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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, July 19, 2004, at 12:30 p.m.

Senate

FRIDAY, JULY 16, 2004

The Senate met at 10:01 a.m. and was called to order by the Honorable ELIZABETH DOLE, a Senator from the State of North Carolina.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray:

O God who brings unity from division and order from chaos, the Earth belongs to You and the universe is Your throne.

With one voice we offer You praise and thanksgiving. Empower people everywhere to seek and find You.

Sustain the Members of our Nation's legislative branch with Your presence and wisdom. Guide them on the safe road that they may be instruments of Your glory. Help them to restrain the wrong and encourage the good in a world challenged by evil.

Bless our military and all who fight for freedom. Comfort those who mourn.

We give thanks to You today, our Maker, Nourisher, Guardian, Governor, Healer, Benefactor, and Protector.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable ELIZABETH DOLE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. STEVENS).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 16, 2004.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ELIZABETH DOLE, a Senator from the State of North Carolina, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mrs. DOLE thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, today, we will be in a period of morning business. Last night, we were able to complete our work on the Australia Free Trade Agreement. We also finished the process for sending the JOBS bill, FSC/ETI bill, to conference; therefore, we will have no rollover votes today.

I do not anticipate a long session today, but several colleagues have asked that we be in morning business so that they have an opportunity to discuss certain issues.

We have one piece of business on the Executive Calendar. We have tried to reach a time agreement on the judicial

nomination of William Myers to be a U.S. circuit judge for the Ninth Circuit. It appears unlikely that the other side will agree to a time limitation, and, therefore, I intend to file cloture on that nomination today. That vote will occur sometime early Tuesday afternoon at a time to be determined, which we will set certainly before the close of today's business.

AIDS IN AFRICA

Mr. FRIST. Mr. President, I want to briefly comment on a headline from an article from the U.K. Daily Independent. It could have been really from any periodical, but the headline says, "AIDS reduces African life expectancy to 33." That is 33 years of age. In my office this morning, I came across this, and it hits me that this little virus we have lived with since the early 1980s, when it was first described and detected in this country—in this country nobody had died of this little virus, but then 5 people died, 100 died, and now thousands of people in this country have died; and then it killed about 500,000 people, and then a million, and then 5 million, and then 23 million people have died. It is destroying the continent of Africa, where the life expectancy is 33 years of age.

I ask unanimous consent to have the article printed in the RECORD.

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

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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[From the UK Independent, July 16, 2004]
AIDS REDUCES AFRICAN LIFE EXPECTANCY TO
33

(By Elizabeth Davies)

The AIDS pandemic is ravaging countries in sub-Saharan Africa, drastically reducing life expectancy in some parts to less than 33 years, a new UN report said yesterday.

The devastating impact of the crisis can be seen most clearly in seven African countries, including Malawi and Mozambique, where babies born in 2002 are not expected to live past 40 years because of the prevalence of HIV. Children in Zambia, where 17 per cent of the population are infected with the virus, are predicted to live just 32 years. The seven countries have, between them, seen an average drop in life expectancy of 13.5 years since 1990, the UN human development report said.

"In all these countries, AIDS is reversing the hard-won development gains of recent decades," said Elizabeth Lwanga, the deputy director of the United Nations Development Programme (UNDP) for Africa. "We need an unprecedented response to this crisis, which is taking a devastating toll on our communities."

With almost a quarter of its population infected with the virus, Zimbabwe has been the country most dramatically affected. Life expectancy there has plummeted from 57 years in 1990 to 34 in 2002.

In Swaziland, where one in three people between the ages of 15 and 49 are AIDS sufferers, life expectancy has dropped by almost 20 years, and in Botswana, where the disease affects 37 per cent of the population, people can expect to live 16 years less now than in 1970.

Sub-Saharan Africa is home to just over 10 per cent of the world's population—and to almost two-thirds of all people living with HIV. In 2003, an estimated three million people in the area became infected for the first time, while 2.2 million died. As a result, many of the countries are considerably poorer than they were a decade ago; 13 of them are virtually the first countries in the UNDP report's history to have suffered a reversal in living standards.

The UNDP administrator, Mark Malloch Brown, said that the virus caused such destruction because it affected all aspects of life. Those who fell victim to the disease left behind them countries struggling to cope with the loss of such a large proportion of the workforce.

"The AIDS crisis cripples states at all levels, because the disease attacks people in their most productive years," said Mr. Malloch Brown. "It tears apart the foundation of everything, from public administration and health care to the family structures."

Mohga Kamal-Smith a health policy adviser for Oxfam, pointed to the failure of the international community as one of the main reasons for the devastation. "As the epidemic spread, the donor contributions from richer countries went down," she said. "Hardly any of the governments have achieved the 0.7 per cent GDP contribution that they committed to."

The UNDP's annual report shows the drop in contributions from the highest-ranked countries in the list, particularly from Norway and the United States.

The lead author of the report, Sakiko Fukuda-Parr, acknowledged that the most afflicted countries face enormous problems but said she believed that solutions may be found.

"AIDS is currently presenting a very basic problem in human development," she said. "But other countries, like Senegal and Brazil, have achieved partial success in fighting the disease, due to easily accessible

medicine and all elements of the countries getting involved."

Mr. FRIST. Madam President, in part, the second paragraph in the article says:

The devastating impact of the crisis can be seen most clearly in seven African countries, including Malawi and Mozambique, where babies born in 2002 are not expected to live past 40 years because of the prevalence of HIV.

Without going into details of the causes, that dramatic impact demands, for a moral reason, a strong international response. I am proud that the United States is leading that moral response. This crisis is one of the great moral, humanitarian public health crises of our times. We need to address that.

Mr. REID. Madam President, will the Senator yield?

Mr. FRIST. Yes.

Mr. REID. Senator DASCHLE and I traveled to Africa a couple years ago this August. I was stunned then to go to Botswana where the average life expectancy is 39 years. Since then, it has dropped even lower. As we speak, people are dying. They are losing about 7,500 a day on the continent of Africa. So I am very glad that the majority leader, who is a physician, is following this. This is something that I don't know what we can do about. We are trying, and we have joined with the administration to try to do something about it.

Later in the day, would the leader be in a position to tell us more regarding what we are going to do next week?

Mr. FRIST. Madam President, yes, I certainly will. There are a number of issues, and we will talk about it later this morning. We will be in next week, including Monday. I would like to have the Myers vote early Tuesday afternoon. We have the Defense Appropriations bill which will be coming back from the House. As soon as it comes back, that very important bill we have acted on in the Senate will be addressed certainly next week. In addition, the Democratic leadership and the Republican leadership have begun discussions. There is likely to be another conference report coming back from the House with regard to a tax package. Nobody in the conference has to determine what the package actually is, but it will focus on issues like the 10-percent tax bracket, extension of the child tax credit, marriage penalty relief, those sorts of issues that I suspect will be addressed on the floor of the Senate next week. We can discuss other business. Next week will be a busy one. It will be our last week before going on a very long recess.

Finally, on Botswana, the Senator from Nevada mentioned two things. First of all, Senator DASCHLE and your delegation went about a year and a half ago. We followed that the next year with another bipartisan delegation to very similar countries. It takes that sort of direct participation on our part to go and see the travesty, the devasta-

tion, and to see that a large portion of these societies has been wiped out by this little virus which we can cure eventually. I am confident. It takes that participation on our part. I encourage our colleagues, even though people say Senators need to stay right here in the United States, to do traveling, interaction, dialog, observation. Since those two journeys, we have been able to come back and we can, with pride, say we are the world leader in addressing this moral public health challenge. That comes from action here, translated into action on the floor, which is what we have done.

In Botswana, if we compare 1970 to today—and this article points it out—someone born in 1970 would have lived 16 more years if this virus had not been around. So it has cut 16 years, comparing 1970 to today, off someone's life expectancy in Botswana, where the assistant Democratic leader and I visited. It is a tough problem, one we can address together.

Mr. REID. Madam President, Botswana is a model democracy, a great country, great leadership, no corruption. I will respond briefly to the distinguished majority leader.

My last trip to Africa was a life-changing experience. I had been to other places, but to see the spread of AIDS was a life-changing experience for me, to see the orphans. The orphans are an epidemic in Africa. All these little kids have no parents, both parents having died from AIDS. To see the personal devastation of communities being wiped out and people not being educated is a terrible situation.

Having come to this body from the House of Representatives, I served there on the Foreign Affairs Committee. I agree with the distinguished majority leader, part of our job is to find out what is going on in the rest of the world, and I think our taxpayers are well paid by what we do here by our going and seeing what is going on in other parts of the world. We have responsibilities being the only superpower in the world. I am glad to see the majority leader does not cringe from the fact he has traveled, and he is trying to find out what is going on in other parts of the world. I believe, without any reservation or question, that those Senators who choose not to travel—and it is a personal decision, but I think it is a bad decision.

Mr. FRIST. Madam President, we were talking about Africa, but this little virus right here in Washington, DC, is killing people every day. When we talk about Africa, we use that as a model, at least for me. It could equally be Russia where the rate is probably the fastest growing in the world, or Haiti. Senator DEWINE constantly reminds us how Haiti has been devastated.

When we talk Africa, HIV/AIDS, we are really talking about a virus that knows no boundaries—Washington, DC, Nashville, TN, across the world—and that is important to research and development. If we kill the little virus, it

helps people here in the District, it helps people across this country, Haiti, India, Russia, and that is why it is so important; that is why we are pulling together the great science we have today. Once we get rid of the virus, it goes away across the world.

I did not intend to talk about this little virus except that it is so devastating.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business, for statements only, with Senators permitted to speak for up to 10 minutes each.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. DASCHLE. I thank the Presiding Officer.

MIDDLE-CLASS SQUEEZE

Mr. DASCHLE. Madam President, over the course of the last several weeks, many of us have come to the floor to talk about the question raised by our former President, Ronald Reagan, back in the 1980 Presidential campaign. His question at that time, which we are told was paraphrased from a question posed by Franklin Roosevelt in 1934, was: "Are you better off than you were four years ago?"

Unfortunately, in 2004, the answer to that question is all too clear for most middle-class Americans. Four years ago, our economy was booming. The stock market had reached record heights. Twenty-two million jobs had been created in 8 years. We built a record Federal surplus. And millions of American families enjoyed newfound prosperity and felt the optimism of even better times ahead.

Four years later, we have lost nearly 2 million private sector jobs, the stock market has dropped, record surpluses have turned to record deficits, and middle-class families are truly being squeezed.

This chart tells the story. Since President Bush came to office, wages have been stagnant. Average weekly earnings have not increased in the last 4 years, but the costs facing Americans have skyrocketed. Gas prices have increased 23 percent; college tuition has gone up 28 percent; and family health care premiums, as we can see from the chart, have actually increased 36 percent.

All that has come out of average weekly earnings, which have been stagnant.

This is not what was predicted. This certainly is not what the White House said would happen under its economic policies.

In his annual economic report released in February, the President predicted the economy would create 3.8 million jobs in 2004.

As of today, we are still 2.5 million jobs short of that goal. Even more troubling, the jobs being created today pay less than the jobs we have lost. And even Americans who have been fortunate enough to keep their jobs have failed to see the pay raises they need and they deserve.

Just this morning we received confirmation from the Department of Labor that working Americans are still being squeezed by this economy. In fact, the new numbers indicate the squeeze is actually getting worse. According to the Labor Department, real earnings in June fell \$2.16, the second largest monthly drop in 14 years.

The Labor Department report also reveals what has happened over the past year. As this chart shows, the real earnings of our working people over this last year have actually decreased by 1.4 percent. They have less purchasing power today than they did in June 2003. But a typical commodity, a grocery that most families buy every week, milk, has gone up 30 percent. All this money is coming out of weekly earnings.

As people across the country know, gas prices have also risen dramatically. There was an article on the front page of the Wall Street Journal about this development. It concluded that at current prices, the average driver will pay nearly \$300 more for gasoline this year than last year. And the story only gets worse when it comes to prescription drugs.

According to a recent report by the AARP, drug companies raised their prices for the top 200 brand-name drugs at nearly three times the rate of inflation in the first 3 months of 2004. Some of my colleagues on the other side of the aisle think these increases are less important to American families than the rise of gross domestic product, GDP. But Americans don't live on GDP, they live on earnings. That is what they use to pay for milk, gas, medicine, health insurance, and tuition. They live on earnings, and those earnings clearly are not keeping up with the costs they are facing today.

Remarkably, the administration's response to this problem has been to fur-

ther undermine wages by limiting overtime rights. This week, an independent study showed that the White House's new overtime regulation, which goes into effect next month, will strip 6 million workers of their right to overtime. That is unacceptable. Democrats continue to fight at every opportunity to reverse the administration's misguided policy. Middle-class Americans are being squeezed, and the last thing they need is for their Government to make it worse.

What Congress should do is raise the minimum wage. It has been 8 years since we last voted to raise it. In that time it has become nearly impossible for minimum wage workers to make ends meet, especially when they are trying to raise a family. In my home State of South Dakota, a worker earning the minimum wage has to work 82 hours a week to afford rent for a two-bedroom apartment. And that is without taking into account other family costs, such as clothing, groceries, and health care.

Of course, not everyone in America is feeling the pinch. As this chart shows, while workers continue to struggle, our big corporations are thriving. In just the past year, corporate profits have risen 30 percent. The White House likes to talk about how we are now in an economic recovery. That is true for corporate America. But American workers are being left behind. As the New York Times recently reported, take-home pay, as a share of the economy, is at its lowest level since the Government started keeping track in 1929.

Economic policies that lead to these kinds of results don't do right by middle-class families, and they don't do right by America.

The good news is, we can do right by America. We proved during the Clinton administration that we can create millions of jobs, raise wages, and increase the quality of life for families all through the country. We did right by America then, and we can do it again.

With the help of the American people, and with some resolve by this body, we will do it again.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEAK INVESTIGATION

Mr. HARKIN. Madam President, I have taken the last several days on a daily basis to come to the Senate floor to talk about the treacherous and damaging leak of the identity of a covert CIA operative by the name of Valerie Plame, leaked to a columnist by the