

MR. KENNEDY. One of the purposes of this program is to ensure that government contracting does not subsidize—even indirectly—private discrimination. Because discrimination affects contracting by private firms as well as State and local governments, and all contractors bid in for these contracts as well as for Federal defense contracts, it is important to ensure a level playing field in Federal contracting.

Finally, the data in the Department of Commerce benchmark study supports the need to improve contracting opportunities for minority-owned businesses.

The 1207 program helps to correct these pervasive problems of discrimination without imposing an undue burden on white-owned businesses. Small businesses owned by white contractors are eligible to receive the benefits of the program if they are socially or economically disadvantaged.

All of us benefit when recipients of Federal opportunities reflect America's diversity, and I'm proud to support the reauthorization of the 1207 program.

CLIMATE NEGOTIATIONS IN MONTREAL

MR. JEFFORDS. Mr. President, I rise to speak on behalf of myself and Senators LIEBERMAN, BIDEN, CARPER, FEINGOLD, FEINSTEIN, KERRY, LAUTENBERG, OBAMA, REED, REID, SARBANES, and WYDEN.

Over the last 2 weeks, 189 countries, including the United States, met in Montreal, Canada, to discuss the issue of global climate change. These countries are all signatories to the United Nations Framework Convention on Climate Change. The Montreal talks also included discussions by the 157 countries that are signatories to the Kyoto Protocol.

A key topic of the discussion was whether future talks could include discussions of additional commitments under the Framework Convention or the Kyoto Protocol. The Bush administration's position from the outset was that such discussions were a "non-starter" and that the United States would not engage in any such talks.

On December 5, 2005, 24 members of the Senate wrote to the Bush administration to note that the United States remains a signatory to the Framework Convention and thus is obligated to take actions to "prevent dangerous anthropogenic interference with the climate system." In the view of those Senators and others, blocking such talks would be inconsistent with the international obligations of the United States under the Framework Treaty.

The letter, which I submit for the RECORD, also noted that in June of 2005, a bi-partisan majority of the Senate approved a resolution calling for domestic legislation to achieve mandatory reductions in greenhouse gas, GHG, emissions and recognizing the need for comparable action by major

GHG emitters nations worldwide. It urged the Bush administration to be mindful of this fact and to conduct its negotiations accordingly. The signers of this letter hoped that it would be useful in making clear that many in the United States, including a majority of members of the Senate, do not agree with the Bush administration's position.

Despite the letter, the Bush delegation did their best to block and stall the negotiations and to send the message that the United States will not take mandatory action to reduce greenhouse gas emissions for many years to come. When it was time to actually negotiate about further commitment discussions, the chief negotiator of the United States bluntly indicated that such discussions were unacceptable and abruptly walked away from the negotiating table.

The good news is that the rest of the countries involved were not deterred by the U.S. walkout and ultimately reached agreement on a set of decisions that will allow initiation of further talks next year. Only when confronted with this agreement in a public way did the United States ultimately accept a version of those agreements.

This means that we have made progress and that further discussions will take place under both the Framework Treaty and the Kyoto Treaty about additional commitments. The clear message from the rest of the world to the Bush administration is that we are moving forward. Such progress can take place with or without the United States at the table.

The results of these negotiations are encouraging and open a variety of pathways to future U.S. engagement. The developments expand the opportunities available to the U.S. to fulfill its Framework Convention obligations to engage the international community prior to the Framework Convention and Kyoto Protocol meetings in 2006—in meeting the Convention's goal of "preventing dangerous anthropogenic interference with the climate system."

Even without the United States, those nations that are parties to the Kyoto protocol have agreed to initiate a process by which commitments will be established for the period following 2012, when the first commitment phase of the Protocol ends. Contrary to the claims of some, the Framework Convention process and the Kyoto process remain as viable legal vehicles for future reductions of greenhouse gases.

It is also worth noting that the parties to the Framework Convention, including the United States, also agreed to initiate a process for considering reductions in greenhouse gas emissions through avoided deforestation. As much as 25 percent of global GHG emissions are generated by tropical deforestation. The avoided deforestation initiative, prompted by the efforts of Papua New Guinea and Costa Rica and endorsed by the G77 Group of Developing Nations and China, means that

developing countries are open to ways in which they could reduce their greenhouse gases emissions, consistent with the Framework Convention principle of "common but differentiated responsibilities and respective capabilities."

The United States is the largest emitter of greenhouse gases and has been for some time. We have an obligation to be a leader in the fight to reduce greenhouse gases. We have an obligation under the Framework Convention to take actions to "prevent dangerous anthropogenic interference with the climate system." We have not yet honored those obligations, even as other countries, including developing countries, move forward.

A majority of Americans support taking some form of action on climate change. A recent poll by the Program on International Policy Attitudes, sponsored by the Center for International and Security Studies at the University of Maryland, found that 86 percent of Americans think that President Bush should act to limit greenhouse gases in the United States if the G-8 countries are willing to act to reduce such gases. All the G-8 countries except the United States are signatories to the Kyoto Treaty. Finally, the study found that 83 percent of Americans favor "legislation requiring large companies to reduce greenhouse gas emissions to 2000 levels by 2010 and to 1990 levels by 2020."

We cannot afford further delay on climate change, which appears to be the desired outcome of the Bush administration policy. The Montreal talks are a positive step forward, but we need to do much more, much faster. Climate change is here and it will accelerate the longer we wait. The time has come for the United States to adopt mandatory legislation to reduce greenhouse gases and for the United States to re-engage in the international negotiation process in a constructive way.

I ask unanimous consent that the letter to which I referred 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, December 5, 2005.
THE PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT, as you know, one of the most pressing issues facing humankind is the problem of human-induced global climate change. Between November 28 and December 9, 2005, 189 countries, including the United States, are meeting in Montreal, Canada to discuss future actions that can be taken under the United Nations Framework Convention on Climate Change (UNFCCC). That conference will be the 11th UNFCCC Conference of the Parties (COP 11). Simultaneously, 157 parties to the Kyoto Protocol, an extension of the UNFCCC, will be meeting and the United States will participate as an observer in that process, which will be the first Meeting of the Parties (MOP1).

The United States is a signatory to the UNFCCC treaty, which the Senate ratified in

1992 and which entered into force in 1994. Article 2 of that Convention commits the parties to achieving “stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.” In addition, Article 4.2(d) requires that the parties review the adequacy of measures relating to the mitigation of climate change, beginning in 1998 and “thereafter at regular intervals.”

We are writing to remind the Administration of its continuing legal obligation to participate in the COP negotiations in a constructive way that will aid in meeting the agreed-upon goal of “preventing dangerous anthropogenic interference with the climate system.” In our view, a deliberate decision by the Administration not to engage in such discussions, solely because they may include the topic of future binding emissions reductions requirements, is inconsistent with the obligations of the United States as set forth in the UNFCCC treaty. In any event, the United States should, at a minimum, refrain from blocking or obstructing such discussions amongst parties to the Convention, since that would be inconsistent with its ongoing treaty obligations.

We would also like you to be aware that a bipartisan majority of the United States Senate has now agreed that human-induced climate change is real and that “mandatory steps will be required to slow or stop the growth of greenhouse gas emissions into the atmosphere.” On June 22, 2005, the Senate went on Record for the first time in support of mandatory limits on greenhouse gases by a vote of 53–44. The Resolution states that:

“It is the sense of the Senate that Congress should enact a comprehensive and effective national program of mandatory, market-based limits and incentives on emissions of greenhouse gases that slow, stop, and reverse the growth of such emissions at a rate and in a manner that—

(1) will not significantly harm the United States economy; and

(2) will encourage comparable action by other nations that are major trading partners and key contributors to global emissions.”

As this Sense of the Senate Resolution makes clear, the Senate intends, at some future date, to require a program of mandatory greenhouse gas limits and incentives for the United States. Moreover, that system will be designed to ensure comparable action by other nations that trade with the United States. This system, therefore, will build on the actions of the United States and other countries in implementing the UNFCCC. It is only a matter of time before Congress takes such action.

The United States Senate is on the path towards requiring mandatory commitments and reductions of greenhouse gases and supports working through and alongside the Framework Convention process. The Administration should remain mindful of that key fact in its negotiations with all Parties and comport any discussions about future obligations accordingly.

Sincerely,

Olympia Snowe, Jim Jeffords, John McCain, Jeff Bingaman, Susan M. Collins, Lincoln D. Chafee, Tom Carper, Chris Dodd, Daniel Inouye, Charles Schumer, Frank R. Lautenberg, Paul Sarbanes, Ken Salazar, Hillary Rodham Clinton, Joe Biden, Carl Levin, Jack Reed, Joe Lieberman, Maria Cantwell, Russell D. Feingold, Dick Durbin, Dianne Feinstein, Tom Harkin, John F. Kerry.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On Aug. 17, 2001 in Reno, NV, police and the F.B.I. arrested Adam Ezerksi for the murders of several gay men in Florida and San Francisco, CA. Ezerksi, a teenager, was suspected of being a serial killer of gay men. He confessed to the murder of Anthony Martilotto, a gay man in Weston, FL. who was found dead in a Fort Lauderdale hotel room. Police have linked Ezerksi to another murder of a gay man in Florida. Ezerksi was discovered while the police and the F.B.I. were pursuing another serial killer of gay men in the San Francisco area.

Our Government’s first duty is to defend its citizens, in all circumstances, from threats to them at home. The Local Law Enforcement Enhancement Act is a major step forward in achieving that goal. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

VIOLENCE AGAINST WOMEN ACT

Mrs. MURRAY. Mr. President, I rise today to speak about the Violence Against Women Act, which Congress has finally reauthorized after many delays. As my colleagues know, the final bill passed the Senate on Friday, it passed the House on Saturday, and it is now headed to the President for his signature.

As domestic violence leaders in my home State of Washington will tell you, this reauthorization is long overdue. VAWA has been a critical tool for fighting domestic violence, and it should have never been allowed to expire. The Republican leadership finally recognized that, and now we will strengthen and expand that critical law.

Today I want to discuss some of the improvements we have passed—including new tools related to health care, housing, and abuse that involves police officers. I also want to share my disappointment that the economic protections I have worked to include were removed when this bill was considered by the Senate Judiciary Committee.

I have tried to advance critical economic protections at every turn, and I want to update my colleagues—and advocates in Washington State—about where those efforts stand. I do want to thank several of my colleagues for their hard work on this bill, including Senators LEAHY, SPECTER, BIDEN, HATCH, and KENNEDY.

The original Violence Against Women Act, VAWA, created a national strategy for dealing with domestic violence. And that strategy has been very successful. VAWA brought together victims’ advocates, social service providers, and law enforcement professionals to meet the immediate challenges of domestic violence. This bill reauthorizes and strengthens those core programs.

This bill also creates new programs that represent important steps forward in areas such as health care, housing and officer-involved abuse.

The first new step concerns health care. For the first time, VAWA includes a national health care response to domestic violence, dating violence, sexual assault and stalking. It authorizes new grants to train health care providers to recognize and respond to domestic or sexual violence. These grants will help establish partnerships between victims service providers and health care providers in State hospitals and public health departments. It also provides funding for direct services for sexual assault victims, including 24-hour emergency and support services.

Second, this law now addresses housing inequities for victims by providing new grants to help victims find long-term housing. It also protects the confidentiality of victims who are receiving assistance from Department of Housing and Urban Development-funded programs. VAWA also now includes provisions to protect mail-order brides and expands protections for immigrant victims.

This legislation also addresses the issue of police officer-involved domestic violence. I have spoken about this issue on the Senate floor before because of a terrifying case in Washington State. In April 2003, Tacoma police chief David Brame shot and killed his wife, Crystal Judson Brame. Then he took his own life, all while their two young children watched. The final tragic act was the last in a long history of abusive events.

In response to this incident, the City of Tacoma, the Tacoma Police Department, and others formed a task force to examine officer-involved domestic violence. They created a new policy for the Tacoma Police Department, and they helped pass a State law which requires that departments have policies on officer-involved abuse.

This VAWA bill gives local communities new resources to deal with abuse that involves police officers. It funds the Crystal Judson Domestic Violence Protocol Program. It allows law enforcement agencies, victim service providers, and Federal, State and local governments to use STOP grant funds to create new protocols for handling officer-involved domestic violence.

What happened in Tacoma is a tragedy that cannot be weighed. Out of that tragedy, Washington State changed its laws, and now the Federal Government is giving communities across the country new tools to address