

resident. When I met with her in February, I pledged that I would do everything possible to return her son. I stand by that pledge today.

To that end, I have met with President Uribe and Colombian officials and urged them to secure Marc, Keith and Tom's release. President Uribe has assured me that Colombian authorities are working to locate these Americans and that Colombia will not end its search until they are found.

I have likewise urged the Bush administration to provide all necessary assistance to locate and gain the release of Marc, Keith and Tom. During a hearing last year before the Senate Foreign Relations Committee, I urged William Wood, Ambassador to Colombia, to make their well-being and safe release his highest priority. Ambassador Wood agreed to do so and promised to keep me informed about developments as they occur. I thank him for his efforts to date.

Unfortunately, rescuing these three Americans will not be easy. But while doing so may not be easy, it is essential—it is our duty. We must leave no stone unturned in our efforts to secure their release. And we must make sure that their families know that we have not forgotten their sons and will not rest until we find them. I will continue to work tirelessly on behalf of Marc, Keith and Tom, and I urge the Bush administration and the Colombian government, to do everything in their power to expedite their return.

#### NOMINATION OF WILLIAM G. MYERS III

Mr. JOHNSON. Madam President, yesterday the Senate voted on the nomination of William G. Myers III who has been nominated for a position on the Ninth Circuit Court of Appeals. The Ninth Circuit includes most western States as well as Alaska and Hawaii. These western States contain a vast portion of our natural resources and is home to many of our Native Americans, Alaskan Natives and Hawaiian natives.

President Bush nominated Mr. Myers on May 15, 2003 while he served as Solicitor General for the Department of Interior. He was voted out of the Judiciary Committee on April 1, 2004, by a party line vote of 10-9.

A large portion of Mr. Myers' 22-year legal career has been in Washington working as a lobbyist and as a governmental lawyer in Republican administrations. During his legal career, Mr. Myers has never served in a judiciary capacity; he has never participated in a trial, and has received a partial Not Qualified rating from the American Bar Association, its lowest rating.

During his tenure as Solicitor General he has shown his contempt for environmental protections and has disregarded the necessary input of Native Americans into decisions that directly affect them. As Solicitor, he reversed an opinion made by his predecessor

during the Clinton administration regarding the interpretation of a statute. This reversal led to the issuance of a permit to the Glamis Company to open and operate the Glamis Imperial Mine on Quechan Indian Sacred land. The decision to overturn this opinion was done without government-to-government consultation with the Quechan Indian Tribe, which is required by the policies implemented by the executive branch. Despite requests made by the Quechan Indian Tribe to meet with the Interior Department, he never made any attempts to convene with the tribe while Solicitor, yet had several meetings with the Glamis Company regarding this gold mine.

Mr. Myers placed his mining industry ties before all others. It is his judgment demonstrated here that lead the nonpartisan National Congress of American Indians to oppose this judicial nomination for the first time in this organization's 60-year existence.

The nomination of Mr. Myers is opposed by more than 175 environmental, Native American, labor, civil rights, disability rights, women's rights and other organizations. The New York Times, the Los Angeles Times, and the San Francisco Chronicle have editorialized in opposition to his confirmation.

Now, I point out that I have voted and the Senate has confirmed many conservative judges. Do I like their politics? Probably not. Will I be happy with their rulings all of the time? No. Do I think they can resist partisan activism while serving on the bench? Yes. Regardless of a judge's political leanings, I will support a nominee who understands and is respectful of the rule of law. It is apparent that Mr. Myers will put industry ahead of our environment, the sacred land rights of Native Americans, and most importantly what is in the best interest of the general public.

#### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Madam 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 April 2, 2000, in Cedar Rapids, IA, Jason Allen was charged with allegedly attacking another man because he believed the man was gay.

I believe that the 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.

#### ADDITIONAL STATEMENTS

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

#### NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

• Mr. KERRY. Madam President, I am pleased to join my colleagues in the Senate—Chair of the Committee on Small Business and Entrepreneurship OLYMPIA SNOWE and former House Small Business Committee Chairman JIM TALENT—in support of legislation that will ensure the National Veterans Business Development Corporation is able to continue serving veteran small business owners.

In a letter to the Office of Management and Budget on March 19, 2004, the Department of Justice concluded that the Veterans Corporation is a government agency, and therefore subject to the laws, regulations, and guidance applicable to all executive branch agencies. This opinion by the administration not only goes against congressional intent, but it severely undermines the ability of the corporation to deliver needed assistance to veteran entrepreneurs.

As a supporter of the original legislation that established the Veterans Corporation, I can tell you that Congress fully intended the Veterans Corporation to be a private entity and not a Federal agency. This bipartisan legislation simply clarifies the status of the Veterans Corporation and reaffirms Congress's original objective.

I urge all of my colleagues to support this legislation, which we seek to pass today. Passing this legislation expeditiously will mean that the Veterans Corporation can continue to carry out its congressionally mandated mission and that our veteran-owned small businesses are able to receive the development assistance they need to start and expand. •

#### THE SMART PROGRAM

• Mr. SMITH. Madam President, today I rise to recognize a proven early literacy program called SMART, which stands for "Start Making A Reader Today." The program gives children who have difficulty reading the extra support and one-on-one attention they need to learn to read and succeed.

Each year, SMART matches more than 11,000 young children in Oregon with adult volunteers for weekly one-on-one reading sessions. Independent research shows that these relationships have a measurable impact on the students' reading performance. At a time when we are striving to better serve our Nation's students, this Oregon program is a model for the Nation. SMART has improved young Oregonians' performance on important benchmark exams, and has given students an important boost of confidence for continued academic success.

Twelve years ago, Johnell Bell was a first grader struggling to learn to read.

His teacher noted Johnell toiling to keep pace with his classmates, and recommended him for SMART. For several years, Johnell worked with one of SMART's 10,000 volunteers to develop his reading skills. With free books at his disposal, Johnell practiced reading at home and quickly developed into a star student and a dynamic young leader. Now a student at Portland State University, he is returning the favor. Every week, he spends time between classes with two SMART readers.

We should learn from proven successes and invest in programs that have a measurable impact on our children's future. By successfully mobilizing communities to improve the lives of thousands of children, SMART, and other programs like it, provide hope for America's children.●

#### U.S. INSTITUTE OF PEACE 2004 NATIONAL PEACE ESSAY CONTEST WINNER

● Mrs. CLINTON. Madam President, I would like to bring to my colleagues' attention the nationally recognized essay of one of my constituents, Vivek Viswanathan, a junior at Herricks High School in New Hyde Park, NY. I had the pleasure of meeting Mr. Viswanathan on June 23, 2004, when he visited my office during the United States Institute of Peace 2004 National Peace Essay Contest, NPEC Awards Week in Washington. The mandate of the United States Institute of Peace, as established by Congress, is to support the development, transmission, and use of knowledge to promote peace and curb violent international conflict. The Institute's annual NPEC, one of its oldest programs, is based on the belief that expanding the study of peace, justice, freedom and security is vital to civic education.

Mr. Viswanathan's essay, "Establishing Peaceful and Stable Postwar Societies Through Effective Rebuilding Strategy" was awarded first-place among the essays of his peers representing all 50 States, U.S. territories and overseas schools. In his essay, Mr. Viswanathan argues that to be effective, reconstruction efforts should be tailored to the specific post-war situation, obtain a large commitment of resources and assistance from the international community, and involve "a nation's own people in a way that allows them to ultimately control their destiny and that eventually provides a clear exit strategy for international actors." I am proud of Mr. Viswanathan's commendable essay and congratulate him and his teachers at Herricks High School. Mr. Viswanathan is a bright and energetic student who will be a leader in his future endeavors. I would like to share with my colleagues a copy of Mr. Viswanathan's first-place essay. I ask unanimous consent that it be printed in the RECORD.

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

#### ESTABLISHING PEACEFUL AND STABLE POSTWAR SOCIETIES THROUGH EFFECTIVE REBUILDING STRATEGY

While the resolution of armed conflict may bring initial order within a war-torn nation, it does not guarantee long-term peace and stability. Establishing an orderly society from the ruins of war—enacting a workable political, economic, and social structure in a place where violence and instability have been the rule—is an undertaking that is necessarily complex. Moreover, the discontinuation of armed conflict does not imply resolution of the underlying concerns that caused the conflict. Humanitarian crises can compound problems. An inability to deal with these factors intelligently and effectively can cripple the rebuilding process and lead to renewed strife.

History has shown that the most effective rebuilding efforts integrate three important strategies. Firstly, they are tailored to the postwar situation with which they are dealing. An assessment of which factors pose the gravest challenges to rebuilding in each post-conflict situation is absolutely necessary. Factors that destabilize rebuilding must not be addressed haphazardly but rather at their roots. Secondly, successful rebuilding involves a vast commitment of resources and assistance on the part of the international community. Piecemeal efforts will not suffice. Finally, rebuilding efforts must involve a nation's own people in a way that allows them to ultimately control their destiny and that eventually provides a clear exit strategy for international actors.

Case studies of the Marshall Plan in Western Europe and the U.N. and U.S.'s rebuilding efforts in Somalia in the early 1990s demonstrate the necessity of correctly identifying the most fundamental and pressing challenges of rebuilding, dealing with them in a powerful and forceful way, and involving a nation's people in rebuilding efforts in order to build a strong, self-sustaining society.

The Marshall Plan is a study in successful rebuilding. When World War II ended in 1945, the European continent was in tatters. America initially believed that limited aid and relaxed trade barriers would be enough to spur Europe to economic recovery. But by 1947, the economic situation was dire. The UN reported that postwar labor productivity in Europe was 40-50% of prewar levels, and low wages and food shortages compounded the problems. As the economy tanked, support for the Communist party in various countries began to grow. The U.S. began to fear Soviet domination of Western Europe.

By 1947, Secretary of State George Marshall understood the plight of the European continent and the danger it faced. "The patient is sinking while the doctors deliberate," he told the American people. In a now-famous speech that year at Harvard University, Marshall laid out the European Recovery Program—the Marshall Plan—and brilliantly addressed the three important strategies of rebuilding. Firstly, he correctly assessed the situation in Europe. Marshall realized that the root problem that afflicted rebuilding efforts was economic and not political in nature. He emphasized that the effective way to stifle Communism was to address Europe's economic troubles. "Our policy is directed not against any country or doctrine but against hunger, poverty, desperation, and chaos," Marshall said. "Its purpose should be the revival of a working economy . . . to permit the emergence of political and social conditions in which free institutions can exist."

Secondly, Marshall understood that for rebuilding to succeed, a massive investment of resources into Europe on the part of the U.S.

was necessary. "Assistance . . . must not be on a piecemeal basis . . . [it] should provide a cure rather than a mere palliative," he said.

Finally, Marshall understood that the chances of a rational and cohesive rebuilding effort would be greatly increased by allowing Europeans to retain much control over the rebuilding program. The U.S., he said, should limit itself to "friendly aid" and advice. The Marshall Plan's four-year timetable also provided a framework for success.

Eventually, between 1948 and 1952, the U.S. appropriated \$13.3 billion dollars—a staggering sum in that day—for the Marshall Plan. The money was spent toward greatly increasing European productivity and modernizing factory and transport systems. And the Europeans had a hand in formulating a workable rebuilding policy.

The Plan was incredibly successful. Western Europe's gross national product climbed 32 percent during the Marshall Plan, and by 1952 agricultural production and industrial output exceeded prewar levels by 11 and 40 percent, respectively. Through the revived economy, Western Europe had been re-integrated into the free world; even as the U.S.S.R. dominated Eastern Europe, Western Europe would stand for four decades as a bulwark against Soviet expansion. Calling him a man who "offered hope to those who desperately needed it," TIME named him its 1947 Man of the Year. And in 1953, Marshall was awarded the Nobel Peace Prize.

In contrast, the U.N. and U.S.'s post-conflict reconstruction experience in Somalia in the early 1990s demonstrates the consequences of an incompetent and halfhearted approach to nation-building. With the collapse of Mohamed Siad Barre's regime in 1991, Somalia plunged into civil war as various Somali clans engaged in a power struggle. The chaos triggered a great humanitarian crisis. Finally, after thousands were killed in intense fighting in Mogadishu, a U.N.-brokered cease-fire between rival clan leaders Mohamed Farah Aidid and Ali Mahdi Mohamed was achieved in March of 1992.

However, the U.N. and U.S.'s response afterward showed a disregard for the three important strategies of rebuilding. Firstly, the U.N. and the U.S. did not accurately assess the Somali situation. The immense humanitarian crisis blinded the international actors to the fact that the root problem that was afflicting reconciliation was political in nature. The initial U.N. and U.S. response in Operation Restore Hope sought to be purely humanitarian in nature, when in fact the humanitarian and political situations were intertwined. The U.S. Deputy Chief of Mission to Somalia later wrote, "The country's entire political and economic systems essentially revolved around plundered food" that was stolen from the relief effort. Eventually, confronted with the deteriorating political situation, the U.N. Security Council authorized Resolution 794 in December of 1992, which allowed U.S. and international troops to use "all necessary means" to establish "a secure environment for humanitarian relief operations in Somalia." Even at this point, guaranteeing political stability was seen as only a means for providing humanitarian relief, rather than an end in itself. This is a fine strategy for saving people's lives in the short-term—in fact, the intervention in Somalia saved tens of thousands of lives—but it is a poor strategy for rebuilding the fabric of a nation.

Secondly, the international community was not eager to put forth the significant monetary and troop commitment that successful nation-building entails. However, reductions in the troop force—from 25,000 to 4,200 by June of 1993—ultimately proved counterproductive. As James Dobbins, who