

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Massachusetts (Mr. KERRY), and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

I further announce that if present and voting, the Senator from New Jersey (Mr. LAUTENBERG) would vote "yea."

The result was announced—yeas, 92, nays 0, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—92

Akaka	DeWine	Lincoln
Alexander	Dodd	Lott
Allard	Dole	Lugar
Allen	Domenici	McConnell
Baucus	Dorgan	Mikulski
Bayh	Durbin	Miller
Bennett	Ensign	Murray
Biden	Enzi	Nelson (FL)
Bingaman	Feingold	Nelson (NE)
Bond	Feinstein	Nickles
Boxer	Fitzgerald	Pryor
Breaux	Frist	Reed
Brownback	Graham (FL)	Reid
Bunning	Graham (SC)	Roberts
Burns	Grassley	Rockefeller
Byrd	Gregg	Santorum
Campbell	Hagel	Sarbanes
Cantwell	Harkin	Schumer
Carper	Hatch	Sessions
Chafee	Hutchison	Shelby
Chambliss	Inhofe	Smith
Clinton	Inouye	Snowe
Cochran	Jeffords	Stabenow
Collins	Johnson	Stevens
Conrad	Kennedy	Sununu
Cornyn	Kohl	Talent
Corzine	Kyl	Thomas
Craig	Landrieu	Voinovich
Crapo	Leahy	Warner
Daschle	Levin	Wyden
Dayton	Lieberman	

NOT VOTING—8

Coleman	Kerry	Murkowski
Edwards	Lautenberg	Specter
Hollings	McCain	

The resolution (S. Res. 356) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 356

Whereas the United States was founded on the principles of representative government, the rule of law, and the unalienable rights of individuals;

Whereas those principles are the birthright of all individuals and the fulfillment of those principals in Iraq would benefit the people of Iraq, the people of the Middle East, and the people of the United States;

Whereas the vast majority of Americans in Iraq are serving courageously and with great honor to promote a free and stable Iraq and through such service are promoting the values and principles that the people of the United States hold dear;

Whereas Americans serving abroad throughout the history of the United States, both military and civilian, have established a reputation for setting the highest standards of personal, professional, and moral conduct;

Whereas in January 2004, a member of the United States Armed Forces reported alleged abuses perpetrated in Abu Ghraib prison during November and December 2003;

Whereas an inquiry into those alleged abuses was ordered in January 2004, and that inquiry is reported to have found numerous incidents of criminal abuses by a small number of Americans based in Iraq;

Whereas the reaction to the alleged abuses is having a negative impact on the United

States efforts to stabilize and reconstruct Iraq and to promote democratic values in the Middle East and could affect the security of the United States Armed Forces serving abroad;

Whereas Congress was not informed about the extent of the alleged abuses until reports about the abuses became public through the media;

Whereas success in the national security policy of the United States demands regular communication between the President, the agencies and departments of the executive branch, Congress, and the people of the United States;

Whereas, in an interview on May 5, 2004, the President stated "First, people in Iraq must understand that I view those practices as abhorrent. They must also understand that what took place in that prison does not represent America that I know. The America I know is a compassionate country that believes in freedom. The America I know cares about every individual. The America I know has sent troops into Iraq to promote freedom—good, honorable citizens that are helping the Iraqis every day.";

Whereas in that interview the President further stated "It's also important for the people of Iraq to know that in a democracy, everything is not perfect, that mistakes are made. But in a democracy, as well, those mistakes will be investigated and people will be brought to justice. We're an open society. We're a society that is willing to investigate, fully investigate in this case, what took place in that prison. That stands in stark contrast to life under Saddam Hussein. His trained torturers were never brought to justice under his regime. There were no investigations about mistreatment of people. There will be investigations. People will be brought to justice."; and

Whereas the pursuit of truth and justice are core principles of the United States, and if the Government of the United States conducts a full investigation of the alleged abuses and holds accountable the individuals who are responsible for such abuses, the people of Iraq and of the Middle East will witness how a democracy upholds the rule of law and protects the rights of individuals by administering justice in a swift, transparent, and fair manner: Now, therefore, be it

Resolved, That the Senate—

(1) commends all Americans serving nobly abroad who are advancing the ideals of freedom and democracy, and working, through the individual and collective actions of such individuals, to improve the lives of all the people of Iraq;

(2) condemns in the strongest possible terms the despicable acts at Abu Ghraib prison and joins with the President in expressing apology for the humiliation suffered by the prisoners in Iraq and their families;

(3) urges the Government of the United States to take appropriate measures to ensure that such acts do not occur in the future;

(4) believes that it is in the interests of the United States and of the people of the United States that the appropriate committees of the Senate, exercising the oversight responsibilities of such committees, and the President, through the appropriate departments or agencies of the executive branch, conduct a full investigation of the abuses alleged to have occurred at Abu Ghraib; and

(5) urges that all individuals responsible for such despicable acts be held accountable.

Mr. MCCONNELL. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

ASBESTOS NEGOTIATIONS

Mr. FRIST. Mr. President, after cloture was not invoked on S. 2290, the Hatch-Frist asbestos bill, Senator DASCHLE and I asked Judge Becker to conduct a mediation process in the hope of identifying a path to reach consensus on this contentious yet extraordinarily important issue. Judge Edward Becker was asked to focus on working with the interested stakeholders on three major issues—projections, claims values, and overall funding into the trust—understanding that there are over a dozen additional issues that remain unresolved. Our belief was that if these three issues could be resolved, it would be much easier to work through the remaining differences.

Judge Becker presided over meetings for the last 2 weeks and held his final session last Thursday. His presence was invaluable in helping to further define the issues and illuminate the differences. Throughout the process all parties negotiated in good faith and worked towards bridging the gaps. We are extremely grateful for the time, energy, and leadership Judge Becker put into working through these technical issues, and to all the parties for their steadfast participation.

Last week, Judge Becker gave us his final report on the result of his mediation. We are glad there has been movement in major areas but realize there is more work to be done. While both sides have provided new proposals, ultimately, there remains gaps in claims values, projections, and the amount of dollars needed to establish a trust.

As you know, we have been personally committed to achieving a resolution to this extremely complicated issue for some time. Many members of both caucuses have devoted countless hours of time and considerable personal energy toward this end as well. We are committed to working together to determine whether a compromise can be reached that would provide sufficient payments to asbestos victims and certainty to companies.

THE AMERICAN LUNG ASSOCIATION—A CENTURY OF EXCELLENCE

Mr. KENNEDY. Mr. President, I welcome this opportunity to pay tribute to the American Lung Association as it prepares to celebrate its centennial anniversary on May 22. It is a remarkable milestone and the leaders and members

of this impressive organization, past and present, deserve great credit for their continuing successful commitment to fight lung disease for the past 100 years. From its inception as a community-based organization formed to eradicate tuberculosis to its current initiatives to reduce smoking, improve environmental health, reduce asthma incidence, and support research on preventing and treating lung disease, the Association has been an extraordinary leader in public education and public advocacy.

The American Lung Association early mission was to combat the growing public health threat of tuberculosis a century ago. Even in 1904, the association had the creativity and visionary thinking to develop the nation's first health campaign to deal with this threat. The association developed new ways to diagnose and treat the disease and prevent its spread. Through public outreach efforts, it brought the best available technology to communities throughout the United States. In fact, the association funded the research that led to the discovery of isoniazid in 1952, which was the first drug for children with the disease and is still widely used today. The American Lung Association has long had an indispensable role in controlling the spread of tuberculosis and preventing epidemics of this disease. The Nation is very grateful for its immense contributions to public health.

In its long and distinguished history, the association has risen to the challenge of many other health threats. In 1960, the board of directors issued a policy statement warning that "Cigarette smoking is a major cause of lung cancer." The statement came 4 years before the landmark "Surgeon General's Report on Smoking and Health," and the association became an effective leader in the battle we are still waging to this day against smoking. The association had the skill and foresight to develop needed smoking cessation programs and youth smoking prevention programs, and it did so decades before the public and the Federal Government called for them.

An additional high priority of the association today is reducing the heavy burden of asthma in our society. Based on its outstanding successes with tuberculosis and smoking cessation, I have no doubt that it will lead the way to make our environments safer for asthma sufferers.

On this special anniversary, I commend the American Lung Association for a century of leadership in improving the health of millions of Americans every year, and I wish them great success in their important mission in the years ahead.

Mr. CRAPO. Mr. President, it is my tremendous honor to rise today to recognize a very special birthday. Over the last 100 years, the American Lung Association has distinguished itself in numerous and meaningful ways. It has made significant contributions to mod-

ern health science and has been a force for successful political action. Most importantly, the American Lung Association is responsible for saving millions of lives through its constant and dedicated efforts to educate the public to the dangers of lung disease and to promote both preventive care and treatment for this terrible illness.

The American Lung Association has been especially active over the past 40 years in bringing the health concerns of smoking to the national policy agenda and aggressively promoting the principles behind the Clean Air Act in relation to pollution's effect on the human body and to those individuals with existing lung illnesses.

Its work in the field of asthma is equally exemplary. The American Lung Association has pioneered research efforts to determine the causes and treatment of childhood and adult asthma, calling for needed funding and government support. It has also spearheaded efforts to teach children with asthma how to better manage their disease so as to reduce complications, hospitalizations, and in some cases, deaths.

With the knowledge that lung disease is responsible for one in seven deaths annually, there is no doubt of the critical nature of the efforts of the American Lung Association. It is certainly appropriate that this body recognize this dedicated organization for a century of remarkable efforts to improve the health and lives of all Americans, and wish its members many more years of continued success. When they succeed, we all do indeed breathe easier.

Mr. LAUTENBERG. Mr. President, I congratulate the American Lung Association, ALA, on its 100th anniversary. Since its inception in 1904, as the National Association for the Study and Prevention of Tuberculosis, the American Lung Association has served as a champion for those affected by lung disease.

Lung disease is America's number three killer, responsible for one in seven deaths. Every year, close to 342,000 Americans die of lung diseases. However, lung disease is not only a killer, most lung disease is chronic. More than 35 million Americans are now living with chronic lung disease. I applaud ALA's commitment to fighting lung disease in all its forms, with special emphasis on asthma, tobacco control and environmental health.

One of the main focuses of the American Lung Association is the reduction of tobacco use in order to combat lung disease. Smoking is responsible for 90 percent of all cancer deaths. Four years before the publication of the landmark 1964 Surgeon General's Report on Smoking and Health the American Lung Association established the link between cigarette smoking and lung cancer.

As the author of the law banning smoking on airplanes and in all Federal buildings I am tirelessly committed to protecting individuals from

deadly secondhand smoke and developing regulations to protect children from the dangers of tobacco use. I am proud to call ALA my partner in this effort.

In addition to the outstanding progress ALA has achieved in its anti-tobacco work the association is also recognized as a leader in the clean air movement. Americans have ALA to thank for developing the crucial health basis for the Nation's clear air standards that led to passage and implementation of the landmark 1970 Clean Air Act and the Clean Air Act Amendments of 1977 and 1990.

I commend the ALA for its outstanding achievements over the past century, and I offer by best wishes for a successful future.

LOCAL LAW ENFORCEMENT ACT OF 2003

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

On December 22, 2001, in Lake Elsinore, CA, two men, ages 19 and 22, and a 20-year old woman, allegedly beat and made defamatory remarks to two people they perceived to be gay.

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

TRIBUTE TO NANCY AAMODT

Mr. SMITH. Mr. President, it is no secret that those of us who are privileged to serve in the U.S. Senate could not do so without the support of the hard working and dedicated staff. And I rise today to pay tribute to one of the most valuable members of my staff, who will be retiring at the end of May.

For the past 7½ years, anyone who has called or visited my Portland office has probably talked with Nancy Aamodt. Indeed, from her post at the office's front desk, Nancy is usually the first person who answers the phone, and the first person who greets visitors. I have long believed in the wisdom of the old saying that "first impressions are the most important ones," and I know that when Oregonians talk with or meet Nancy, their first impression will be of a kind, caring, and courteous individual. She treats all callers and visitors with hospitality and courtesy, and leaves everyone knowing that they were treated with great respect.

The Bible tells us that "God loves a cheerful giver," and I can't think of a better description of Nancy. She truly