

Finally, what a happy day this is for a lot of them who are now eligible to receive this compensation. What a happy day it is for me and my staff, who have worked so hard people over the past 3 years. What a happy day it is for Commissioner Bud Selig, who has wanted to do the right thing because he knew it was the right thing.

I am glad to bring a little bit of good news to this august body of which I am very privileged to be a Member.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CORNYN). Who yields time?

The Senator from Virginia.

Mr. WARNER. Mr. President, at this time I see no one on either side of the aisle seeking recognition. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 3152, offered by the Senator from Texas, Mrs. HUTCHISON.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Kansas (Mr. BROWNBACK), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Nevada (Mr. ENSIGN), the Senator from Tennessee (Mr. FRIST), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Kansas (Mr. ROBERTS) are necessarily absent.

I further announce that if present and voting the Senator from Kansas (Mr. BROWNBACK), the Senator from Kansas (Mr. ROBERTS), and the Senator from Oklahoma (Mr. INHOFE) would each vote "yea."

Ms. MIKULSKI. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from California (Ms. BOXER), the Senator from New Jersey (Mr. CORZINE), the Senator from South Dakota (Mr. DASCHLE), the Senator from Hawaii (Mr. INOUE), the Senator from Vermont (Mr. JEFFORDS), the Senator from Massachusetts (Mr. KERRY), the Senator from Georgia (Mr. MILLER), the Senator from Nevada (Mr. REID), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

I further announce that, if present and voting, the Senator from California (Ms. BOXER), the Senator from South Dakota (Mr. DASCHLE), and the Senator from Michigan (Ms. STABENOW) would each vote "yea."

The PRESIDING OFFICER (Mr. FITZGERALD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 82, nays 0, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—82

Akaka	Allard	Baucus
Alexander	Allen	Bayh

Bennett	Enzi	McConnell
Bond	Feingold	Mikulski
Breaux	Feinstein	Murray
Bunning	Fitzgerald	Nelson (FL)
Burns	Graham (FL)	Nelson (NE)
Byrd	Graham (SC)	Nickles
Campbell	Grassley	Pryor
Cantwell	Gregg	Reed
Carper	Hagel	Rockefeller
Chafee	Harkin	Santorum
Clinton	Hatch	Sarbanes
Cochran	Hollings	Schumer
Coleman	Hutchison	Sessions
Collins	Johnson	Shelby
Conrad	Kennedy	Smith
Cornyn	Kohl	Snowe
Craig	Kyl	Specter
Crapo	Landrieu	Stevens
Dayton	Lautenberg	Sununu
DeWine	Leahy	Talent
Dodd	Levin	Thomas
Dole	Lieberman	Voinovich
Domenici	Lincoln	Warner
Dorgan	Lott	Wyden
Durbin	Lugar	
Edwards	McCain	

#### NOT VOTING—18

Biden	Daschle	Kerry
Bingaman	Ensign	Miller
Boxer	Frist	Murkowski
Brownback	Inhofe	Reid
Chambliss	Inouye	Roberts
Corzine	Jeffords	Stabenow

The amendment (No. 3152) was agreed to.

Mr. WARNER. Mr. President, 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.

Mr. DURBIN. Mr. President, the Senator from South Dakota, Mr. DASCHLE, has advised me that his flight to Washington was delayed due to weather conditions. His flight was scheduled to arrive earlier this afternoon, but the delay resulted in his unavoidable absence during the previous vote on the Hutchison amendment. Senator DASCHLE has advised me that had he been here he would have voted "yea."

#### MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to a period 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.

#### LOCAL LAW ENFORCEMENT ACT OF 2003

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

On October 10, 2003, Bart Browne approached several men congregating outside an Albany, NY, gay bar. It is alleged that Browne hated gays and thus felt justified in sucker-punching one of the gay men in the face. The force of the single strike broke the 28-year-old victim's jaw, caused a permanent loss of feeling in his left cheek

and eradicated the sense of smell in that nostril, prosecutors said. Fearing further assaults for being gay, according to prosecutors, the victim moved away from the area. Browne faces a hate crimes sentence of up to 4 years in state prison.

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

#### HARKIN-HAGEL IDEA MANDATORY FULL FUNDING AMENDMENT

Mr. REED. Mr. President, I rise in strong support and as a cosponsor of the Harkin-Hagel amendment to provide mandatory full funding for the Individuals with Disabilities Education Act, IDEA.

This amendment will provide mandatory increases in funding of \$2.2 billion per year for the next 6 years and help us meet the needs of the approximately 6.5 million children served under IDEA.

Without full funding, we cannot realize the true promise of this law—a free, appropriate public education for all children with disabilities.

Living up to this commitment is not just an important goal; it is a necessity if we are to ensure that all children have an opportunity to succeed. Likewise, we must provide schools with the resources they need to make this happen.

When IDEA was first adopted in 1975, Congress committed to paying 40 percent of the cost of providing special education services. Sadly, after 28 years, we are only at 19 percent.

The President's fiscal year 2005 budget fails to fully fund IDEA, proposing to increase IDEA by only \$1 billion—an amount that falls far short of our commitment. Across this country, there is growing frustration over the lack of education resources. The No Child Left Behind Act has only exacerbated such frustrations.

Our school districts are striving to provide a high quality education for all children but don't have the adequate resources to do the job.

As a result, parents of children with disabilities, who only want to ensure their child gets the education they deserve and need, are forced to fight for the very programs and services to make that possible.

For too long, we have forced school districts and schools to pit children against children.

For too long, we have forced parents of children with disabilities to battle principals, schools districts, and other parents for limited educational resources.

Schools urgently need the resources to fulfill the promise of IDEA, and they deserve better than this.

Our schools—and the students with disabilities that they teach—also deserve highly qualified and skilled educators.

For special educators, regular educators, principals, and others who provide education and related services to students with disabilities the need for action is clear:

47 percent of students with disabilities, ages 6-21, spend 79 percent or more of their time in regular classes.

98 percent of school districts report meeting the growing demand for special education teachers as a top priority.

An estimated 600,000 special education students are taught by unqualified or underqualified teachers nationwide.

Each year about one-third of special education program faculty openings are unfilled.

The Personnel Excellence for Students with Disabilities Act, which I introduced last year, seeks to address this critical area of need—ensuring that all students with disabilities are served by highly qualified and skilled teachers, education personnel and related service providers.

I am pleased that many of the provisions of my bill have been incorporated into S. 1248.

Together, we can ensure that children with disabilities have access to a high-quality, free, appropriate public education, and that the law truly reflects the needs of parents, teachers, principals, and related personnel.

Governors, State legislators, superintendents, principals, teachers, and parents are all unified in support of mandatory full funding of IDEA.

Now, instead of the empty votes and broken promises of the past, another opportunity to meet our commitment is upon us. I urge my colleagues to vote for the Harkin-Hagel amendment.

#### CONFLICT IN DARFUR, SUDAN

Mr. DURBIN. Mr. President, I rise today to call attention to the devastating conflict in the Darfur region of Western Sudan. Over the past 14 months more than 1 million people have been displaced by the scorched earth campaign waged by the Sudanese armed forces and 'janjaweed' militia. The number of refugees grows daily. The situation is hardly improving, despite recent attention.

I am pleased that earlier this month the Senate was able to agree to S. Con. Res. 99, which condemns the Government of the Republic of Sudan for its participation and complicity in the attacks against innocent civilians in the Darfur region. But I must caution my colleagues that we cannot consider this matter over and dealt with. We must keep abreast of ongoing developments in Darfur and continue to look for ways to bring an end to the conflict.

With that goal in mind, I would like to draw to the attention of my colleagues an enlightening article by Lau-

rie Garrett, published in the May 10 edition of the Los Angeles Times. The op-ed focuses on possible consequences of the Darfur conflict which have largely been overlooked. Ms. Garrett explains that along with the horrid campaign of rape and murder perpetrated by the militia, those rapists and murderers are likely spreading disease among their victims and themselves.

When Ms. Garrett speaks of disease, she does not mean the common cold. She is talking about the most vicious and deadly infections known to man. Darfur is located in a region of Africa believed to be the origin of diseases like HIV, ebola, and West Nile virus, to name only a few. The reason we know the names of these diseases is not because they stayed confined to remote villages and tribes of Africa. These are diseases which grew rampant and spread across deserts and oceans to reach the farthest outposts of our Nation and the rest of the world.

While some may have difficulty imagining the horrors of a conflict far away in a remote part of Sudan, it is much easier to imagine consequences on our home soil. The possibility is very real that the rape campaign in Darfur could take a disease, previously confined to a single remote village, and spread it throughout the militia, their victims, and the rest of the world. This is a possibility which should not be ignored.

Along with many of my colleagues, I have worked very hard to combat the global epidemic of AIDS and will continue to do so until we have conquered that horrible disease. Laurie Garrett's warning is that our AIDS effort is not enough. We must do everything we can to prevent another AIDS or another West Nile from ravaging people around the world. Bringing a swift end to the conflict in Sudan will reduce the chance of a new and devastating infection being introduced into the international population.

I praise Ms. Garrett for bringing attention to the role of disease in the Darfur conflict and I hope that her article serves as yet another reminder that we must continue to push for peace in Sudan.

I ask unanimous consent that Laurie Garrett's op-ed in the May 10 edition of the Los Angeles Times be printed in the RECORD.

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

[From the Los Angeles Times, May 10, 2004]

#### THE MICROBES OF MAYHEM

(By Laurie Garrett)

As the horrors of Sudan's ethnic conflict mount, opportunities for pathogenic microbes—germs that could threaten people all over the world—rise in tandem. War and disease are often a matched set in Africa, with terrifying results: If the fighting doesn't kill you, disease very well could. And without outside help to stop the cycle, the devastating results will only spread.

In the Darfur region of western Sudan, an estimated 1 million ethnic-African Sudanese are refugees, the targets of government

troops and horseback janjaweed militia—ethnic Arabs—who are torching and raping their way across hundreds of miles of poor farmland.

It is almost impossible to overstate how remote this region is. Permission to legally visit the area is rarely granted by the Sudanese government. So scientists know very little about the area's plants and animals, much less its microbes. But what they can surmise is frightening.

Darfur is just 500 miles north of N'zara, where scientists believe the often lethal West Nile virus (which has now spread to nearly every state in the United States) resides. In 1976, N'zara also was the site of a major outbreak of the deadly Ebola virus. And across Sudan's southern border, Uganda is believed to be ground zero for the global AIDS epidemic. The circumstances of West Nile's spread remain a mystery, but the Ebola outbreak and the AIDS epidemic owe a great deal to the treacherous mixing of war, refugees and microbes.

In 1976, an international team of scientists was in Yambuku, Zaire, doing battle with the world's first known epidemic of Ebola, a virus that causes uncontrollable bleeding. Ebola was rare, to say the least, so the scientists were stunned to hear rumors of another outbreak in N'zara.

American disease detective Dr. Joe McCormick drove a Land Rover across more than 400 miles of unmarked terrain to confirm the outbreak. To this day, however, scientists have no idea exactly how Ebola emerged in N'zara, or whether the virus normally inhabits the area. But they do know that ethnic warfare was underway in the region.

Most likely, infected animals—bats, perhaps—had taken up residence inside buildings in the area, probably as a result of human encroachment into the animals' normal habitat and changes in local weather patterns. It is believed that starving local residents hunted and ate infected animals, and once humans were infected, Ebola spread swiftly, thanks to the dire conditions in the region's war-torn hospitals and clinics, where needles were reused and sterile techniques were virtually unheard of.

As for HIV, it also can be traced to the 1970s and another ethnic-cleansing campaign in the same region of Africa. Ugandan strongman Idi Amin set his soldiers against tribes in the Rakai district, with rape as a primary weapon. When the conflict spilled over into Tanzania, so did the rape, and when Tanzania's army repulsed Amin's forces, it carried out its own campaign of rape in turn. As it happened, however, another form of revenge spread along with the rape: HIV.

The genetic history of HIV shows that the virus made its first leap to our species from a primate—probably a chimpanzee—some seven decades ago. But in traditional village settings across Africa, the virus did not readily spread, and less than 1% of any society is thought to have been infected before the mid-1970s. It took a catastrophic event, like Amin's brutal campaign, to amplify the rare virus into a pandemic.

Today, as then, a chief horror of the Darfur campaign is the militias' raping of women and girls. They brand their victims' foreheads so that all will know that the women and their potential offspring are tainted. Nobody knows how prevalent HIV is in the Darfur region (Khartoum has never allowed surveys of the area). In the Muslim north, surveys of pregnant women four years ago revealed that 3% of them were HIV-positive; a N'zara-area survey found infection rates twice as high. It isn't unreasonable to suspect that the current Darfur "ethnic cleansing" campaign is spreading the disease, not only among the people of Darfur and their