an organization that promotes appreciation and recognition of the important contributions Irish-Americans have played throughout the history of the United States. A long-standing goal of the Irish American Cultural Institute has been to establish a museum of Irish American history and culture in Washington, DC, and I am pleased to introduce legislation that could represent a positive step towards achieving that goal.

The Irish American Cultural Institute is a national organization founded in 1962, with local chapters in 17 States. The Institute has spent the last 40 years fighting to promote, preserve and interpret Irish and Irish-American culture. Those involved with the Institute do this, in part, by fostering strong cultural and educational ties between the United States and Ireland: sending American high school students to Ireland, and bringing Irish scholars, musicians, craftsmen, actors, and artists to the United States. They also fund academic research projects that provide insights into Irish-American

history, and provide fellowships for American professors to spend a year as a visiting scholar at the National University of Ireland. In short, the Irish American Cultural Institute serves as an important educational, informational, and financial resource for key initiatives important to the Irish and the Irish-American community in the United States.

Irish-Americans comprise more than 17 percent of the population of the United States, and have made enormous contributions to our Nation in countless ways. A Federal charter will help the Irish American Cultural Institute continue and expand activities that recognize and celebrate the heritage of Irish-Americans. I ask my colleagues to join me in supporting this legislation, and I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2364

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHARTER FOR IRISH AMERICAN CULTURAL INSTITUTE.

Part B of subtitle II of title 36, United States Code, is amended—

(1) by redesignating chapter 1001 as chapter 1003;

(2) by redesignating sections 100101 through 100110, and the items relating thereto in the table of sections, as sections 100301 through 100310, respectively; and

(3) by inserting after chapter 901 the following new chapter:

"CHAPTER 1001—IRISH AMERICAN CULTURAL INSTITUTE

"Sec.

"100101. Organization.

"100102. Purposes.

"100103. Membership.

"100104. Governing body.

"100105. Powers.

"100106. Exclusive right to name, seals, emblems, and badges.

"100107. Restrictions.

"100108. Duty to maintain tax-exempt status.

"100109. Principal office.

"100110. Records and inspection.

"100111. Service of process.

"100112. Liability for acts of officers and agents.

"100113. Annual report.

"§ 100101. Organization

"(a) FEDERAL CHARTER.—The Irish American Cultural Institute (in this chapter, the 'corporation'), incorporated in New Jersey, is a federally chartered corporation.

"(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

"§ 100102. Purposes

"The purposes of the corporation are as provided in the articles of incorporation and include—

"(1) establishing the Museum of Irish America in Washington, D.C., as the center of Irish American thought, dialogue, debate, and reflection;

"(2) recognizing and recording a living memorial to the contributions of Irish-born and Irish Americans to the development of the United States;

"(3) providing a focal point for all Irish Americans, who make up 17 percent of the

United States population, according to the 2000 census;

“(4) exploring past, current, and future events in Ireland and the United States, as they relate to Irish Americans and society as a whole;

“(5) documenting the tremendous contributions of Irish immigrants to the United States in the areas of architecture, military, politics, religion, labor, sports, literature, and art;

“(6) providing ongoing studies to ensure that the experiences of the past will benefit the future of both Ireland and the United States; and

“(7) establishing an Irish American Studies Program for students from both Ireland and the United States.

“§ 100103. Membership

“Eligibility for membership in the corporation and the rights and privileges of membership are as provided in the bylaws.

“§ 100104. Governing body

“(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

“(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

“§ 100105. Powers

“The corporation shall have only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

“§ 100106. Exclusive right to name, seals, emblems, and badges

“The corporation has the exclusive right to use the name ‘Irish American Cultural Institute’ and any seals, emblems, and badges relating thereto that the corporation adopts.

“§ 100107. Restrictions

“(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

“(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

“(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or member in an amount approved by the board of directors.

“(d) LOANS.—The corporation may not make any loan to a director, officer, or employee.

“(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

“§ 100108. Duty to maintain tax-exempt status

“The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

“§ 100109. Principal office

“The principal office of the corporation shall be in Morristown, New Jersey, or another place decided by the board of directors.

“§ 100110. Records and inspection

“(a) RECORDS.—The corporation shall keep—

“(1) correct and complete books and records of account;

“(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

“(3) at its principal office, a record of the names and addresses of its members entitled to vote.

“(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

“§ 100111. Service of process

“The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

“§ 100112. Liability for acts of officers and agents

“The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

“§ 100113. Annual report

“The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report shall not be printed as a public document.”.

SEC. 2. CLERICAL AMENDMENTS.

The table of chapters at the beginning of subtitle II of title 36, United States Code, is amended—

(1) in the item relating to chapter 1001, by striking “1001” and inserting “1003” and by striking “100101” and inserting “100301”; and

(2) by inserting after the item relating to chapter 901 the following new item:

“1001. Irish American Cultural Institute100101”.

By Mr. KENNEDY (for himself, Mr. DASCHLE, Mr. AKAKA, Mr. BAYH, Mrs. BOXER, Mr. BYRD, Mrs. CLINTON, Mr. CORZINE, Mr. DODD, Mr. DURBIN, Mr. EDWARDS, Mr. FEINGOLD, Mr. HARKIN, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Ms. MIKULSKI, Mr. REED, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SCHUMER, Ms. LANDRIEU, Mr. LEVIN, Mr. KERRY, Mr. BINGAMAN, and Mrs. MURRAY):

S. 2370. A bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; read the first time.

Mr. KENNEDY. Mr. President, it has been seven long years since Congress last acted to raise the minimum wage. The cost of living keeps going up, and these workers keep falling farther and farther behind, because the minimum wage they're paid buys less and less.

The current minimum wage is \$5.15 an hour. You can't work hard, raise a family, and pay for food and rent and clothing, on \$5.15 an hour—\$10,700 a year—\$5,000 below the poverty line for a family of three. The minimum wage is too low.

The Fair Minimum Wage Act of 2004, which I introduce today, will raise the minimum wage by \$1.85 to \$7.00 an hour. The raise to \$7.00 would be carried out in three moderate steps in just over two years. More than 7 million workers would directly benefit from this minimum wage increases.

Let me be clear about who we're talking about here—the janitors who clean our great buildings late into the

night; the school aides who support our kids and their teachers; home healthcare workers caring for our elderly parents in their home; the children whose parents can't afford to give them more than a single slim meal a day.

There is one thing that stands in the way of a decent minimum wage—one thing—and that's the Republican Party.

If this President and the Republican Party really cared about working Americans—about minimum wage workers—why would they oppose a decent wage for a hard day's work? But for seven long years, they have blocked every effort in this Congress to raise the minimum wage.

Why would they oppose unemployment benefits for the 8 million out-of-work Americans? Why would they oppose overtime pay if you have to work more than 40 hours a week? Why would they support shipping your jobs overseas?

A fair increase in the minimum wage is long overdue. We should all be able to agree on the principle that no one who works for a living should have to live in poverty. How can Congress keep saying no, when more and more workers can't make ends meet? I plan to be back on the Senate floor offering this bill as an amendment over and over again until Congress agrees to give low-wage workers the raise they have earned.

By Mr. KENNEDY (for himself, Mr. CORZINE, Mr. DODD, Mr. BINGAMAN, Mr. HARKIN, Ms. MILKULSKI, Mrs. MURRAY, Mr. EDWARDS, Mrs. CLINTON, Mr. AKAKA, Mr. LAUTENBERG, Mr. ROCKEFELLER, Mr. FEINGOLD, and Mr. DURBIN):

S. 2371. A bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for certain violators, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, today I am pleased to introduce the Protecting America's Workers Act.

This week, on Workers' Memorial Day, we remember and honor those who have died or been injured on the job in the past year. We remember and honor their families. And we pledge to do more to end the unsafe and unhealthy conditions that still plague so many workplaces across America.

We have made significant progress in protecting worker safety since 1970, when we passed the Occupational Safety and Health Act. But there is still a tremendous amount to be done. Every year, over five thousand workers are killed and nearly five million others become ill or are injured on the job. That's an average of 15 deaths and 13,000 injuries or illnesses each and every day.

Too many companies are doing too little to deal with this crisis. They blatantly ignore the law, but they never

go to jail—even when their actions or lack of action kill loyal employees who work for them. Criminal penalties are so low that prosecutors don't pursue these cases. Employers who violate safety laws again and again pay only minimal fines—which they treat as just another cost of doing business.

We cannot let these shameful practices continue. We cannot allow employers to put millions of workers at risk in our factories, nursing homes, construction sites, and many other workplaces every day.

We need to hold this Administration accountable—require them to act, instead of sweeping serious violations under the rug. We also need to protect workers with the courage to speak out against health and safety violations in the workplace.

That is why we are today introducing the Protecting America's Workers Act.

It will protect millions of workers not covered by current safety laws. By extending the Occupational Safety and Health Act, we will cover 8 million public employees and millions of transportation and other workers.

The bill imposes jail time—up to ten years, instead of only six months under current law—on those whose blatant violation of safety laws leads to a worker's death. We also increase civil penalties, to provide additional deterrence for employers.

We require the Occupational Safety and Health Administration to investigate more cases, and we give workers and their families more rights in the investigation process.

We provide stronger protections for workers who report health or safety violations.

I know it will be an uphill battle to get this legislation through this Republican Congress. But I'm committed to the fight. I'm committed to fighting for people like Jeff Walters, whose son Patrick was killed when a trench collapsed on him two years ago. His employer was known to be violating critical safety rules. We will fight for people like Ron Hayes, whose son Patrick suffocated in a grain elevator. Ron is now helping families throughout the United States deal with the grief of having a family member killed at work.

We intend to do everything we can to keep other working families from that grief. These deaths and injuries aren't accidents they're crimes, and it's time we started treating them like crimes.

I urge my colleagues to join in this fight for a safe workplace for all of America's workers. We can take a major step forward by the Protecting America's Workers Act.

Mr. CORZINE. Mr. President, I rise today to express my strong support for the Protecting America's Workers Act introduced by Senator KENNEDY. I am proud to join him as a cosponsor of this important legislation.

Yesterday, this country recognized Worker Memorial Day. Created in 1989 to remember workers who have been

killed or injured in the workplace over the past year, Worker Memorial Day has been designated April 28 as a tribute to the anniversary of the enactment of the Occupational Safety and Health Act. In my view, there is no better tribute to the lives that have been lost than to think about how we can prevent future losses of this kind.

The facts tell a grim story: an eight-month examination of workplace deaths by The New York Times found that, over a span of two decades, from 1982 to 2002, OSHA investigated 1,242 horrific instances in which the agency itself concluded that workers had died because of their employer's "willful" safety violations. Yet in 93 percent of those cases, OSHA declined to seek prosecution.

Employees have a fundamental right to a safe work environment, and more needs to be done to ensure that businesses that deliberately put the lives of their workers at risk are held accountable for their actions. This legislation would go a long way to strengthen our workplace safety system in a variety of ways.

I am particularly pleased that this legislation includes provisions to shore up a fundamental weakness in American workplace safety law: the shockingly inadequate penalties associated with crimes under the Occupational Safety and Health Act. This legislation includes the provisions of the Workplace Wrongful Death Accountability Act, S. 1272, legislation that I introduced to increase the maximum criminal penalty for those who willfully violate workplace safety laws and cause the death of an employee.

It is unbelievable to me that, under existing law, that crime is a misdemeanor, and carries a maximum prison sentence of just 6 months. These provisions would increase the penalty for this most egregious workplace crime to 10 years, making it a felony. They also increase the penalty associated with lying to an OSHA inspector from 6 months to 1 year, and increase the penalty for illegally giving advance warning of an upcoming inspection from 6 months to 2 years.

In recent times, Congress has focused on a shocking succession of corporate scandals: Enron, Tyco, WorldCom, to name a few. These revelations of corporate abuse raised the ire and indignation of the American people. But corporate abuses can sometimes go further than squandering employee pension funds and costing shareholder value. Sometimes, corporate abuses can cost lives.

The provisions are based on the simple premise that going to work should not carry a death sentence. Annually, more than 6,000 Americans are killed on the job, and some 50,000 more die from work-related illnesses. Many of those deaths are completely preventable.

While many factors contribute to the unsafe working environment that exists at certain jobsites, one easily rem-

edied factor is an ineffective regime of criminal penalties. The criminal statutes associated with OSHA have been on the books since the 1970s, but, over time, the deterrence value of these important workplace safety laws has eroded substantially. With the maximum jail sentence of 6 months, Federal prosecutors have only a minimal incentive to spend time and resources prosecuting renegade employers. According to a recent analysis, since the Occupational Safety and Health Act was enacted, only 11 employers who caused the death of a worker on the job were incarcerated.

The logic behind increasing criminal penalties in these cases is simple. It will increase the incentive for prosecutors to hold renegade employers accountable for endangering the lives of their workers and, thereby, help ensure that OSHA criminal penalties cannot be safely ignored. This will provide the OSHA criminal statute with sufficient teeth to deter the small percentage of bad actors who knowingly and willfully place their employees at risk.

I hope that my colleagues will join me in supporting this landmark legislation.

By Mr. CORZINE (for himself, Mr. BAUCUS, Mr. DASCHLE, and Mr. LAUTENBERG):

S. 2372. A bill to amend the Trade Act of 1974 regarding identifying trade expansion priorities; to the Committee on Finance.

Mr. CORZINE. Mr. President, I rise along with several of my colleagues, the esteemed Minority Leader, Senator DASCHLE, the ranking member of the Finance Committee, Senator BAUCUS, and my colleague from New Jersey, Senator LAUTENBERG, to introduce legislation that will strengthen trade enforcement efforts, open foreign markets to U.S. exports, reduce the trade deficit, create export-based jobs, and provide a lift to America's economy.

This legislation would restore the so-called "Super 301" process, a tool that has been used by Republican and Democratic administrations to expand access for U.S. exporters to foreign markets. Super 301 requires the Office of the United States Trade Representative to negotiate with foreign countries that have established burdensome trade barriers in order to open those markets to U.S. exports. The legislation also requires the USTR to identify, and eliminate, the illegal protectionist trade barriers that most adversely effect American businesses and workers.

With more than 8 million Americans out of a job, we need to take strong action not only to get people back to work, but to get them into well-paying jobs. Unfortunately, in recent years, even when unemployed Americans have found new jobs, too often they've been forced to take a pay cut. That's one reason why so many middle class families are feeling the squeeze, and are having such a hard time making ends meet.

One of the areas hardest hit by job loss under this administration is the manufacturing industry. 2.9 million manufacturing jobs have been lost. In many ways, we are witnessing the slow decimation of the U.S. manufacturing industry. And the Bush administration has done little about it.

One way to deal with the decline in manufacturing—and the problems in our economy, more generally—is to do a better job of enforcing our trade agreements. U.S. businesses generally are the best, most competitive in the world. But, too often, they're not playing on a level playing field. Instead, they're being forced to contend with a wide variety of trade barriers that make it difficult or impossible for American businesses to compete. The end result is lost opportunities, lost jobs, and lost income for American workers.

Let's be clear. Trade is a good thing for America. And as a global leader we must be engaged in the global economy. Trade doesn't just help grow our own economy. It helps build the world economy, which, in turn, promotes democracy and greater security for everybody. I'm not arguing for building walls around the United States. To the contrary, I want to tear down protectionist walls that keep U.S. businesses out, and that destroy jobs here in our own country.

The Bush administration likes to advocate for free trade agreements. But it's not enough to sign a trade agreement and trust our trade partners to honor their end of the deal. Those deals need to be complied with. And if they're not, we need to be aggressive in ensuring compliance.

Unfortunately, when it comes to enforcing trade agreements, the Bush administration, as Senator KERRY said recently, has been "asleep at the wheel." And there's no excuse for it.

After all, we face a trade deficit of nearly \$500 billion, and a deteriorating fiscal situation that has led to increasing reliance on foreign creditors. Under the circumstances, you would have thought that the administration would be doing all it could to address these problems. But it's not.

There's a stark difference between the commitment of this administration to enforce trade compared to that of the Clinton administration. Between 1995 and 2000, the Clinton administration filed an average of 11 cases a year with the World Trade Organization to battle foreign protectionism. By contrast, the Bush administration has filed only 3 per year.

The White House also has repeatedly refused to respond when the bipartisan International Trade Commission has recommended remedies for U.S. businesses facing floods of imports from China—even when the ITC rulings have been unanimous. The President's determination to overrule the ITC has had a dramatic impact on many small businesses, including some in my State of New Jersey.

The administration also continues to sit idly by while China, and other Asian countries, manipulate their currency, to the detriment of U.S. exporters.

The administration's refusal to enforce our trade agreements, and the passive approach they have taken to problems like Asian currency manipulation, helps explain why we're now facing such massive trade deficits. In fact, the Bush administration is the first since the Hoover administration to preside over a decline in real exports.

Again, what we need is a commitment to let U.S. businesses compete on a level playing field. That is why we need to reestablish the Super 301 process.

Super 301 may sound like a technical legal mechanism. But it would help open up new markets, boost our economy, strengthen our export-based manufacturing sector, help reduce our trade deficit, and create new, well-paying domestic export-based jobs here in America.

Under the legislation, the USTR would, within 30 days of the release of the National Trade Estimate, submit a Super 301 report to Congress, listing the foreign trade barriers that most adversely affect U.S. exports.

Within 21 days of submitting the report, the USTR would be required to seek consultations with each trading partner identified in the report in order to resolve the issue. If consultations do not succeed in eliminating the trade barriers within 90 days, USTR would be required to take action that could lead to sanctions either by the U.S. or, ultimately, by the WTO.

As I said earlier, Super 301 is not new. It was signed into law by President Reagan, and renewed throughout the '90s by President Clinton. It was a tool that worked. The threat alone of being on the Super 301 list has, and will, force countries who have erected barriers to U.S. exports come to the table.

Some will argue that this is protectionism. Some will argue that it's unilateralism. In fact, it's the opposite. It's intended to protect U.S. businesses and workers from protectionist foreign trade barriers—to knock down walls, not erect them. It's intended to encourage our trade representatives to engage in a constructive dialogue with those who have erected barriers to U.S. products. It equips the administration with a needed tool to fight for the rights of American workers and businesses against those countries who are unwilling to remove those barriers.

In a word, Super 301 would make trade more fair. And when trade is more fair—when U.S. companies are playing on a level playing field—Americans win. American workers win. And when America's workers win, America's economy wins.

It is my ardent hope that we can get this much needed bill passed, and I urge my colleagues to give it their sup-

port. I ask unanimous consent that the text of the Super 301 Restoration Act be printed in the RECORD.

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

S. 2372

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. IDENTIFICATION OF TRADE EXPANSION PRIORITIES.

Section 310 of the Trade Act of 1974 is amended to read as follows:

“SEC. 310. IDENTIFICATION OF TRADE EXPANSION PRIORITIES.

“(a) IDENTIFICATION.—

“(1) IDENTIFICATION AND REPORT.—Within 30 days after the submission in each of calendar year 2005 through 2009 of the report required by section 181(b), the Trade Representative shall—

“(A) review United States trade expansion priorities;

“(B) identify priority foreign country practices, the elimination of which is likely to have the most significant potential to increase United States exports, either directly or through the establishment of a beneficial precedent; and

“(C) submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives and publish in the Federal Register a report on the priority foreign country practices identified.

“(2) FACTORS.—In identifying priority foreign country practices under paragraph (1), the Trade Representative shall take into account all relevant factors, including—

“(A) the major barriers and trade distorting practices described in the National Trade Estimate Report required under section 181(b);

“(B) the trade agreements to which a foreign country is a party and its compliance with those agreements;

“(C) the medium- and long-term implications of foreign government procurement plans; and

“(D) the international competitive position and export potential of United States products and services.

“(3) CONTENTS OF REPORT.—The Trade Representative may include in the report, if appropriate—

“(A) a description of foreign country practices that may in the future warrant identification as priority foreign country practices; and

“(B) a statement about other foreign country practices that were not identified because they are already being addressed by provisions of United States trade law, by existing bilateral trade agreements, or as part of trade negotiations with other countries and progress is being made toward the elimination of such practices.

“(b) INITIATION OF CONSULTATIONS.—By no later than the date that is 21 days after the date on which a report is submitted to the appropriate congressional committees under subsection (a)(1), the Trade Representative shall seek consultations with each foreign country identified in the report as engaging in priority foreign country practices for the purpose of reaching a satisfactory resolution of such priority practices.

“(c) INITIATION OF INVESTIGATION.—If a satisfactory resolution of priority foreign country practices has not been reached under subsection (b) within 90 days after the date on which a report is submitted to the appropriate congressional committees under subsection (a)(1), the Trade Representative shall

initiate under section 302(b)(1) an investigation under this chapter with respect to such priority foreign country practices.

“(d) AGREEMENTS FOR THE ELIMINATION OF BARRIERS.—In the consultations with a foreign country that the Trade Representative is required to request under section 303(a) with respect to an investigation initiated by reason of subsection (c), the Trade Representative shall seek to negotiate an agreement that provides for the elimination of the practices that are the subject of the investigation as quickly as possible or, if elimination of the practices is not feasible, an agreement that provides for compensatory trade benefits.

“(e) REPORTS.—The Trade Representative shall include in the semiannual report required by section 309 a report on the status of any investigations initiated pursuant to subsection (c) and, where appropriate, the extent to which such investigations have led to increased opportunities for the export of products and services of the United States.”.

By Mr. DOMENICI (for himself, Mr. NELSON of Florida, Mr. ALLEN, Mr. GRAHAM of Florida, Mr. ENSIGN, Mr. HOLLINGS, Mr. SANTORUM, Mr. LAUTENBERG, Mr. GRAHAM of South Carolina, Mr. LIEBERMAN, Mr. GRASSLEY, Mr. KYL, and Mr. GREGG):

S. 2373. A bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names; to the Committee on the Judiciary.

Mr. DOMENICI. Mr. President, I rise today to introduce, along with several of my colleagues from both sides of the aisle, legislation that will protect U.S. trademarks and their legitimate owners from the effects of the confiscations decreed by the Cuban government.

My colleagues and I believe in the fundamental principle that property rights must be respected and that it is wrong for governments to take property from individuals and companies, whether nationals or foreigners, without payment of prompt, adequate and effective compensation. We uphold the firmly established principle of our law and public policy that foreign confiscatory measures must never be given effect on property situated in the United States.

When the Castro regime took power in Cuba, it engaged in a program of wholesale confiscation of property in Cuba, including property owned by Cuban nationals as well as by U.S. and other non-Cuban nationals. The Cuban government also purported to extend the effects of the confiscation to property, such as trademarks, that the confiscation victims owned in other countries, and took other actions in an attempt to seize control of such assets.

To protect U.S. trademarks and their legitimate owners from the effects of the confiscations decreed by the Cuban government, Congress enacted Section 211 of H.R. 4328 (PL 105-277) in 1998. This law, referred to as Section 211, prohibits enforcement of U.S. rights to trademarks confiscated by the Cuban government, except with the consent of

the legitimate owner. Section 211 simply made it clear that the universal U.S. policy against giving effect to foreign confiscations of U.S. property applies with equal force in the case of U.S. trademarks confiscated by Cuba.

Section 211 was challenged in the World Trade Organization (WTO) by the European Union (EU). In January 2002, the WTO Appellate Body finally resolved that challenge by finding in favor of the United States on all points except one. The Appellate Body made a narrow finding that, because Section 211 on its face does not apply to U.S. nationals, it is inconsistent with the national-treatment and most-favored-nation principles under the TRIPs Agreement. The Appellate Body fully supported the principle embodied in Section 211, that is, the non-recognition of uncompensated confiscations and the protection of intellectual property ownership rights. The revision required to broaden the application of Section 211 to include U.S. nationals amounts to no more than a minor, technical fix.

The legislation that we introduce today makes it clear this well-founded law applies to all parties claiming rights in confiscated Cuban trademarks, regardless of nationality. Such a technical correction will satisfy the WTO ruling and prevent the EU from applying trade sanctions against the United States at the end of this year. Moreover, this legislation does three things: it maintains protection for original owners of confiscated Cuban trademarks; it applies to all people, regardless of nationality; it clarifies that trademarks and trade names confiscated by the Cuban Government will not be recognized in the United States when the assertion is being made by someone who knew or had reason to know that the mark was confiscated.

This bill does not in any way decide which party owns a Cuban trademark in the U.S. nor does Section 211 prevent the Cuban government or its various entities from having access to our courts or from registering legitimate trademarks in the U.S. As long as the trademark was not confiscated, the Cuban government can legally register any trademark it desires. Moreover, even if the Cuban government stole a trademark in the 1960s, it can still register the trademark in the U.S. as long as the original owner has consented.

Once revised, Section 211 is consistent with all of our international treaty obligations including the Inter-American Convention on Trademarks. The Inter-American Convention expressly in Article 3 allows non-recognition of a trademark when such recognition would be contrary to the public order or public policy of the state in which recognition is sought. There is no doubt whatsoever that allowing title to U.S. property to be determined by a foreign confiscation violates U.S. public policy. Section 211 simply makes it clear that the universal U.S. policy against giving effect to foreign

confiscations of U.S. property applies with equal force in the case of U.S. trademarks confiscated by Cuba. Nothing in any treaty or in international law is inconsistent with that rule of U.S. law.

I believe this piece of legislation is a simple technical corrections bill which will ensure that a fairly simple, but important, U.S. law is WTO-compliant.

By Mr. MCCONNELL (for himself, Mrs. FEINSTEIN, Mr. MCCAIN, Mr. LEAHY, Mr. BROWNBACK, Mr. DASCHLE, Mrs. DOLE, Ms. MIKULSKI, Mr. BURNS, Mrs. CLINTON, Mr. ALLEN, Mr. EDWARDS, Mr. NICKLES, Mr. CORZINE, Mr. SANTORUM, Mr. BIDEN, Mr. FEINGOLD, Mr. ALEXANDER, Mr. ALLARD, Mr. BENNETT, Mr. BUNNING, Mr. CAMPBELL, Mr. CHAMBLISS, Mr. COCHRAN, Mr. DOMENICI, Mr. FRIST, Mrs. HUTCHISON, Mr. KOHL, Mr. KYL, Mr. LUGAR, Ms. MURKOWSKI, Mr. SMITH, Mr. SPECTER, and Mr. VOINOVICH):

S.J. Res. 36. A joint resolution approving the renewal of import restrictions contained in Burmese Freedom and Democracy Act of 2003; to the Committee on Finance.

Mr. MCCONNELL. Mr. President, I, along with Senators FEINSTEIN, MCCAIN, LEAHY, BROWNBACK, DASCHLE, DOLE, MIKULSKI, BURNS, CLINTON, ALLEN, EDWARDS, NICKLES, CORZINE, BIDEN, FEINGOLD and SANTORUM, am introducing today a joint resolution renewing import sanctions against Burma. My colleagues may recall that these sanctions—along with several other restrictions against the State Peace and Development Council (SPDC) in Rangoon—were included in the Burmese Freedom and Democracy Act, which was signed into law by President Bush on July 28, 2003.

The act received broad support in the Senate. Sixty-one members cosponsored the bill which passed in record time by a vote of 97-1. Our quick action last year sent an unequivocal message to the SPDC that its ambush and attack on the National League for Democracy (NLD) and freedom in Burma would not go unpunished.

Today, we need to send the same strong message. America must continue to lead the world's democracies in supporting the struggle for freedom in Burma.

My colleagues will be dismayed to learn that since last year's horrific SPDC-orchestrated massacre there has been no progress toward reconciliation and democracy in Burma. Thirteen-hundred prisoners of conscience continue to suffer in squalid Burmese prisons for advocating freedoms that most of us take for granted—including thought, speech and association.

Burmese democracy leader Daw Aung San Suu Kyi and other NLD leaders continue to be under house arrest and surveillance by the SPDC, and the majority of NLD party offices remain

forcibly closed; United Nations and Thai efforts at engagement with the junta—through repeated visits to Rangoon and the so-called “Bangkok Process”—have predictably failed; according to the White House, Burma “failed demonstrably” in counternarcotics efforts, allowing drug gangs to freely operate inside Burma and amphetamine-type stimulants to proliferate throughout the region, posing a “major threat to national security and public health”; and, finally, the repressive and abhorrent SPDC policies of murder, rape, forced labor, forced relocation and child soldiers continue unabated.

Just yesterday, we learned from credible sources that 11 NLD supporters arrested in the wake of last year’s premeditated attack were sentenced by the regime from 7 to 22 years in prison. This is in addition to the death sentences given to a Burmese sports writer who complained about soccer related corruption and to three Burmese men for having contact with the United Nations International Labor Organization.

Should my colleagues need a second opinion, let me quote Secretary of State Colin Powell in a March 10 Congressional hearing: “I see no improvement in the situation. Aung San Suu Kyi remains unable to participate in public, political life in Burma and we will not ignore that.” When I asked Secretary Powell in an April 8 Foreign Operations Subcommittee hearing whether he supported the continuation of sanctions against Burma, his answer was straightforward and clear: “Yes.”

The Burmese Freedom and Democracy Act denies Burma 13 percent of its export market (according to CIA figures), visas for SPDC officials and their families, and, above all, legitimacy. In addition, \$13 million worth of financial transactions to Burma have been blocked by the Treasury Department. While palpable impacts, these sanctions alone will not push the SPDC in the direction of meaningful reconciliation with the NLD and ethnic minorities.

South African Archbishop Desmond Tutu—no stranger to the struggle for freedom and justice—said earlier this year: “To dismantle apartheid [in South Africa] took not only commitment, faith and hard work, but also intense international pressure and sanctions. In Burma, the regime has ravaged the country, and the people, to fund its illegal rule. Governments and international institutions must move past symbolic gestures and cut the lifelines to Burma’s military regime through well-implemented sanctions.”

America already cut that lifeline; it is time for other democracies to do the same. For freedom’s sake, our allies and the European Union must impose targeted sanction regimes on Burma. If they are unwilling to take such action in support of the courageous and determined people of Burma, they should act for the sake of the security and sta-

bility of the region. Burma’s exports to its immediate neighbors include illicit narcotics, HIV/AIDS, refugees and trafficked women and children. Further, Rangoon’s connections with Russia and North Korea, in particular, deserve closer scrutiny by foreign capitals and the United Nations.

If my colleagues haven’t done so already, they should read Monday’s Washington Post op-ed entitled “A Need to Act on Burma” by our colleague from Arizona and former-Secretary of State Madeleine Albright. I agree with their assertion that we should not be duped by SPDC window dressing in the weeks leading up to the May 17 constitutional convention charade. Even if Suu Kyi is released before that date it is not sufficient, as there are no guarantees for her security, no assurances that she will be able to freely express her views to the nation or to meet with ethnic leaders, and no sure bet that the junta will grant visas to journalists to travel to Burma.

The op-ed also raises the question of repercussions for the continued perpetuation of the status quo in Burma by China, Thailand, India, and other Asian nations. I look forward to exploring with my colleagues the most appropriate and effective ways that we can encourage those countries to support the legitimately elected leaders of Burma. If no change is in the offing, Burma’s chairmanship of the Association of Southeast Asian Nations in 2006 will be a tremendous loss of face to that organization and each individual member state.

Let me close by saying that sanctions must remain in place until Burma embarks on an irreversible path toward reconciliation and democracy. I intend to work closely with my colleagues—particularly the chair and ranking member of the Finance Committee—to ensure that the Senate acts just as decisively and expeditiously as we did last year. To do anything less would be to betray Suu Kyi and all those struggling for freedom and justice in Burma.

I ask unanimous consent that the following items be printed in the RECORD: A copy of the referenced Washington Post op-ed; a copy of a Boston Globe editorial entitled “No Compromise on Burma” dated March 29, 2004; a copy of a Washington Post op-ed by the Chairman of the Senate Foreign Relations Committee entitled “Seeds of Trouble from Burma” dated September 28, 2003; a copy of a tribute to Suu Kyi authored by rock star Bono in Time Magazine’s recent special edition on the world’s 100 most influential people; and a letter supporting the renewal of import sanctions by the President and CEO of the American Apparel and Footwear Association.

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

[From the Washington Post, Sept. 28, 2003]

SEEDS OF TROUBLE FROM BURMA

(By Richard G. Lugar)

The military junta that rules Burma has long been known as a group committed to retaining power at cost. The price has been paid mainly by Burma’s citizens, but the consequences may now spread well beyond Burma’s borders.

The generals have killed thousands of democracy supporters since the student protests in 1988 and waged war on ethnic insurgents. To tighten their grip on the population, over the past 15 years they have doubled the size of the military, which now consumes 40 percent of the budget, at the expense of spending on health and education.

Consequently, hundreds of thousands of their citizens have died as a result of the broken-down health care system. The generals who run the country are notorious for their widespread use of forced labor, which the International Labor Organization calls “a contemporary form of slavery.”

The junta has maintained these abhorrent policies despite sanctions, aid cutoffs and repeated denunciations by many Western countries, including the United States.

Yet it makes the headlines only when it commits an especially acute outrage, such as that of last May 30, when pro-government militia crashed a political rally near Mandalay and murdered several bodyguards and supporters of Nobel laureate Aung San Suu Kyi, the fearless democracy crusader who had been freed only last year from a lengthy house arrest.

The junta rearrested Suu Kyi, shut down offices of her political party and detained her at a secret location. She returned home Friday for a new stint of indefinite house arrest.

I am pleased that the Senate reacted quickly in June to put pressure on the junta by voting for a ban on all Burmese imports. Until now this record of bloody repression and economic ruin has primarily victimized the long-suffering Burmese people, and world attention has often drifted away from what some consider an internal problem. But it is time to take a closer look. Burma’s generals are quietly moving in new directions that could make that dismal country a source of instability throughout South and Southeast Asia.

Strategically situated between regional rivals India and China, Burma is seeking to leverage the two powers’ battle for influence.

China is the regime’s major arms supplier and has assumed significant economic power over the country, recently extending debt relief and a \$200 million loan to Burma, which has been cut off from most other external funding. China, reports indicate, has built a port and shipyard south of Rangoon to help export products from China’s landlocked western provinces.

India, concerned about China’s rising dominance, has stepped up its relations with Burma. Indian Prime Minister Atal Bihari Vajpayee met with the Burmese foreign minister earlier this year, the highest-level contact between the two countries in more than a decade, and India is also reportedly building a port on Burma’s coast.

Improving ties with regional powers is not necessarily a bad thing, especially if they would push Burma toward more civilized behavior.

But neither Beijing nor New Delhi has shown any such inclination. Instead the two huge neighbors are using Burma as a pawn in their rivalry, making it a potential source of friction, not a buffer. Japan is increasingly concerned about China’s penetration of Burma, and it was to counter China’s influence that the regional grouping of smaller

countries, the Association of Southeast Asian Nations (ASEAN), decided to admit Burma as a member several years ago. These countries see now that the junta was cynically using them to try to gain legitimacy.

More troubling is the news that Burma, one of the poorest countries on earth, has contracted with Russia for a nuclear reactor. Both sides insist it is for medical research purposes, but even if that's true, it would add an unnecessary proliferation risk to a world where terrorists are on the prowl for nuclear material. Some 300 Burmese have been in Russia receiving training to operate the facility, and Burma has also bought 10 MiG-29 fighter jets from Russia.

Most disturbing of all Burma is renewing ties with North Korea that were cut off after North Korean agents in 1983 set off a bomb in Rangoon that killed 21 people, including four visiting South Korean cabinet members. Besides possibly reestablishing formal diplomatic relations, the two have held high-level discussions on military cooperation.

The link-up of these two parish states can only spell trouble. North Korea's main export is dangerous weapons technology, and there have been reports that Burma is getting missiles and other arms from Pyongyang.

These developments have been largely overlooked as we concentrated on the war in Iraq, challenges in the Middle East and unpredictable developments on the Korean peninsula. But they are the seeds of a major threat to Asian security and stability. The world should take notice, and the United States needs to make Burma a priority in its relations with Russia, China, India and ASEAN so that we can forge a multilateral plan to turn the generals from their dangerous course.

[From the Boston Globe, Mar. 29, 2004]

NO COMPROMISE ON BURMA

The brutal criminality of the military junta ruling Burma has unified disparate elements along the American political spectrum. In hearings on Burma held by subcommittees of the House International Relations Committee last week, a rare solidarity among both Democrats and Republicans was on display.

The current regime in Rangoon is complicit in narcotics trafficking, ethnic cleansing, forced labor, gruesome abuse of ethnic minorities, and the violent suppression of free speech and political opposition.

In response to a deliberate massacre of fellow democrats traveling last May with Nobel Peace Prize laureate Aung San Suu Kyi, the Bush administration last July signed into law tough sanctions that ban imports from Burma. The House hearings were in preparation for renewal of those sanctions.

Without mincing his words, Lorne Craner, the State Department's assistant secretary for human rights, told the lawmakers that notwithstanding hints about democratization dropped by the junta's chairman, Than Shwe, and his accomplices, the outlaw regime in Rangoon has not taken steps that would justify the lifting of sanctions. "For all the hype about a 'road map for democracy,' nothing has changed for the better for democracy or human rights in Burma," Craner said.

The junta has intimated it might release Suu Kyi from house arrest in April. This would be a gesture the people of Burma would welcome, as would everyone around the world who cherishes human rights and democracy. Suu Kyi narrowly escaped being killed in the assault that the regime staged last May. Over the years she has accepted painful personal sacrifices for the sake of democracy in Burma—without ever deviating

from her devotion to the principles of non-violence.

As much as her compatriots long for the release of Suu Kyi, however, that will not by itself be enough to justify the lifting of U.S. sanctions on the junta. Her party, the National League for Democracy, won 80 percent of the seats in Parliament in a 1990 election—a popular verdict the military regime still refuses to accept. Until Than Shwe and the other uniformed thugs on the junta complete what assistant secretary Craner called "an irreversible transition to democracy," sanctions should remain in place.

Suu Kyi's fellow Nobel peace prize winner Desmond Tutu has written: "As in South Africa, the people and legitimate leaders of Burma have called for sanctions . . . To dismantle apartheid took not only commitment, faith and hard work, but also intense international pressure and sanctions."

Tutu's wisdom should be heeded not only by Washington but also by the European Union, which is currently considering targeted sanctions on timber and gems, direct sources of junta revenue.

[From the Washington Post, April 27, 2004]

A NEED TO ACT ON BURMA

(By John McCain and Madeleine Albright)

"Apathy in the face of systematic human rights abuses is immoral. One either supports justice and freedom or one supports injustice and bondage." So said Archbishop Desmond Tutu, the South African Nobel laureate and anti-apartheid leader, who knows something about the struggle for human freedom in the face of tyranny.

The world's democracies have a common moral obligation to promote justice and freedom. In few places is this obligation more acute than in Burma, a country in which a band of thugs, led by Gen. Than Shwe, controls the population through violence and terror. The regime has a record of unchecked repression. It has murdered political opponents, used child soldiers and forced labor, and employed rape as a weapon of war. Nearly one year ago the Burmese military junta launched an orchestrated, violent attack against democracy leader Aung San Suu Kyi and hundreds of her supporters. Since then the regime has kept more than 1,000 political activists imprisoned, including elected members of parliament. It recently sentenced three Burmese citizens to death for contacting representatives of the International Labor Organization.

The Burmese junta, with the cynical support of neighboring governments, has announced a "road map to democracy," beginning with a constitutional convention in May. The convention is expected to be stage-managed by the junta, which has offered no meaningful participation to Suu Kyi's National League for Democracy, no timetable for progress toward a political transition, no release of political prisoners and no guarantee that the military will cede control to democratically elected leaders. Instead, the junta's proposals seem designed to institutionalize military control by creating a veneer of civilian authority, while meeting only the minimum expectations of Western democracies in order to avoid further sanctions.

The Burmese regime's recent actions demonstrate that years of international engagement and patience have not made the dictatorship more humane, reasonable or open to accommodation with its political opponents. On the contrary, it is only in response to international pressure that the regime has made even the smallest moves toward a political settlement with the democratic opposition. The lesson is clear: The world's democracies and Burma's neighbors must press

the junta until it is willing to negotiate an irreversible transition to democratic rule.

The legitimacy, authority and commitment of Burma's democratic leaders to govern their country is not in doubt. But the international commitment to Burma's democratic transformation remains uncertain. The Western democracies and Burma's neighbors should immediately take three steps to bolster Burma's legitimate democratic leaders.

First, Congress should promptly renew, and the president should sign into law, the ban on Burma's imports enacted into law last July. These sanctions, which are set to expire after a review period beginning Friday, are supported by Burma's National League for Democracy. The restrictions have made it more difficult for the Burmese military to tap financial assets abroad, travel or accumulate revenue through trade. The European Union, whose member democracies care deeply about protecting human rights, and whose trade and assistance programs give it critical leverage in Southeast Asia, is set to announce a new Common Position on Burma on Thursday. As part of this new policy, the EU should also initiate targeted sanctions against the regime.

Second, the EU and the United States, with support from Asian nations, should urge the junta to implement immediately the provisions of the U.N. Commission for Human Rights and the U.N. General Assembly resolutions—including democracy, the rule of law and respect for human rights. The United States and the EU should also formally place the issue on the agenda of the U.N. Security Council, and work urgently toward a resolution threatening credible sanctions against the Burmese regime unless it initiates meaningful progress toward democracy.

Third, China, Thailand, India and other Asian nations uncomfortable with a tougher response to the junta's crimes must understand that diplomatic obfuscation and obstruction on Burma will profoundly affect their broader bilateral relationships with the Western democracies. Thailand in particular should consider this point when it convenes its planned international conference to discuss what it optimistically calls "Burma's progress toward democracy."

Beyond these steps, the United States, Europe and Asian countries must demand the unconditional release of Aung San Suu Kyi and her fellow political prisoners, but make clear that the releases, while necessary, are insufficient. In addition, they should continue calls for a political settlement that reflects the results of the free and fair elections held in 1990. This settlement must include a central, determinative role for the National League for Democracy.

In another era, a dissident playwright named Vaclav Havel wrote of the "power of the powerless" to overcome rule by fear and force, at a time when such a revolution in human freedom seemed impossible. The international community today has the power to help the powerless inside Burma throw off the shackles of tyranny. It is time to assume this moral responsibility. It is time to act.

AUNG SAN SUU KYI—UNBEARABLE CHOICES

(By Bono)

It's hard not to become a monster when you are trying to defeat one. Aung San Suu Kyi is the moral leader of Myanmar, the country more correctly known as Burma. She has been, in effect, under house arrest since 1989.

Why? First, because of the military juntas who came to power in a bloody coup in 1962, and have been running the country with a truncheon ever since. Second, because of us.

There has been no real roar against these human rights abusers, just the odd bark. Yet even single-party democracies check their mail. They're not just muscle; they're vain. Even juntas measure just how many boos and hisses they can get away with. Suu Kyi's peaceful bloody-mindedness is driven by courage, but her captors' bloody bloody-mindedness is driven by fear—fear of losing the business they are running for themselves.

Suu Kyi is a real hero in an age of phony phone-in celebrity, which hands out that title freely to the most spoiled and under-qualified. Her quiet voice of reason makes the world look noisy, mad; it is a low mantra of grace in an age of terror, a reminder of everything we take for granted and just what it can take to get it. Thinking of her, you can't help but use anachronistic language of duty and personal sacrifice.

U2 wrote the song Walk On to honor this amazing woman who put family second to country, who for her convictions made an unbearable choice—not to see her sons grow and not to be with her husband as he lost his life to a long and painful cancer. Suu Kyi, with an idea too big for any jail and a spirit too strong for any army, changes our view—as only real heroes can—of what we believe to be possible. The jury is still out on whether we deserve the faith she has put in us.

Walk On won record of the year at the Grammys, a very proud moment. But in front of an audience of millions, I did what I've begged others not to do. I forgot to say thank you to the woman in front of the song. Thank you.

—
AMERICAN APPAREL &
FOOTWEAR ASSOCIATION,
April 5, 2004.

Hon. MITCH MCCONNELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCONNELL: Last year, you were instrumental in an effort that led to the successful enactment of the Burmese Freedom and Democracy Act of 2003 to send a clear and unmistakable message that the United States is not interested in doing business with regimes such as the one that brutally enslaves the people of Burma. The American Apparel & Footwear Association is proud to have supported this historic measure.

This landmark legislation included a total ban on imports from Burma. As you may recall, the import ban will expire unless Congress passes, and the President signs into law, a one-year renewal by the end of July.

Since this law took effect, the ruling military junta in Burma has shown no willingness to address the many problems that made these sanctions necessary. Indeed, as the most recent State Department Human Rights report (in what appears to be an echo of more than a decade of similar reports) states, "The Government's extremely poor human rights record worsened [in 2003], and it continued to commit numerous serious abuses." Moreover, last week, State Department officials told the House International Relations Committee, "Sanctions are a key component of our policy in bringing democracy to Burma and have been a key source of support for the morale of many democracy activists."

Now is the time to reinforce our sanctions tools against this regime, and, more importantly, to actively seek similar steps from other countries. Accordingly, we urge you to introduce as soon as possible the legislation necessary to renew this import ban, as articulated in Section (9)(b)(2) of the Burmese Freedom and Democracy Act of 2003.

We look forward to working with you to see this renewal swiftly considered and enacted.

Please accept my best regards,
Sincerely,

KEVIN M. BURKE,
President & CEO.

Mr. MCCONNELL. Mr. President, I want to take a moment to provide my colleagues with insights into how serious and dedicated those who support the struggle for freedom in Burma remain.

Since the enactment of the Burmese Freedom and Democracy Act in July 2003, numerous colleagues and I have written to the administration and the United Nations in support of democracy in Burma. The following is a list of those letters that I have initiated or signed—but it is by no means an exhaustive list as it does not include any letters individual members may have sent themselves:

August 1, 2003: a letter to President Bush signed by myself and Senators FEINSTEIN, BROWNBAC, and LEAHY expressing concern with Thailand's lack of support for the struggle of freedom in Burma.

September 12, 2003: a letter to Secretary Powell signed by myself encouraging him to bring up the plight of Suu Kyi and other Burmese democracy activists with the United Nations and all Security Council members, particularly China.

September 30, 2003: a letter to President Bush signed by myself and Senators FEINSTEIN, MCCAIN, HOLLINGS, SANTORUM, GRAHAM, ALLEN, DODD, SESSIONS, MIKULSKI, CAMPBELL, CLINTON, SMITH, MURRAY, COLLINS, FEINGOLD, EDWARDS, BENNETT, LANDRIEU, BURNS, CANTWELL, CORZINE, WYDEN, BROWNBAC, LAUTENBERG, KOHL, MURKOWSKI, BUNNING, LIEBERMAN, SARBANES, HARKINS, DAYTON, VOINOVICH, LEAHY, and DURBIN urging his support for Thailand to play a more constructive role within ASEAN to promote genuine national reconciliation in Burma.

November 24, 2004: a letter to U.N. Secretary-General Kofi Annan signed by myself and Senators FEINSTEIN, MCCAIN, and BROWNBAC calling on the U.N. to assume a leadership role to enforce the will of the international community in recognizing the results of the 1990 elections.

March 1, 2004: a letter to President Bush signed by myself and Senators FEINSTEIN, MCCAIN and Representatives LANTOS, KING and PITTS urging continued sanctions against Burma and increased engagement with the EU.

March 29, 2004: a letter to Secretary Powell signed by myself urging him to use the Berlin donor conference on Afghanistan to work the Burma issue with the EU and Japan.

I would be remiss if I did not acknowledge the support and leadership of Senators FEINSTEIN and MCCAIN. Both have stood steadfastly with the people of Burma. They are champions of freedom in that country, and I am pleased and proud to once again work with them on this issue.

The partnership between Congress and senior members of the Administra-

tion on Burma has been productive and commendable. I look forward to working with President Bush, Secretary Powell and others on this important issue throughout this calendar year.

This joint resolution will renew sanctions against Burma for an additional year.

Roughly a year ago, Senator MCCAIN, Senator FEINSTEIN, and I came to the Senate floor to talk about the arrest and reincarceration of Aung San Suu Kyi, the hero of the Burma democracy.

To refresh everyone's memory, she and her party won an overwhelming landslide election back in 1990 when the military thugs who run the country—mistakenly, from there point of view—allowed an election. The NLD and Suu Kyi won virtually 80 percent of the vote and were never allowed to take over. She was then essentially put under house arrest and has been mostly under house arrest all these years. Here we are some 14 years later.

During that time, her husband passed away while living in England. She didn't get to visit him because she knew if she went to England, she would never be allowed back into the country. She is the symbol of Burmese freedom and democracy and has been under house arrest all these years.

A little over roughly this month last year, she was allowed to go out and go around the country. Her motorcade was attacked and a number of people were killed. She was injured and was sent into confinement once again—raising the issue again in the public mind, which, unfortunately, has not been in the forefront as often as it should have been over the years. Burma for many people has been sort of out of sight and out of mind. It has not enjoyed the kind of international attention that repression deserves.

What Senator MCCAIN, Senator FEINSTEIN, and I have been trying to do is lead the United States to have a more proactive interest in this. That is what the Burma sanctions bill is about. It passed last June and was signed by the President last July. Secretary Powell was before the Foreign Operations Subcommittee a few weeks ago, and he indicated that the administration supports renewal of these sanctions for an additional year. That is what the joint resolution I just introduced on behalf of Senator FEINSTEIN, Senator MCCAIN, and others will do.

Sanctions have had some impact. We all know sanctions have mixed results in bringing down regimes. Frequently, they do not work, but there is one really classic example of a place where international sanctions made a difference, and that was changing the regime in South Africa. In that particular instance, the United States led and the rest of the world followed, and the sanctions became so widespread and the pressure so intense that it actually brought about a change in the regime in South Africa, and the majority there was allowed to take power.

We have had a difficult time getting the kind of international cooperation

on sanctions on Burma we would like to see, but we have started down that path.

This bill, which was signed last year, this Burma sanctions bill, spurred other nations to toughen their stance against Burma, denied the military regime 13 percent of its export market, and blocked \$13 million in financial transactions to Burma. That is not a huge amount of money but it is a start. If the other countries in that area of the world, the ASEAN countries, and the Europeans, would give the attention to this that it deserves, we could have meaningful international sanctions that really bite.

The European Union and the U.N. will, frankly, have to be much more supportive of freedom in Burma. Both need to be much more proactive than they have been if this is going to work.

Bishop Tutu, with whom we are all familiar, the South African bishop, believes if we had the kind of international pressure and cooperation on Burma sanctions that we had on South African sanctions, it could, indeed, bring about a change in the regime in Burma.

My friend Senator McCain and I have had an opportunity to discuss this issue off and on over the years. He had a unique opportunity, which I have never experienced. I have gotten notes from Aung San Suu Kyi but never actually had a chance to meet her. I know Senator McCain had that opportunity. He and I both have been inspired by the example she has set. I believe, am I not correct, Senator McCain, you dealt with her in your most recent book as an example of the kind of courage that should be widely applauded?

Mr. McCain. I thank the Senator. Mr. President, I ask unanimous consent that the Senator from Kentucky and I be allowed to engage in a dialog.

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

Mr. McCain. Senator McConnell, I thank you and Senator Feinstein for your leadership on this issue. What you have done last year is important. It is very important again this year.

Senator McConnell, you put your finger on one of the real tough aspects of this. People all over Burma, including the members of the National League for Democracy, the party that was overwhelmingly elected to take power and run the country of Burma, are grateful to us. It is very tough for opposition within a country to support sanctions which hurt that country economically. Yet this organization, which she leads, supports sanctions because of the terrible things this group of gangsters have done to their country.

Senator McConnell, you point out very importantly, apartheid was overthrown in South Africa because of a united front which the United States led, an issue in which you were heavily involved. Now the Europeans seem to be dragging their feet.

We have quite often heard—sometimes justified, sometimes unjustified—criticism from our European friends about our lack of attention to human rights, too much attention to politics, et cetera. This is an opportunity for our European friends to join us and bring about the freedom of the Burmese people—I refuse to call it Myanmar—the Burmese people, free this great Nobel Peace Prize winner and spread democracy and freedom through the world.

I thank again Senator McConnell for his leadership. This legislation would not have been passed without the leadership of you and Senator Feinstein. I am very grateful.

Mr. McConnell. Thank you very much, I say to my friend from Arizona.

He was mentioning the fact that we, this country, is frequently criticized because it does not take a multilateral approach to difficult issues. What we have been advocating as aggressively as we can is a widespread multilateral, multinational approach to dealing with this Myanmar regime, which no one defends but seems to be allowed to continue to operate because they are out of sight and out of mind. Here we are advocating a multilateral approach. As the Senator from Arizona points out, where are the Europeans?

Mr. McCain. I think we need to make this a very high priority both in the United Nations and with the European Union and with others. I know Senator McConnell is very familiar with this brave woman and her followers. A lot of Americans, unfortunately, are not.

Three Burmese citizens were recently sentenced to death for contacting representatives of the International Labor Organization. They were sentenced to death for contacting members of the International Labor Organization. This woman has been kept under house arrest. Her followers have been beaten and killed. The cruelties, the unspeakable cruelties that have been inflicted on the Burmese people by these thugs are incredible.

Senator McConnell, recently we were talking about Iraq and freeing the people of Iraq. We celebrated the 10-year anniversary of Rwanda and we said never again. Eight hundred thousand people were killed in Rwanda and we said never again. After the Holocaust, we said never again. Are we going to look back on Burma and say never again after thousands of people have been tortured and murdered and imprisoned and mistreated?

Security forces, according to national organizations, continue to commit extrajudicial killings, rape, forcibly relocate persons, and the use of forced labor. It is going on. Are we some years from now going to say never again? Are we internationally going to exert the pressures of which we are capable—by the way, including our friends in ASEAN who took Burma into ASEAN with the announced intention of reforming this gang of thugs?

Mr. McConnell. And the ASEAN meeting is scheduled to be in Burma in a few years.

Mr. McCain. Remarkable in itself. What kind of an organization can call itself an advocate of freedom and democracy and have a meeting in the center of a repressive outrageous gang of thugs?

Mr. McConnell. It was a stunning decision to schedule the meeting there. And now, if they stick with the schedule, I wonder how ASEAN can explain their tolerance of this regime? Give this regime nuclear weapons and it would look very much like North Korea, would it not, I ask my friend?

Mr. McCain. That is an excellent point. One of the reasons, perhaps, we do not pay as much attention to them is because they do not have weapons of mass destruction. The only difference between them and Pyongyang is that they do not and the North Koreans do. That is a heck of a comment on the attention of us.

I don't want to take too much time, but I will relate a story with which Senator McConnell is familiar. Aung San Suu Kyi was married while in England to a wonderful man and has two sons. A few years ago, a very short time ago, her husband was dying in England. This gang of thugs said that she could, of course, go with her husband—he was not allowed to come to Burma—to be with her husband while he was dying but she could not come back. So these unspeakable characters would not allow her to go be with her husband as he died.

This is a remarkable statement of her courage and dedication and also remarkable commentary on the kind of people with whom we are dealing. The next time the delegate from the U.N., the special delegate—they call it Myanmar—come to see us, our European friends come to see us and talk about powers of persuasion, remind them of that story. I think it would be very difficult to argue that these people are rational or willing to listen to reason.

Again, I thank Senator McConnell for all of his hard work.

Mr. McConnell. If I could say to my friend from Arizona, staff reminds me, Burma takes the chairmanship of ASEAN in 2006. They actually take the chairmanship. That is a completely absurd and unacceptable result.

Mr. McCain. Americans are great people. We are providing a service today with your and Senator Feinstein's legislation to bring attention to the plight of the people halfway around the world and their noble and courageous leader who has been a Nobel Peace Prize winner.

Every once in a while we do something very worthwhile around here and I thank the Senator for his leadership.

Mrs. Feinstein. Mr. President, I thank the Senator from Kentucky and the Senator from Arizona for their words. I had hoped to join them on the floor earlier, but I was in the Judiciary

Committee. So I am very pleased to be able to be here now to say a few words in support of this effort.

I first became involved in the Burmese, or Myanmar, dilemma back in 1995–1996 with then-Senator William Cohen, and we offered some legislation at that time. So we have had the opportunity to follow this situation. I then worked with Senator McConnell a year ago on this legislation. And now I am very pleased to support the renewal of the sanctions imposed on Burma by the Burmese Freedom and Democracy Act of 2003.

Last year, in response to a brutal and vicious coordinated assault by progovernment paramilitary thugs on members of the National League for Democracy (NLD), and the arrest and detention of NLD's leader, the Nobel Peace Prize winner, Aung San Suu Kyi, the U.S. Congress overwhelmingly passed this act. The purpose was to impose a complete import ban on products from Burma.

Working together, the Congress and the administration demonstrated our determination to put pressure on the ruling State Peace and Development Council—that is the military junta formerly known as the SLORC—to release Suu Kyi, and also to respect the 1990 elections decisively won by the National League for Democracy party in Burma and put Burma on an irreversible path of national reconciliation and democracy. One year later, it is clear that the SPDC has failed to make substantial and measurable progress toward implementing a democratic government to have those sanctions lifted.

The junta has failed. The world has condemned the arrest of Aung San Suu Kyi. They have called for her unconditional release. She still remains under house arrest. NLD Vice-Chairman U Tin Oo also remains in custody.

Last August, the junta proposed a seven-point “roadmap” to democracy. That included a national convention to take place the following month to draft a new constitution. Yet there is no timetable for restoration of democracy, no assurance that the junta will give up power, and no meaningful participation for Suu Kyi and her party.

Numerous human rights abuses, including torture, forced labor, rape, and sex trafficking continue unabated.

The most recent State Department report indicates that:

The Government's extremely poor human rights record worsened [in 2003] and it continued to commit numerous abuses.

Recently, the junta sentenced three Burmese citizens to death for one thing: for meeting with representatives of the ILO, the International Labor Organization. That is how repressive this regime is. If you meet with an organization not favored by the government, you could be sentenced to death.

Mr. President, 1,300 political prisoners are still in jail, many of them elected parliamentarians. According to the State Department, three political prisoners died in custody last year.

The government engages in the production and distribution of opium and methamphetamine.

The Thai-sponsored “Bangkok Process”—designed to mediate a solution to the political situation in Burma—collapsed after one meeting with the SPDC's refusal to attend further sessions with “like-minded” countries. The regime said it was “too busy” to attend this week's session.

For years, we have been working with ASEAN nations to put pressure on the military junta to make changes. But these nations were reluctant to do so. The Thailand-sponsored Bangkok Process aimed to do the same thing. However, what is clear is that the military junta has ignored those efforts.

So over the past several months, the regime has gone to great lengths to rehabilitate its standing with neighbors and the international community. Some thought this was evidence that the junta was committed to national reconciliation, that engagement works, and that the sanctions and other pressures on Rangoon should be eased to facilitate the implementation of this new roadmap.

But I think they are mistaken because I think we have learned something now about this regime's intentions. So what we need is substantive and meaningful action, not more promises and empty statements and failure to deliver on commitments.

For over 15 years, this junta has engaged in a systematic campaign to wipe out the democratic movement in Burma and the NLD's 1990 election victory.

For over 15 years, we have listened to assurances that the junta was committed to national reconciliation and a dialog with all parties on restoring democracy, and still nothing has happened.

I was actually cautiously optimistic when Suu Kyi was first released from house arrest 2 years ago. Yet sure enough, 1 year later, she was back in custody. The regime showed its true colors in orchestrating and carrying out a brutal attack. After her release, Aung San Suu Kyi had gone on the road. She was greeted with enormous popularity. The junta's forces attacked her caravan. Many of her people were killed; many were arrested; and she was shoved back into house arrest for doing nothing more than what she was elected originally to do.

So whatever the regime might say about “roadmaps” and “national conventions,” their actions have clearly demonstrated they are uninterested in restoring democracy to the Burmese people and, more importantly, they are going to take any steps they can to hold on to power.

Even if, as we all hope, Aung San Suu Kyi is released and is invited to take part in a national convention, I think we should maintain the pressure on this junta and keep the sanctions in place.

Now, earlier this week, the junta allowed members of the NLD, the demo-

cratic party, to meet with Aung San Suu Kyi to discuss their participation at the convention. But this is hardly progress.

“Substantial and measurable” progress is just that, and we should not settle for lofty pronouncements when they have a record of breaking their word on virtually every statement they have made.

So I am very pleased that Secretary of State Colin Powell has testified that the administration supports reauthorizing the sanctions. He recently stated:

I have seen no improvement in the situation. Aung San Suu Kyi remains unable to participate in public political life in Burma, and we will not ignore that. We will not shrink from the strong position we have taken.

So now is not the time to reduce our support for this brave leader. Now is the time to stand with her side by side, to buttress her, to reinforce her, to point out, over and over again that she is the elected democratic leader of that country; now is the time to show the SPDC that America is not going to stand by and see members of the parliament jailed, not going to stand by and see her people continually attacked, and not going to stand by and see every promise the junta made violated.

So I feel very strongly and am very pleased to join with the distinguished Senators from Kentucky and Arizona in supporting this extension legislation.

S.J. RES. 36

Whereas the State Peace and Development Council (SPDC) has failed to make substantial and measurable progress toward implementing a democratic government in Burma;

Whereas the courage and determination of the people of Burma in their struggle for freedom and justice remains steadfast and strong;

Whereas import sanctions and other restrictions against the SPDC and its affiliated entities should remain in force until Burma embarks on an irreversible path of reconciliation that includes the full and unfettered participation of the National League for Democracy and ethnic minorities in the country; and

Whereas the Department of State supports the continuation of sanctions against the SPDC: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress approves the renewal of the import restrictions contained in section 3(a)(1) of the Burmese Freedom and Democracy Act of 2003.

Mr. McCain. Mr. President, I would like to commend Senators McConnell and Feinstein for introducing legislation that will renew sanctions contained in last year's Burmese Freedom and Democracy Act. I am proud to be an original cosponsor of this resolution.

The world's democracies have a common moral obligation to promote human rights. In few places is the lack of freedom and justice more appalling than in Burma, a country in which a band of thugs, led by General Than Shwe, controls the population through

violence and terror. The Burmese regime has a record of unchecked repression. It has murdered political opponents, used child soldiers and forced labor, and employed rape as a weapon of war. Nearly one year ago the Burmese military junta launched an orchestrated, violent attack against democracy leader Aung San Suu Kyi and hundreds of her supporters. Since then the regime has kept more than 1,000 political activists imprisoned, including elected members of parliament. It also recently sentenced three Burmese citizens to death for contacting representatives of the International Labor Organization.

And Aung San Suu Kyi remains a captive. Because she stands for democracy, this heroic woman has endured attacks, arrest, captivity, and untold sufferings at the hands of the regime. The junta fears Aung San Suu Kyi because of what she represents—peace, freedom and justice for all Burmese people. The thugs who run Burma have tried to stifle her voice, but they will never extinguish her moral courage. Her leadership and example shines brightly for the millions of Burmese who hunger for freedom, and for those of us outside Burma who seek justice for its people. The work of Aung San Suu Kyi and the members of the National League for Democracy must be the world's work.

In recognition of this, last year the Congress overwhelmingly passed the Burmese Freedom and Democracy Act. In doing so, we took active steps to pressure the military junta, and we sent a signal to the Burmese people that they are not forgotten—that the American people care about their freedom and will stand up for justice in their country.

The State Department released just this week a new report on U.S. trade sanctions against Burma. This report notes that the Freedom and Democracy Act encouraged ASEAN nations to take a critical stance on Burma, and that these pressures were likely a factor behind the junta's August announcement of a "roadmap" toward democratic transition. While this roadmap is sorely lacking, it does point to the tangible effect that our efforts are having inside the country.

Yet since we passed our bill last year, the ruling State Peace and Development Council has failed to make substantial progress toward implementing a democratic government in Burma. The new State Department report indicates that Burma's "extremely poor human rights record has worsened over the past year, and it continued to commit serious abuses." Pro-democracy activists remain in detention, the National League for Democracy offices remain closed, and citizens do not have the right to change their government. Security forces continue to commit extrajudicial killings and rape, forcibly relocate persons, and use forced labor. The military junta refuses to tolerate any form of political opposition. On top

of this, the dismal economic policies implemented by Burma's rulers have led to widespread poverty and the flight of most foreign investors.

Sadly, the picture is clear. So long as this band of thugs rules Burma, its people will be never be free. They will remain mired in poverty and suffering, cut off from the world, with only their indomitable spirit to keep them moving forward.

For this reason I stand in support of the joint resolution that will renew the import restrictions contained in last year's legislation—sanctions that are supported by the National League for Democracy. These restrictions must remain until Burma embarks on a true path of reconciliation—a process that must include the NLD and Burmese ethnic minorities. I note, however, that while the American people have spoken with one voice in support of freedom in Burma, it is past time that the leaders of other nations do the same. No other country has yet implemented U.S.-style economic sanctions. The Europeans should reject half measures and join the United States in targeted sanctions against the military regime. China, Thailand, India and other Asian nations uncomfortable with a tougher response to the junta's crimes must understand that diplomatic obfuscation and obstruction on Burma will profoundly affect their broader bilateral relationships with the Western democracies.

Mr. President, this week I co-authored with former Secretary of State Madeleine Albright an editorial on Burma for the Washington Post. This article enumerates several of the points that I have made here, and illustrates the bipartisan consensus that we must act to promote democracy and human rights in Burma. I ask unanimous consent that a copy of our editorial be printed in the RECORD at the end of my remarks.

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

(See exhibit 1.)

Mr. MCCAIN. In this article, we quote Archbishop Desmond Tutu, a man who knows quite a bit about life under tyranny and oppression. The Archbishop said that "Apathy in the face of systematic human rights abuses is immoral. One either supports justice and freedom or one supports injustice and bondage." Mr. President, today we support justice and freedom.

EXHIBIT 1

[From the Washington Post, April 27, 2004]

A NEED TO ACT ON BURMA

"Apathy in the face of systematic human rights abuses is immoral. One either supports justice and freedom or one supports injustice and bondage." So said Archbishop Desmond Tutu, the South African Nobel laureate and anti-apartheid leader, who knows something about the struggle for human freedom in the face of tyranny.

The world's democracies have a common moral obligation to promote justice and freedom. In few places is this obligation more acute than in Burma, a country in which a band of thugs, led by Gen. Than Shwe, con-

trols the population through violence and terror. The regime has a record of unchecked repression. It has murdered political opponents, used child soldiers and forced labor, and employed rape as a weapon of war. Nearly one year ago the Burmese military junta launched an orchestrated, violent attack against democracy leader Aung San Suu Kyi and hundreds of her supporters. Since then the regime has kept more than 1,000 political activists imprisoned, including elected members of parliament. It recently sentenced three Burmese citizens to death for contacting representatives of the International Labor Organization.

The Burmese junta, with the cynical support of neighboring governments, has announced a "road map to democracy," beginning with a constitutional convention in May. The convention is expected to be stage-managed by the junta, which has offered no meaningful participation to Suu Kyi's National League for Democracy, no timetable for progress toward a political transition, no release of political prisoners and no guarantee that the military will cede control to democratically elected leaders. Instead, the junta's proposals seem designed to institutionalize military control by creating a veneer of civilian authority, while meeting only the minimum expectations of Western democracies in order to avoid further sanctions.

The Burmese regime's recent actions demonstrate that years of international engagement and patience have not made the dictatorship more humane, reasonable or open to accommodation with its political opponents. On the contrary, it is only in response to international pressure that the regime has made even the smallest moves toward a political settlement with the democratic opposition. The lesson is clear: The world's democracies and Burma's neighbors must press the junta until it is willing to negotiate an irreversible transition to democratic rule.

The legitimacy, authority and commitment of Burma's democratic leaders to govern their country is not in doubt. But the international commitment to Burma's democratic transformation remains uncertain. The Western democracies and Burma's neighbors should immediately take three steps to bolster Burma's legitimate democratic leaders.

First, Congress should promptly renew, and the president sign into law, the ban on Burma's imports enacted into law last July. These sanctions, which are set to expire after a review period beginning Friday, are supported by Burma's National League for Democracy. The restrictions have made it more difficult for the Burmese military to tap financial assets abroad, travel or accumulate revenue through trade. The European Union, whose member democracies care deeply about protecting human rights, and whose trade and assistance programs give it critical leverage in Southeast Asia, are set to announce a new Common Position on Burma on Thursday. As part of this new policy, the EU should also initiate target sanctions against the regime.

Second, the EU and the United States, with support from Asian nations, should urge the junta to implement immediately the provisions of the U.N. Commission for Human Rights and the U.N. General Assembly resolutions—including democracy, the rule of law and respect for human rights. The United States and the EU should also formally place the issue on the agenda of the U.N. Security Council, and work urgently toward a resolution threatening credible sanctions against the Burmese regime unless it initiates meaningful progress toward democracy.

Third, China, Thailand, India and other Asian nations uncomfortable with a tougher

response to the junta's crimes must understand that diplomatic obfuscation and obstruction on Burma will profoundly affect their broader bilateral relationships with the Western democracies. Thailand in particular should consider this point when it convenes its planned international conference to discuss what it optimistically calls "Burma's progress toward democracy."

Beyond these steps, the United States, Europe and Asian countries must demand the unconditional release of Aung San Suu Kyi and her fellow political prisoners, but make clear that the releases, while necessary, are insufficient. In addition, they should continue calls for a political settlement that reflects the results of the free and fair elections held in 1990. This settlement must include a central, determinative role for the National League for Democracy.

In another era, a dissident playwright named Vaclav Havel wrote of the "power of the powerless" to overcome rule by fear and force, at a time when such a revolution in human freedom seemed impossible. The international community today has the power to help the powerless inside Burma throw off the shackles of tyranny. It is time to assume this moral responsibility. It is time to act.

Mr. LEAHY. Mr. President, it saddens me to rise today to speak about the situation in Burma. Burma is a beautiful country with a rich history. Regrettably, this great nation, with so much potential, is being destroyed by the despotic junta, the State Peace and Development Council, SPDC.

Natural resources are pillaged, ethnic minorities are brutally repressed, and most notably, Nobel Laureate, Aung San Suu Kyi, is under house arrest—denying her the right to help lead her nation.

For more than a decade, the brutal and autocratic regime, the SPDC has played an outrageous "game" with Aung San Suu Kyi. It goes something like this: pretend to allow Aung San Suu Kyi freedom to move around the country; when her movements become too threatening, put her under house arrest; keep her there until international pressure becomes too intense; eventually let her out, starting it all over again. In other words, isolate Aung San Suu Kyi and stall for time, while looting the country of its resources.

Once again, we find ourselves in this situation. About a year ago, the SPDC launched a vicious, pre-meditated attack against Aung San Suu Kyi and other members of the NLDF. The SPDC then placed Aung San Suu Kyi under house arrest, using the absurd justification that it is for her own safety. Virtually nothing has changed since that time. Aung San Suu Kyi remains under house arrest and the outrageous activities of the SPDC continue unabated.

It is for this reason that I join Senators McConnell and Feinstein today in introducing the joint resolution to extend the sanctions provided for in the Burmese Freedom and Democracy Act. The senior Senators from Kentucky and California have already discussed the situation in Burma and made the case why this legislation is so

important. I want to associate myself with their remarks and will be brief here today.

The message that we are sending to the ruling junta in Burma is clear: its behavior is outrageous. Aung San Suu Kyi is the rightful leader of the democratic opposition in Burma. She and other opposition leaders must be immediately released.

But, as important as U.S. leadership is on this issue, we all know it is not enough. Burma's neighbors—India, Thailand, and China—must also act. For too long, the silence of these key nations has been deafening. To obtain real change in Burma, these and other nations in the region must change course, speak out and disavow the failed policies of engagement.

I know that the sponsors of the legislation recognize this. I have heard Senator McConnell speak frequently of the need for a "full court press" by the international community on this issue. While I am not so naïve as to believe that this legislation will instantly cause a change of heart among the SPDC, I am hopeful that constant pressure U.S. pressure and others will, one day, lead to a breakthrough.

Everyone in the Senate would like to see the SPDC tossed on the ash heap of history, but there is widespread recognition that this regime is well entrenched and will not go away overnight. The immediate goal should be to get Aung San Suu Kyi out of house arrest and give her and the NLDF an equal seat at the table. Considering that the NLDF was democratically elected to lead Burma, this is a modest goal indeed.

Aung San Suu Kyi and her supporters have been denied for too long. It is time for a change in Burma. I hope that this is the beginning of the end for the SPDC and the start of a new era in Burma, allowing that country and its people to achieve the democracy and progress they deserve.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 346—COM-MENDING THE UNIVERSITY OF MINNESOTA GOLDEN GOPHERS FOR WINNING THE 2003-2004 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I NATIONAL COLLEGIATE WOMEN'S ICE HOCKEY CHAMPIONSHIP

Mr. DAYTON (for himself and Mr. COLEMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 346

Whereas on Sunday, March 28, 2004, the University of Minnesota Golden Gophers defeated Harvard University in the National Collegiate Athletic Association Division I National Collegiate Women's Ice Hockey Championship game by a score of 6 to 2, having defeated Dartmouth College by a score of 5 to 1 in the semifinal;

Whereas during the 2003-2004 season, the Gophers won an outstanding 30 games, while losing only 4 and tying 2;

Whereas the University of Minnesota Golden Gophers women's ice hockey team is the only women's sport at the University to win a national championship;

Whereas sophomores Krissy Wendell, Natalie Darwitz, and Allie Sanchez and juniors Jody Horak and Kelly Stephens were selected for the 2003-2004 National Collegiate Athletic Association All-Tournament team, and Krissy Wendell was named the tournament's Most Valuable Player;

Whereas sophomore Krissy Wendell was named to the Jofa Women's University Division Ice Hockey All-American first team, and sophomore Natalie Darwitz was named to the Jofa Women's University Division Ice Hockey All-American second team;

Whereas seniors Kelsey Bills, La Toya Clarke, Melissa Coulombe, and Jerilyn Glenn made tremendous contributions to the University of Minnesota Golden Gophers women's ice hockey program;

Whereas the University of Minnesota Golden Gophers women's ice hockey head coach Laura Halldorson, for the third time since 1998, has been named the American Hockey Coaches Association's Division I Women's Coach of the Year (2003-2004); and

Whereas all of the team's players showed tremendous dedication throughout the season toward their goal of winning the national championship: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Minnesota women's ice hockey team for winning the 2003-2004 National Collegiate Athletic Association Division I Women's Ice Hockey Championship;

(2) recognizes the achievements of all the team's players, coaches, and support staff and invites them to the United States Capitol Building to be honored; and

(3) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the president of the University of Minnesota.

SENATE RESOLUTION 347—TO COM-MEND SENATE ENROLLING CLERK THOMAS J. LUNDREGAN ON THIRTY-SIX YEARS OF SERVICE TO THE UNITED STATES GOVERNMENT

Mr. FRIST (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 347

Whereas in 1967, Thomas J. Lundregan became an employee of the Government Printing Office, and since then has devoted his career to the service of the United States Government;

Whereas in 1989, Thomas J. Lundregan joined the Office of the Enrolling Clerk in the Office of the Secretary of the Senate;

Whereas in 1995, Thomas J. Lundregan became the Enrolling Clerk of the Senate and has always performed the duties of that office with great dedication, perseverance, and humor;

Whereas Thomas J. Lundregan has performed a critical role in ensuring the technical accuracy and legal sufficiency of legislation passed by the Senate;

Whereas Thomas J. Lundregan has been in the forefront of the modernization of the operations of the Senate Enrolling Clerk;

Whereas Thomas J. Lundregan has faithfully discharged the difficult duties and responsibilities of Enrolling Clerk of the United States Senate with great pride, energy, efficiency, dedication, integrity, and professionalism;

Whereas Thomas J. Lundregan has earned the respect, affection, and esteem of his colleagues and the United States Senate;