

the world. Yet as far as I have been told, not one word—not one word, literally, was communicated to anyone in the Senate, Democrat or Republican.

We had, in fact, a briefing last Thursday afternoon, a top-secret classified briefing, which was attended, as I recall, by about 40 to 45 Members of the Senate with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff. That briefing occurred 2, 3 hours before the "60 Minutes II" report which disclosed these incidents and this report. Not one word—not one word—was mentioned to any of us.

I have been in briefings as a member of the Senate Armed Services Committee through the last weeks and months where we have asked, time after time: What is going on? What is the progress? What is the lack of progress? Where are the problems? What is occurring? Not a word about this. Not a word, until it occurred, of the eruption of violence, the intensification of violence, in key areas of Iraq over the last several weeks, which caused, in April, the highest level of casualties since the war began. We ask, again and again: What is going on? And we are told: Everything is fine. We are making great progress.

As early as last August, we were told 95 percent of the country is peacefully progressing. Everything is going well. And we find out, through news reports or through the reality of events, that is not the case.

There is no credibility. The American people are not being told the facts and the truth. The U.S. Congress is not being told the facts and the truth. We deserve the facts and the truth.

I do not know who knew what at what point in time up through this chain of command. But I believe we have the responsibility and the right to find out. We are going to have, I am told, the opportunity, in the Senate Armed Services Committee, to meet with Secretary of Defense Rumsfeld this Friday morning. I certainly—and I know others, too—will be asking for that sequence of events and asking why it is that we are not told relevant information, crucial information that affects the conditions over there, the progress or lack thereof, that then, in turn, affects the lives, the safety, the well-being of the men and women who are serving over there heroically, and whose families are waiting back in my State of Minnesota and across this country, frantically, anxiously, wondering what their future is going to be, wondering if they are going to return home alive safely.

We were elected in a democratic process by those men and women, their families, to be here to look out for them, to ask questions about what is going on, to be given the information about what is occurring, so we can participate in decisions that are going to affect U.S. policies that are going to determine the outcome of their lives—when they will be home, whether they will come home.

I think the people at various levels who participated in this investigation—I am not going to call it a cover-up because there was an ongoing investigation, but, my goodness, for the last 2 months, when it was completed, and we were not informed, it was not being reported. If not covered up, it was being hidden from Congress.

I am going to ask those individuals to read or reread the United States Constitution and refresh their understanding of what it means to be in a constitutionally established democracy where the executive branch and the legislative branch have coequal responsibilities.

I certainly would like to work with Members of both sides of the aisle in regard to the authorization of military—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DAYTON. Mr. President, I ask unanimous consent for 1 minute to conclude my remarks.

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

Mr. DAYTON. Mr. President, I would like to work with Members of both sides of the aisle to put in place language, in the military authorization and in any supplemental requests that are going to be made, that we be given full and necessary disclosure, the same way we require corporations that are making stock offerings to inform their investors, the same way we require corporations and those running them to inform their boards of directors of relevant, critically important information that has a material bearing on the information that is being presented so they can make informed decisions. We are getting far less than that. We are being asked to make informed decisions when we are not being given the information, we are not being told the truth. We are having vital, important information withheld. That has to stop. We need to disclose what has occurred in these incidents.

We need to make sure they never happen again. And we need to make sure that we in Congress are given the opportunity that we deserve, the right that we have, to look out on behalf of the American people to make sure they never occur again.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Thank you, Mr. President.

#### THE AEROSPACE INDUSTRY

Mrs. MURRAY. Mr. President, will the last aerospace worker leaving America turn out the lights? I ask that question to sound an alarm for every American who cares about our economy and our security.

We are about to surrender our global aerospace leadership because we are sitting on our hands while Europe is doing everything it can to dismantle our aerospace industry.

Today, I am sounding the alarm. Unless we wake up to this threat, we are going to lose an industry that Americans created and that has brought innovation to every corner of our economy.

We Americans led the first century of flight, but we might not even have a role in the second century if we keep sleepwalking down this dangerous road.

I am here on the Senate floor tonight to say: Wake up. Wake up to this threat before we lose another American industry. Wake up to this threat before we lose more high-wage, high-skill American jobs. Wake up to this threat before it is too late.

Too many Americans, especially in our Government, are not aware of what Europe is doing to kill off our aerospace industry. I want to expose the unlimited assault that Europe and Airbus are leveling at America's aerospace workers.

As my colleagues know, I have been troubled by Europe's market-distorting actions in commercial aerospace for many years. I have raised my concern with Senators, with foreign leaders, and with administrations of both parties.

Tonight, I am detailing my concerns before the full Senate because EADS and Airbus have launched a deceptive PR and lobbying campaign to convince the U.S. Government that it is essentially an American company. The Airbus campaign of half-truths is on full display as the company works overtime in Washington, DC, to recreate a competition they already lost to build the next generation refueling tanker for the Air Force.

I have come to the Senate floor tonight to set the record straight and to show how Europe's broader plan to dominate aerospace threatens our future.

Tonight, I am going to focus on five issues.

First, I want to explain why this is so important for our country.

Secondly, I want to explain how the European view of aerospace as a social program to create jobs is helping Europe beat out our more traditional business perspective.

Third, I want to expose, in detail, the underhanded things that Airbus is doing to dismantle our aerospace industry, from providing subsidies for launch aid, research, facilities and suppliers, to selling planes below cost, guaranteeing the future value of aircraft, tying sales to landing rights, and linking plane sales to other trade issues.

Fourth, I want to expose the deceptive lobbying and PR campaign Airbus is using to reopen a competition it lost and the dangers that poses for American security. Finally, I want to talk about the steps we must take to retain our leadership of this critical industry.

Let me explain the title of my speech, "Will the Last Aerospace Worker Leaving America Turn Out the

Lights?" I have the great honor of representing the State of Washington which is one of America's great aerospace centers. We are very proud of our long history and our leadership. On July 15, 1916, Bill Boeing started his airplane company in Seattle, WA. Since that day, Boeing and Washington State have shared the ups and downs of the commercial aerospace industry. We have experienced extended periods of nearly full employment, and we have endured marked downturns that left tens of thousands unemployed.

In the early 1970s, there was a particularly bad downturn. It seemed as if everyone was leaving Seattle. So two Seattle businessmen decided to post a billboard to put a lighthearted spin on all the layoffs. Here is the photo that ran in the Seattle Times in 1971. It shows a billboard with a light bulb and a string coming out of it. It says, "Will the last person leaving Seattle turn out the lights."

Anyone who lived through this difficult period in Washington State knows this sign. Eventually Seattle recovered, and since the 1970s we have experienced ups and downs. Today we are facing another severe downturn in the aerospace industry. But today it is not just Seattle or Washington State that is hurting. We are hemorrhaging aerospace jobs in Kansas, California, Texas, Florida, New York, Illinois, Georgia, Arizona, Pennsylvania, Ohio, Connecticut, Maryland, New Hampshire, Massachusetts, and Colorado. This is a national problem, and we are not too many years away from asking, will the last aerospace worker leaving America turn off the lights? We have to take action before it is too late. Sadly, we are approaching a point of no return.

Last week the top two executives of EADS revealed their plans to take over the global aerospace industry. According to a German newspaper on April 27, 2004, CEO Rainer Hertrich said:

In ten years, we'll be number one, everywhere, worldwide.

His CEO Phillipe Camus said:

We're now ready for our final step: globalization.

Some of my colleagues may wonder why I am speaking at some length tonight about the future of our aerospace industry. It is because this industry is critical for jobs, for our economy, for our security, and for our future.

The commercial aerospace industry employs more than 2 million Americans with an average salary of \$47,000. But unfortunately, we are losing these good-paying jobs at a rapid rate. In the past 15 years, we have lost 700,000 American aerospace jobs. These are scientific and technical jobs; 700,000 high-skilled, high-wage jobs are gone. Unless we wake up, we are about to lose more.

We spend a lot of time in the Senate talking about how American jobs are being shipped overseas in search of cheaper labor. Aerospace is a little different than some of the other industries we have discussed. Aerospace jobs

are not low-wage, low-skill jobs that move to where the labor is cheapest. These are high-wage, high-skilled jobs we need to keep in America. But we are being aggressively challenged by Europe for those jobs.

Aerospace is also important for our overall economy. Our leadership in commercial aerospace has helped American industries, from health care to automobiles, become safer, more efficient, and more productive.

According to John Douglas, president of the Aerospace Industries Association of America, the aerospace sector "generates economic activity equal to nearly 15 percent of the nation's gross domestic product and supports approximately 11 million American jobs." Mr. Douglas notes that aerospace also led the Nation in net exports with a \$30 billion surplus in 2000.

The Commission on the Future of the U.S. Aerospace Industry found that in 2001:

... more than 600 million passengers relied on U.S. commercial air transportation and over 150 million people were transported on general aviation aircraft. Over 40 percent of the value of U.S. freight is transported by air. Aerospace capabilities have enabled e-commerce to flourish with overnight and parcel delivery and just in time manufacturing.

Not only is this about jobs, it is also about security. It is irresponsible to let our country surrender our aerospace leadership. Once our plants shut down, once our skilled workers move to other fields, once the infrastructure is gone, you can't recreate that overnight. It took 100 years to build our aerospace leadership, and we could lose it all in the next 10 years.

Finally, commercial aerospace is important for our future. Europe is working hard to overtake our leadership of aerospace because they know it is the future, the future of the worldwide economy and the future of human exploration. Europe wants to lead the future. And if we stay on this track, they will.

This industry is worth saving because it is important for our jobs, our economy, our security, and our future. I should explain by way of background there are only two companies in the world that make large passenger airplanes. One is the Boeing Company. Its commercial air operation is headquartered in Renton, WA. The other is Airbus which is headquartered in Toulouse, France. Airbus is a division of the European Aeronautics Defense and Space Company also known as EADS. Throughout my remarks tonight, I will refer to Airbus and EADS interchangeably. So it is one European company and one American company competing for control of the commercial aerospace industry.

Next I want to talk about how the United States and Europe view commercial aerospace, because we have two very different visions. Unfortunately, their vision will allow them to overtake us unless we realize what they are doing.

Let me start at home. For us in America, commercial aerospace is seen as private business. Some companies will win; some companies will lose. We will let the marketplace decide. But for Europe, aerospace is a jobs program. The European governments will fund and support their domestic industry because creating aerospace jobs in and of itself is considered a priority. They don't care if Airbus loses money. They don't even require Airbus to pay back loans on failed products. They don't care as long as they are creating jobs for Europeans.

Europe views aerospace as a long-term investment. They are aggressively subsidizing the industry and pressuring and rewarding customers without regard to making a profit or following the business rules American workers must follow. Simply put: They are willing to pay any price to take over American leadership.

Don't take my word for it. Look at what EU leaders have said. Here is what British Prime Minister Tony Blair had to say last year:

As a result of over 500,000 pounds in launch aid, Airbus is today in a position where it can take over the leadership of the large aircraft market from Boeing in the United States. That would be tremendous for British manufacturing and for European industry.

It is not just Tony Blair. Here is what a 2001 report to the European Commission, titled "European Aeronautics, a Vision for 2020" states:

European aeronautics has grown and prospered with the support of public funds, and this support must continue if we are to achieve our objective of global leadership.

The same report goes on to say:

Total funding required from all public and private sources over the next 20 years could go beyond 100 billion euros.

Simply put, Europe views aerospace jobs as a priority. According to the European Aerospace Industry Association, there are at least 407,000 direct jobs in Europe's aerospace sector, more than 1.2 million total jobs supported by aerospace in Europe, and there are more than 80,000 firms in the European aerospace supply chain.

Europe has maintained a \$20 billion annual trade surplus in aerospace goods since 1996. Europe has an aggressive investigation for the future of aerospace. It wants to use significant public investment to create and sustain jobs, largely at the expense of U.S. competitors and workers.

Here is how the Commission on the Future of the U.S. Aerospace industry put it in 2002:

Unfortunately, it appears that European officials intend to continue directly subsidizing EU companies. The recently unveiled EU aerospace policy strategy calls for an increase in subsidies to continue building market share, largely at the expense of U.S. companies.

So Europeans are willing to do anything to subsidize Airbus and distort the market so it can beat Boeing. But here in the United States, our Government is sitting on the sidelines. We are

following a normal business model, and we are getting creamed by the Europeans, who are following a social welfare model, where it doesn't matter if they lose money if their products fail. As long as they are employing Europeans and taking over America's market share, they don't care. That is not competition; that is subsidized slaughter.

We have to wake up before it is too late for America's aerospace companies and workers. This is not a truly competitive market. Private U.S. companies, responsible to their shareholders, are confronting subsidized companies funded by governments who don't care if they make a profit as long as they create jobs. Understanding how the Europeans approach aerospace is the first step to helping American workers survive this onslaught. The next step is to understand how the Europeans are putting their vision into action, and that is what I want to focus on next.

Tonight, I want to explore the unprecedented means that Airbus and the Europeans are using to overtake American workers. Europe is taking over America's aerospace industry through aggressive, unfair market-distorting measures. Specifically, European governments are supporting Airbus on the development side, as Airbus creates new aircraft, and on the sales side, as Airbus pressures airlines and foreign governments to buy their aircraft.

Let's start with the development side, where we find massive market-distorting subsidies at every stage. Let's remember that Airbus was created by European governments in 1967 specifically to challenge Boeing and U.S. aerospace dominance in the manufacture of large civil aircraft. EADS gets subsidies at nearly every stage of aircraft development. They benefit from launch subsidies, research subsidies, facility subsidies, and supplier subsidies. These aggressive subsidies give Airbus virtually unlimited backing to overtake the American aerospace industry. It is like an American worker stepping into a boxing ring only to find out that, instead of one opponent, he is up against the full force and power of the entire European Union. It is not a fair fight.

Europe's abuses have been well documented by our own Government. Here is what the U.S. Trade Representative said about Airbus subsidies in its 2003 report on trade barriers:

Since the inception of Airbus in 1967, the governments of France, Germany, Spain, and the UK have provided direct subsidies to their respective Airbus member companies to aid the development, production, and marketing of Airbus civil aircraft. Airbus member governments have borne a large portion of development costs for all Airbus aircraft models and provided other forms of support, debt rollovers, and marketing assistance, including political and economic pressure on purchasing governments.

These subsidies create an uneven playing field and allow Airbus to do things that normal private companies cannot afford to do. Airbus has grown

without assuming any of the financial risk and accountability that U.S. firms have to contend with every day. Here is how a top aviation analyst put it:

Airbus cares a lot less about returning value to shareholders. Boeing is the classic American shareholder-driven corporation.

Europe's approach is working, too. Today, EADS is the second largest aerospace company in the world. In the last decade, Boeing has seen its market position globally erode significantly. At one time, Boeing sold 75 percent of the aircraft purchased worldwide. Airbus was in the teens. Today, Airbus claims to supply more than 50 percent of the industry.

Mr. President, I have made the case with statistics, data, trade reports, and official Government findings. Let me put it a little more simply: Airbus has a sugar daddy named Europe, who will keep forking over money until Airbus has demolished America's aerospace industry and put hundreds of thousands of skilled American workers on the unemployment lines.

We cannot sit back and continue to let that happen. But it is not just the support and development side in the form of subsidies for launching facilities, research, and suppliers. Europe's market distortions go much further on the sales side. Tonight I want to expose some of the ways that European governments are supporting Airbus sales.

Airbus uses a series of incentives and threats to steal customers away from Boeing—everything from bribes and landing rights, to discounts, value guarantees, and trade threats and rewards. Airbus has a history of graft and corruption. But don't take my word for it. Look at what the Economist magazine, on June 14, 2003, said in a special report, entitled "Airbus's Secret Past: Aircraft and Bribery":

Up until 2000, Airbus and other French companies were allowed to take a tax deduction for bribes.

Imagine that—bribing someone to buy your airplane and then you take a tax deduction for the bribe you paid. The Economist article details Airbus sales campaigns in India, Syria, and Canada that involved corruption and bribes. The article notes that, in 2001, the Under Secretary for Commerce for International Trade testified before Congress on U.S. competitiveness in aircraft manufacturing. The Under Secretary warned that bribery remains a threat to U.S. competitiveness. He said:

This is an industry where foreign corruption has a real impact. Bribery by foreign companies can have important consequences for U.S. competitiveness because of the critical role governments play in selecting aircraft suppliers; and because of the huge sums of money involved in aircraft purchases, this sector has been especially vulnerable to trade distortions involving bribery of foreign public officials.

His remarks were directed squarely at Airbus and the European nations that aggressively back Airbus sales campaigns throughout the world.

This article also notes that, according to a 2001 European Parliament report, the U.S. National Security Agency intercepted faxes and phone calls between Airbus, Saudi Arabian Airlines, and Saudi Government officials in early 1994. The NSA found that Airbus agents were offering bribes to a Saudi official to ensure that Airbus received a \$6 billion order to modernize the Saudi Arabian airlines fleet. Bribes and corruption have long been a part of their standard operating procedure for getting other countries to buy their airplanes.

Those are just a few of the many techniques they have used to beat out American workers. Let me turn to another one. Airbus purchases have long been linked to landing rights at Europe's busiest airports; a very attractive incentive to offer them to buy their airplanes, but it is a very questionable practice.

I want to share four documented examples. In 2002, an airline named easyJet placed a big Airbus order and then received favorable landing spots at Orly Airport in France. In 2002, Malaysia Airlines received landing rights at Charles de Gaulle Airport in Paris 3 days after buying 6 Airbus A 380s. Emirates Airlines and Qatar Airways both received extra landing rights after buying Airbus airplanes.

A source close to Emirates Airlines said:

It seems that Airbus leans on Air France, which has the slots at Paris Charles de Gaulle and the slots are given to the airline that has bought Airbus. . . . This has been known for years. Airbus sells one of its planes to a customer and promises to do its best to get slots for that airline.

But landing rights are not the only trick Airbus uses to sell their planes. Airbus also aggressively discounts the purchase price of its planes, often at the last minute, and often below the cost of production.

Airbus regularly makes a late final offer to an airline after Boeing has made its best offer. Time and again, Boeing has lost a commercial sale because Airbus doesn't have the same commercial accountability. Airbus regularly sells aircraft below the price of production simply to gain market share and to take customers away from Boeing.

The 2000 easyJet deal I just mentioned a moment ago is a prime example of Airbus's willingness to discount airplanes to win sales campaigns.

Airbus does not reveal its discounts or the particulars of a given order. However, it was widely reported that Easy Jet got a 50-percent discount on its Airbus purchase. Boeing said the deal was below the cost of production. Airbus sold its planes below cost. Airbus got the order at Boeing's expense, and the Europeans got at least 10,000 direct jobs. It is a great deal for Europe; it is a horrible deal for American workers. It happened because of all the financial backing, subsidies, and special deals that Airbus gets from its European sponsors.

Let me share another way that Airbus distorts the marketplace. Buying new aircraft is a big expense for any airline. Airlines want to make sure the planes they buy will hold their value for years after their purchase. Normally, the market price decides the value of a used airplane, just like the marketplace decides the value of a used car. But Airbus uses its deep pockets to override the marketplace. When Airbus sells a plane to an airline, it often promises the airline that the plane will hold its value in the future, and if it does not, Airbus will pay the difference to the airline.

For example, Airbus will tell an airline that the plane it buys will be worth \$60 million in 10 years. The market only pays \$40 million. Airbus will pay the difference to the airline. It is a very attractive incentive for an airline, but it is also unfair because it allows one company to completely distort the marketplace. These Airbus guarantees allow the company to use their government subsidies to buy market share.

If this happened in another field such as cars, this Congress would be up in arms. Imagine going to a Toyota dealer and a salesman makes you a guarantee that in 10 years your car will be worth a certain amount of money far above its actual value. As a car buyer, you love that dealer. Airlines like Airbus's guarantee. But if a foreign carmaker did that, every representative from U.S. carmakers, suppliers, and dealers would be here in Congress demanding fairness.

The same abuse is taking place today in the aircraft market, but Congress is not responding. That is why I am exposing all of these techniques.

Let me share two specific cases where Airbus used these value guarantees to distort the market and take sales away from American workers.

In 2003, Boeing and Airbus competed to sell planes to Iberia Airlines of Spain. At the last minute, Airbus stepped in and undercut Boeing's price. It then offered Iberia a residual value guarantee on the future value of the aircraft. Airbus got the deal. An official with Iberia Airlines said Airbus got the deal because of the "extraordinary conditions" it offered at the last minute. Once again, because of its government support, Airbus was able to do things that a private for-profit company could not.

Airbus used that same market-distorting approach with easyJet, a low-cost carrier that had a fleet of all Boeing aircraft. In 2002, easyJet agreed to buy 120 planes from Airbus and take options on an additional 120 planes. Airbus offered a significant price discount and a residual-value guarantee to win that deal.

These are just a few examples of how Airbus, backed by European governments, is taking jobs away from American workers through market-distorting tactics. But it is not just the bribes, corruption, the landing slots, the discounts, and the value guaran-

tees Airbus is using to undermine American aerospace. Airbus also steals sales by making threats and rewards on unrelated trade issues.

Airbus and European government officials regularly link Airbus sales to other trade issues. There is constant cooperation between Airbus and European leaders to pressure foreign airlines and governments to buy Airbus aircraft. Let me share a few documented examples that span the globe.

First, Europe gives special rewards to countries for buying Airbus planes. It happened with Russia 2 years ago. After the Russian airline Aeroflot bought Airbus planes, Russian exporters were given greater access in the European market, and Russia was given use of the EU space launchsite.

It happened in Thailand as well. Following a 2002 Thai Airlines Airbus purchase, Airbus lobbied the EU to lower trade barriers to Thai chicken and shrimp exports.

Time and again, Airbus links their plane purchases to other trade deals. But Airbus is not content to just use trade rewards. It also threatens to punish other countries unless they buy Airbus planes. Let me share a couple examples that first involves Pakistan.

In April 2003, Pakistan media reported that EU retaliated in textile negotiations against Pakistan following the Boeing 777 purchase. Airbus is not competing on the merits of its product. Instead, it uses threats of retaliation to pressure countries into going along.

Another example of these threats and pressure tactics involves Taiwan. During an aggressive 2002 competition between Boeing and Airbus for an important Taiwan sale, the Government of France threatened to terminate its satellite cooperation with Taiwan if Airbus was turned away.

Let me share a final example of these trade tactics, and it is one of which I have personal knowledge.

European governments have linked Airbus purchases to EU accession. I saw this myself on a trip to Central Europe that I took in 1998 when I visited Poland, Hungary, and the Czech Republic. One Central European airline told me pointblank that they are under pressure from the Europeans to buy Airbus because it would ultimately make EU accession easier.

This is just a sampling of the very aggressive competitor that my constituents and our aerospace workers confront every day in the global market. I note that this is just the tip of the iceberg. I have been briefed by some of our Government intelligence agencies, and the examples I shared are just a very small part of what is happening. I encourage all of my colleagues to be briefed by the appropriate agencies because it will shock you, just as it shocked me. Arrange a briefing and find out for yourself.

I now want to turn to my fourth point. Airbus and EADS are now engaged in a slick campaign to market themselves as an American company to

policymakers and to the general public. They are running a campaign of misinformation and half-truths to secure more U.S. business for European workers. Their campaign is particularly evident in Washington, DC, where Airbus is seeking to influence both the administration and this Congress. They have their lobbyists working to unravel the Boeing tanker contract, and their PR shop is making false claims about Airbus's impact on our economy. Simply put, they are trying to get us to see them as an American company.

Airbus and EADS have hired a small army of lobbyists. At least 18 lobbyists at multiple lobbying firms are registered to represent Airbus and EADS in Washington, DC. Their lobbyists include the current chairman of the Republican National Committee, former Members of Congress, former staffers to a previous Senate majority leader, a previous House minority leader, and others heavily involved in congressional campaigns. Lobbyists with ties to the administration are also at work for Airbus, including former officials at the White House, Defense Department, Commerce Department, Transportation Department, Export-Import Bank, OPIC, and NASA.

Airbus and EADS have also hired prominent Americans to help them gain entry into the U.S. markets and to put an American face on this European operation.

Ralph Crosby is the CEO of EADS North America. Mr. Crosby was a longtime senior executive with the Northrup Grumman Corporation. EADS said Crosby's hiring was "to enhance the access of EADS to all elements of the U.S. defense and aerospace marketplace."

T. A. McArtor is the chairman of Airbus North America. He previously served as the administrator of the Federal Aviation Administration. David Oliver is the executive vice president and chief operating officer of EADS North America. Oliver was previously the principal Under Secretary of Defense for Acquisition, Technology, and Logistics. With this team of lobbyists in place, Airbus and EADS now want policymakers and the public to believe that Airbus is actually an American company.

Here is what Airbus and EADS say in Washington, DC, and all over the country in speeches, in paid advertisements, and in other official materials: They say Airbus has created and supports 120,000 jobs in our country. They say Airbus subcontracts with as many as 800 U.S. firms in the United States, and they say Airbus now does \$6 billion in business annually in the United States.

For more than a year, I have called on Airbus to justify and document these assertions, and they have refused. Last year, I wrote to the Commerce Department and asked them to investigate these claims, and I want to share the results.

On jobs, Airbus used to claim they created 100,000 U.S. jobs. The U.S. Commerce Department could not find any justification for that claim. Commerce asked Airbus to document these claims. Airbus refused. Now Airbus is inflating its bogus figures, saying it is responsible for 120,000 American jobs.

Do my colleagues know what figure the Commerce Department came up with? Five hundred. Not 120,000, not 100,000, but 500 jobs is what the Commerce Department came up with.

The truth is, Airbus in large part is responsible for the economic shock, consolidation, and dislocation that has hurt American aerospace workers over the last decade. Thousands of small businesses have gone out of business. Consolidation in the industry has brought enormous change, and hundreds of thousands of jobs have been lost throughout the industry. Let us set the record straight. Airbus does not create American jobs; it kills them.

Airbus also makes false claims about the number of U.S. suppliers it uses. Airbus says it contracts with 800 U.S. firms. The Commerce Department, after looking into this request, can only come up with 250 firms, not 800. After that, Airbus did something kind of fishy. They revised their supplier figure down from 800 firms to 300 firms, but they increased the alleged value of its contracts from \$5 billion up to \$6 billion annually. We just cannot trust Airbus' funny numbers.

When it comes to suppliers, Airbus deserves no credit for using U.S. suppliers, and that is because commercial aerospace—the airlines, not the manufacturers—select many of the suppliers. Clearly Airbus does not deserve credit for the choices that its customers make. So again, Airbus does not help American firms; it hurts them.

Finally, Airbus claims it does \$6 billion in business in the United States each year. They say that every chance they get, but here is something they do not say. EADS alone has a \$6 billion trade surplus with the United States. I am not talking about another country; I am talking about one company running a \$6 billion trade surplus with the United States.

Airbus and EADS are not helping America's aerospace industry. They are destroying it. Already, 700,000 American workers have lost their jobs while Europe keeps adding new workers to the Airbus payroll. It is time for the Senate, for our Government, and for the American people to take a real close look at Airbus' real impact on the United States.

The truth is that Airbus is a horrible investment for our country. According to EADS' documents, North America provides EADS with 35 percent of its revenues, about 10 billion euros, but North American workers only make up 2 percent of the company's jobs—just 2,400 jobs out of 107,000 worldwide. We give them a third of their business. What do we get in return? Two percent of their jobs. That is a bad deal.

The truth is, Airbus and EADS are exporting U.S. jobs, suppliers, and dollars to Europe as fast as they can. It is clear to me that Airbus is making phony claims about its impact on the U.S. economy, hiring lobbyists and mounting a PR campaign so it can position itself to steal the tanker contract from American workers.

I will turn to that tanker contract and some disturbing developments. As all of my colleagues know, I have been involved in the tanker contract from the very beginning. I have been proud to work with many other Senators on it. There is no question our Air Force needs new air refueling tankers. There is also no question that Airbus is trying to reopen a competition it lost 2 years ago.

I want to make sure American policymakers understand how Europe is hurting American aerospace workers and what Airbus has been doing behind the scenes to undermine the Boeing tanker contract. If we allow Airbus to steal the tanker contract through its phony claims, we will be helping Europe dismantle our domestic aerospace industry and asking U.S. taxpayers to foot that bill.

No one doubts the need for new tankers. Airborne refueling tankers allow our country to project military power around the globe. Most of our tankers are more than 40 years old. One-third of the fleet is unfit to fly at any given time due to mechanical failure. Each plane requires a full year of maintenance for every 4 years spent on duty.

There is no question they must be replaced with new tankers. The only question is, who is going to build these tankers—American workers or French workers? If we give this contract to the French, we will be rewarding Europe's trade-distorting behavior, putting Americans out of work, and helping Europe dismantle our aerospace industry.

Congress and the administration have wrestled with a variety of issues having to do with the tanker replacement program adopted by Congress and signed into law by the President 2 years ago. We are still trying to sort through all of the issues. It has been a unique and, frankly, at times a very frustrating process.

We are all aware of the impropriety of a few Boeing employees surrounding this deal. There is no excuse for their behavior. I will not defend it. I will not excuse it. They are being investigated and I expect they will be held accountable to the fullest extent of the law. But the actions of a few do not lessen the merits of a tanker deal. The Air Force needs this equipment, and Boeing is the best company to provide it.

Let us remember that the Air Force looked at a proposal from Airbus in 2002 and rejected it on the merits. In fact, the Air Force gave very detailed reasons why the Airbus proposal was inferior. Let me quote from the Air Force statement on March 28, 2002:

The EADS offering presents a higher risk technical approach and a less preferred fi-

nancial arrangement. First, EADS lacks relevant tanker experience and needs to develop an air refueling boom and operator station, making their approach a significantly higher risk.

Second, a comparison of the net present values of the aircraft recommended by Boeing and EADS establishes Boeing as the preferred financial option.

Third, the size difference of the EADS' proposed KC-330 results in an 81 percent larger ground footprint compared to the KC-135E it would replace, whereas the Boeing 767 is only 29 percent larger.

The KC-330 increase in size does not bring with it a commensurate increase in available air refueling offload.

Finally, the EADS aircraft would demand a greater infrastructure investment and dramatically limits the aircraft's ability to operate effectively in the worldwide deployment.

Those are the detailed technical reasons why Airbus lost the tanker contract. The Air Force essentially said that EADS and Airbus did not have a real tanker or tanker technology; their proposed aircraft was so large it required a larger footprint on the ground and a significant infrastructure investment.

Their proposal was "significantly higher risk," for the Air Force, and, their proposed aircraft couldn't operate worldwide—limiting our ability to project force.

Finally, the Air Force said that Boeing was the "preferred financial option," meaning the Boeing proposal was the cheaper alternative for taxpayers.

So in March 2002, Airbus lost. For most people, it would be over, but not for a company like Airbus. Airbus continued its campaign to delay and if possible, kill the KC-767 tanker deal. Airbus lobbyists have continued to work on and off of Capitol Hill with tanker opponents.

Airbus lobbyists worked to convince Members of Congress that Airbus should be recognized as an American Company. Airbus even used the United States Chamber of Commerce to sponsor trips to Paris and Toulouse, France for Congressional staffers.

Airbus tried to derail the lease of four 737 aircraft to the Air Force for executive transport at the General Accounting Office. Airbus didn't care about the four 737's. They were testing the system to see if they could use a bid protest at the GAO to block the tanker lease. The GAO dismissed the Airbus bid protest.

As the tanker deal was scrutinized, criticized and delayed, Airbus was regularly available to offer its tanker again to U.S. taxpayers and the Air Force. During the delay, Airbus spent \$90 million to develop a real tanker. Now they are working as hard as they can to reopen the competition they lost.

For Airbus, the tanker competition is not over. We see that in Airbus materials—that are riddled with references to the tanker program. Again and again, EADS and Airbus say they are prepared to bid for the tankers.

EADS even went to Wall Street earlier this year to pitch the company to U.S. financial interests.

As part of their pitch to U.S. investors, EADS says they still may compete for tankers in the U.S.

Would they dare to say these things if they weren't hard at work to give EADS another opportunity at tankers funded by U.S. taxpayers?

This week, EADS Joint Chief Executive Rainer Hertrich was quoted by Reuters saying:

I see a realistic chance that the issue will be taken up again by the administration after the election.

Mr. President, over the past few months, I have been very concerned about what Airbus has been doing. In late March, I sent a letter to Secretary of Defense Donald Rumsfeld detailing my concerns with Airbus's campaign of distortion and misinformation to kill the tanker program.

I ask unanimous consent that my letter to Secretary Rumsfeld printed in the RECORD.

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

U.S. SENATE  
Washington, DC, March 22, 2004.

Hon. DONALD RUMSFELD,  
Secretary, Department of Defense,  
The Pentagon, Washington, DC

DEAR SECRETARY RUMSFELD: I am deeply concerned about recent comments by Secretary James Roche regarding re-opening competition to supply aerial refueling tankers to the U.S. Air Force.

The Air Force has already conducted a careful and open competition to build the required tankers. As Secretary Roche outlined in his testimony to the Senate Commerce Committee in September, Boeing won that competition based on the superiority of its design, technology, delivery schedule, and overall risk reduction plan. Although Airbus demanded that the General Accounting Office review that decision, the review was dismissed almost immediately as lacking merit. Rather than honorably accept the competition's outcome, Airbus has resorted to a campaign of distortion and half-truths in an effort to kill the proposed Air Force tanker lease program.

I have fully supported thorough reviews of all aspects of this program, and will continue to support constructive modifications based on recommendations from those reviews. However, I will not tolerate Airbus's attempts to undermine the program itself by forcing the government to revisit careful determinations about specific issues that have already been made, reviewed, re-reviewed, and validated by responsible government entities. The outcome of the initial tanker competition is one such issue that has been clearly and conclusively settled.

Airbus's corporate behavior on this matter cannot be tolerated by the U.S. government. Its actions are further delaying our ability to meet a key military requirement, and if successful, will result in the outsourcing of thousands of American manufacturing jobs to a foreign corporation that is unfairly subsidized by European governments and that unfairly competes with the only U.S. aircraft manufacturer. Such an outcome represents ill-conceived public policy, and will also unfairly punish the nearly 30,000 workers who will be employed should the Air Force tanker lease program proceed with a domestic manufacturer, as currently planned.

As you know, the average age of our existing tanker fleet is 42 years and one-third of our tanker fleet is unfit to fly at any given time due to mechanical and operational failure. KC-135's spend 400 days in major depot maintenance for every five years of service. Any unnecessary delay in replacing our aging tanker fleet puts in jeopardy our ability to meet critical air refueling and power projection requirements.

The Air Force's proposed tanker lease program is one of the most closely scrutinized programs ever undertaken by the Department of Defense. I support the DOD Inspector General's current efforts to provide an independent assessment of various aspects of this program. However, barring evidence of wrongdoing, it is critical that we proceed without delay to implement the Air Force tanker lease program and begin production of those aircraft here in the United States.

I know how committed you are to replacing our aging tanker fleet, and I know that meeting the demands of the critics of this plan has taken a toll. But you and I both know that many of these critics will not be satisfied until they stop this contract with the only American airplane manufacturer capable of producing a new generation tanker. We cannot allow that to happen.

Sincerely,

PATTY MURRAY,  
U.S. Senator.

Mrs. MURRAY. Let me read one passage from my letter. I wrote:

Airbus' corporate behavior on this matter cannot be tolerated by the U.S. government.

Its actions are further delaying our ability to meet a key military requirement, and if successful, will result in the outsourcing of thousands of American manufacturing jobs to a foreign corporation that is unfairly subsidized by European governments and that unfairly competes with the only U.S. aircraft manufacturer.

Such an outcome represents ill-conceived public policy, and will also unfairly punish the nearly 30,000 workers who will be employed should the Air Force tanker lease program proceed with a domestic manufacturer, as currently planned.

I have not received a reply from Secretary Rumsfeld, but I did receive a shocking reply from someone else. Two days after writing to Secretary Rumsfeld, I received a letter from Mr. Ralph Crosby, the Chairman and CEO of EADS North America.

So I sent a letter to Secretary Rumsfeld, and I got a reply from the head of Airbus. There's something very fishy about that. It got even more outrageous as I read Mr. Crosby's letter. Mr. Crosby stated that EADS is committed to being a "strong U.S. citizen," and he repeated the same statistics that EADS refuses to verify to either me or to the Department of Commerce. I want to refute a few claims in Mr. Crosby's unsolicited letter.

First, Mr. Crosby had the gall to suggest that EADS is a "strong U.S. citizen." Their history tells a much different story. Airbus and EADS have been willing suppliers to nations that the United States considers either rogue states or state sponsors of terrorism.

According to one news article dating back to 2001:

The Airbus Industrie Consortium views those countries against which US or UN sanctions are in place—Libya, Iran, Iraq and

North Korea—as potentially representing major opportunities, Noel Forgeard, CEO, indicated yesterday.

The same article quotes an Airbus Vice President as saying:

We might have been looking to place a total of 180 aircraft—100 with Iran, 50 with Iraq and 30 with Libya—with at least 140-150 orders feeding through.

It was widely reported that Airbus was in close contact with Iraqi airways during the period of UN sanctions following the 1991 Persian Gulf War. Apparently, Airbus was in discussion with the state run—Saddam Hussein run—Iraqi airways to sell 20 Airbus aircraft. It was also widely reported that personnel from Iraqi Airways were taken to Jordan and Malaysia for three month training courses on Airbus equipment. Airbus still carries a five-plane deal with Saddam Hussein on its order books and has said the deal is still valid. While American troops are rebuilding Iraq's infrastructure and trying to build a peaceful, democratic future for the Iraqi people, Airbus wants the new Iraqi government to honor Saddam Hussein's plane deal.

To me, for so many reasons, EADS is not a "strong U.S. citizen."

Here is another claim from Mr. Crosby's letter that I must refute. He wrote:

Should decisions by the U.S. government open a competitive procurement of aerial refueling tankers, EADS North America will respond.

We will offer a superior, cost-effective aerial refueling solution that will be completed by American workers, on American soil, in the United States providing the Department of Defense and the Air Force the opportunity to select the product that provides the best capabilities to the U.S. armed forces.

Let's remember that the Air Force already rejected Airbus's tanker proposal for the reasons I mentioned. The Air Force said Boeing was the cheaper option, and it deemed the A330 a "significantly higher risk." But in Mr. Crosby's world, these failures somehow translate into what he calls a "superior, cost-effective aerial refueling solution."

There is another disturbing claim hidden in Mr. Crosby's statement that should set off alarm bells. He said that Airbus tankers would be "completed" in the U.S.

Mr. Crosby says the A330 refueling tanker for the Air Force would be completed by American workers on American soil. Translated that means tankers will be built in Europe by European workers at U.S. taxpayer expense and then American workers can install the final components. Once again, EADS and Airbus are trying to use their market-distorting tactics to shift aerospace jobs to Europe to the detriment of American workers.

I have a simple reply to the Airbus's campaign to build tankers in Europe paid for by U.S. taxpayers.

No thank you. No thanks. Never.

I wrote back to Mr. Crosby, and I ask unanimous consent that my letter to him be printed in the RECORD.



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

U.S. SENATE,  
Washington, DC, April 6, 2004.

RALPH D. CROSBY, JR.,  
EADS North America,  
Washington, DC.

DEAR MR. CROSBY: Thank you for your letter of March 24, 2004. I appreciate your attempt to clarify your position. Unfortunately, the vague and ambiguous language in your letter has served to underscore my earlier concerns about Airbus's efforts to undermine the Air Force Tanker Modernization program. Additionally, I continue to seriously question Airbus's unsubstantiated claims regarding its employment and economic impact in the United States.

Your letter outlines, as you have stated publicly on several occasions, Airbus's desire to compete for the Air Force Tanker Modernization program. Your continued insistence on Airbus's qualifications to compete in such a contest seems to belie the fact that the tanker competition already took place in 2002—a competition that Boeing won and Airbus lost based on each company's proposed design, technology, delivery schedule, and overall risk reduction plan.

As you know, the Air Force informed EADS on April 2, 2002 that its platform was deemed high-risk for the Air Force's operational requirements for the refueling tankers. I remain puzzled by Airbus's continued effort to re-open the tanker competition two years after its final conclusion.

To my knowledge, the Airbus 2002 proposal has never been made public. Providing the public with a clear picture of Airbus's capabilities at the time of the competition would help to address concerns refuting the competitions outcome.

I continue to believe that Airbus has engaged in a campaign of distortion and half-truths to discredit the Air Force, Boeing and the KC-767 lease program. Your letter did not dispel my concern that Airbus is engaged in a campaign to undermine the tanker lease program. I would welcome a full accounting of Airbus's continued involvement with the tanker lease program on par with the various information subpoenaed from both the Defense Department and Boeing. A full accounting of Airbus's lobbying activities including support given to tanker opponents would provide the public with a full sense of this debate.

As enlightening as the examination of the facts may be, I do not think Airbus is willing to be as transparent in detailing its communications with the Congress, the Administration, and others outside of government as the Boeing Company has been. From my vantage point, Airbus's involvement in the campaign to discredit Boeing and the tanker program could not be clearer.

I am also troubled by your continued assertions regarding Airbus's economic and employment presence in the U.S. Your letter states that Airbus "supports" a certain number of U.S. jobs, and that an Airbus tanker would be "completed" by U.S. workers. In my view, an Airbus tanker "completed" by U.S. workers is a tanker manufactured in Europe with the overwhelming number of jobs also created in Europe.

I would appreciate any solid, verifiable, and straight-forward information detailing the number of U.S. workers and vendors that Airbus directly employs, as well as specific direct employment and U.S. content relating to manufacturing a national Airbus tanker aircraft.

As you know, I earlier challenged Airbus' many rhetorical claims about jobs, suppliers and economic contributions in this country.

The Department of Commerce confirmed my suspicions and almost entirely discredited Airbus' claims. To date, despite vows to do so, Airbus has not provided the Department of Commerce any additional credible information on its contributions to U.S. workers and the U.S. economy. The truth is Airbus continues to market itself to the Congress and the American people with assertions that appear to be untrue and dishonest. You are aware of my concerns, as well as those raised by the Department of Commerce, and I encourage you to provide justification for Airbus' direct claims on jobs, suppliers and economic contribution.

Finally, to set the record straight, Airbus did file a bid protest challenge regarding the leasing provisions contained in the FY'03 DoD Appropriations Act (PL 107-248). The Air Force executed the lease of four commercial Boeing 737 special mission aircraft long before the Air Force attempted to proceed with the KC-767 program. The Airbus bid protest was specific to the four 737 aircraft but I must conclude that the real Airbus target was the lease program itself and ultimately the Air Force's ability to move forward with a 100 plane KC-767 lease with the Boeing company. The Airbus bid protest was dismissed by the General Accounting Office.

Again, thank you for your response to my letter. I look forward to hearing from you.

Sincerely,

PATTY MURRAY,  
United States Senator.

Mrs. MURRAY. I asked Mr. Crosby to again justify the claims regarding the EADS and Airbus contributions to this country on jobs, suppliers and economic contributions. For more than a year, his company has refused to answer my questions and the requests from the Department of Commerce. I asked Mr. Crosby to make public the EADS 2002 tanker proposal submitted to the Air Force.

We know the Air Force said the proposal was high risk, more expensive than Boeing, and could limit U.S. force projection worldwide. For 2 years, EADS and Airbus have been able to access Boeing proprietary information about its technology and pricing, that came available during the tanker program review.

Now, after spending \$90 million to develop a tanker it previously did not have, Airbus wants to reopen the tanker contract after it has already seen all of Boeing's cards. Airbus has learned an awful lot about Boeing and tankers and it has used that new technology to best Boeing in a recent tanker competition for Australia. Mr. Crosby will not talk about his 2002 proposal. He wants to compete with Boeing based on everything Airbus has learned about Boeing over 2 years and an additional \$90 million investment in tankers.

Finally, I asked Mr. Crosby to provide a full accounting of Airbus' involvement with the tanker lease program on par with the various information subpoenaed from both the Department of Defense and Boeing.

I also asked Mr. Crosby to provide a full accounting of Airbus' lobbying activities, including support given to tanker opponents. I await a reply from Mr. Crosby.

Let me say that given the tremendous damage Airbus has done to the

commercial aerospace industry in this country, and particularly in Washington State, I have real questions about the appropriateness of U.S. taxpayer dollars going to strengthen Europe's competitive position and hurting American aerospace workers.

I have talked in great detail tonight about why EADS and Airbus are threats to the U.S. aerospace leadership and to American workers. Europe has a plan to take over global leadership in aerospace. Europe views aerospace as a social program, a jobs program for the benefit of Europeans. Airbus and EADS are the prime example of Europe's vision for its citizen and its aerospace industry.

There are real consequences for U.S. national security in what happens here. We have to retain our supplier base, our skilled workforce, and our technological advantages to project force and to defend our Nation.

We have a decision to make in Washington, DC. U.S. policymakers on behalf of the American people have to decide whether we want to sit idly by as Europe hopes we continue to do or whether we want to commit ourselves to a future in global aerospace.

I conclude by talking briefly about a few things we must do to keep American workers at the forefront of commercial aerospace. Let me offer three specific suggestions.

First of all, we should hold Europe accountable for its market-distorting actions. We have to look seriously at a trade case to challenge Europe's failure to adhere to its treaty obligations. We have to recognize the future of aerospace is larger than a trade case or a Boeing dispute with Airbus. Only a determined Federal commitment to aerospace will assure our children and our grandchildren opportunity to compete for the high-skill, high-wage aerospace jobs of the future.

Second, we should not reward EADS and Airbus for their market-distorting, job-killing behavior. Airbus wants U.S. policymakers and the public to buy its campaign that it is a good U.S. citizen. That is baloney. They are trying to mask the real harm they are posing to American workers.

Europe wants to further weaken U.S. aerospace competitors by accessing U.S. taxpayer-funded defense programs. And, most offensively, Airbus is working to undermine both the Air Force and the Boeing Company to kill the tanker program so it may ultimately outsource tanker manufacturing to Europe.

It is long past time to shine a very bright light on Airbus and its lobbying efforts in Washington, DC. If we reward their underhanded methods, if we let them steal the tanker contract away from our American workers, the American taxpayers will be paying Europe to help finish off our aerospace industry.

I don't see how we can let a subsidized foreign company use our tax dollars to put Americans out of work.

But if they get away with their lobbying, their bogus claims, and their PR campaign, we will have bought Airbus a sledgehammer to whack away at our aerospace industry. That is outrageous. We cannot let it happen. We need to hold Europe accountable for what it has done and we need to make sure Airbus is not rewarded for its bad actions.

Finally, we should act boldly to embrace many of the recommendations from the Commission on the Future of the United States Aerospace Industry.

The administration is acting on a number of fronts. Congress must do more, as well. As a first step, Congress should create a Joint Committee on Aerospace. I intend to introduce legislation to create that joint committee. It will help Congress recognize our future is very much tied to aerospace and commercial aerospace, in particular. A dedicated group of House and Senate Members with a targeted agenda can help the administration and the country recommit itself to the next century of global aerospace leadership.

I have sounded the alarm. No Member of Congress can claim they did not know what European governments and Airbus are doing to American workers. This is a critical industry. They are jobs worth fighting for.

I am not willing to surrender our leadership in the second century of flight. There is a battle for the future of the aerospace industry. Europe is putting its full support, subsidies, and power behind Airbus, and it is working. We have to get off the sidelines.

I am committed to working in the Senate to make sure American workers

have a fighting chance to lead the world in aerospace. I know if we focus on the challenge before us, our country will recover from this, just as Seattle recovered from the downturn in the 1970s. We have a bright future ahead if we take the steps I have outlined and hold on to our leadership in commercial aerospace.

Aviation was born in America 100 years ago. Let's make sure Americans are leading it 100 years from now.

I yield the floor.

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#### EXECUTIVE SESSION

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#### EXECUTIVE CALENDAR

Mrs. MURRAY. I ask unanimous consent the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar, Calendar Nos. 619, 620 and 657.

I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

#### NOMINATIONS

##### FEDERAL MARITIME COMMISSION

A. Paul Anderson, of Florida, to be a Federal Maritime Commissioner for the term expiring June 30, 2007.

Joseph E. Brennan, of Maine, to be a Federal Maritime Commissioner for the term expiring June 30, 2008.

##### DEPARTMENT OF STATE

Paul V. Applegarth, of Connecticut, to be Chief Executive Officer, Millennium Challenge Corporation.

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#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order the Senate will return to legislative session.

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#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m., Thursday, May 6, 2004.

Thereupon, the Senate, at 8:18 p.m., adjourned until Thursday, May 6, 2004, at 9:30 a.m.

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#### CONFIRMATIONS

Executive nominations confirmed by the Senate May 5, 2004:

##### FEDERAL MARITIME COMMISSION

A. PAUL ANDERSON, OF FLORIDA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2007.

JOSEPH E. BRENNAN, OF MAINE, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2008.

##### DEPARTMENT OF STATE

PAUL V. APPLGARTH, OF CONNECTICUT, TO BE CHIEF EXECUTIVE OFFICER, MILLENNIUM CHALLENGE CORPORATION.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.