

Finally, I wish to applaud the U.S.-China Economic and Security Review Commission. Their efforts to provide this body with a clear picture of a very complex and multifaceted situation have been illuminating and challenge us to face these real problems. Thank you for your hard work.

The Chinese have something called an idiom, a four-character phrase that is sometimes used to simplify a complex thought. I would borrow one to describe the current situation: "One who obeys on the surface but not from one's heart." Unless our relationship with China is backed up with strong action they will never take us seriously. We will certainly see more violations of proliferation treaties and in the context of the growing threat of terrorism. That is unacceptable. We have also ignored the danger that China is becoming in its own right. Some think that I am alarmist. If China breaks its consistent pattern of human rights abuses, military and economic expansionism, and illegal weapons proliferation, I am prepared to concede my concerns are unfounded. But I fear that the next few years will continue to confirm an obvious trend. The time to act is now, before the problem is beyond the realm of policy. We urgently need a coherent strategy for dealing with China, one that allows room for China's changing role without sacrificing our national security and other interests.

As I have demonstrated, we are on a collision course with China on all levels: economically, militarily, and ideologically. The situation has only worsened since my previous floor speeches about China in 1999. We are two trains accelerating in different directions on the same track. After the last decade I think we have seen that appeasement doesn't work; it's time to deal in a very real way with our unpaid bills.

I often think about the appeasement policies we sometimes have against these countries.

I think it was Horace Mann who said:

No man survives when freedom fails. The best men rot in filthy jails. Those who cried "appease, appease" are hanged by those they try to please.

I am afraid that pretty well describes our relationship with China.

I hope this debate will awaken the American people to the real threat China poses. To that end, I intend to deliver several more talks highlighting the United States-China Commission's report and will introduce a resolution to formally adopt the Commission's recommendation.

I remember so well back when I was critical of the Clinton administration in the very opening months of that administration in the early 1990s when one of the first things they did at our energy laboratories was to intentionally lower our security policy. They did away with background checks. They did away with the color-coded security badges to demonstrate on site what level of security an individual could have. They did away with

some of the FBI checks. I was very disturbed. That was over 10 years ago. We knew this was coming, and now it is here. It is time for us to take a different policy to China.

With that, I yield the floor.

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. WYDEN. Mr. 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.

Mr. WYDEN. Mr. President, I ask unanimous consent I be permitted to speak for up to 30 minutes after the distinguished Senator from Massachusetts.

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

Mr. KENNEDY. Mr. President, I understand we are in morning business.

The ACTING PRESIDENT pro tempore. The Senator is correct. The Senator should also be reminded he currently has a 10-minute time limit.

HONORING POPE JOHN PAUL II

Mr. KENNEDY. Mr. President, around the world as we honor the passing of the Holy Father, we are filled with his spirit and we are inspired by his legacy of peace and compassion. We pray for him and we pray for one another during this time of grief and reflection.

I first saw the Holy Father in Boston in 1979 as he touched American soil for the first time as Pope and reached out to the American people with his holy strength. Several hundred thousand rain-soaked men, women, and children gathered on the Boston Common to hear his homily that began with his extraordinary welcome, "America the Beautiful, even if it rains!" And through his eyes that was what we were: beautiful, free, and open to all possibilities.

He greeted my family warmly on many occasions and blessed us for all our endeavors. On our visit to the Vatican in the 1980s, he welcomed my sister Jean's Very Special Arts program for the disabled in the arts and participated in a festival for 7,000 Italian children who were challenged physically. He told us that in God's eyes, we were all created equally, we all had creative gifts, and all of our talents were enlightened by God. On that occasion I presented him with a bust of President Kennedy, whom he spoke graciously about.

In countless ways during his years as Pope, the Holy Father inspired people throughout the world and brought them together in peace and reconciliation. In his travels to distant lands, citizens of many different faiths were deeply moved by his appeals to the common humanity of all people under

God. And in his final days, he inspired us all again with the surpassing grace and dignity with which he left us.

I am struck by the words of one of the Pope's favorite passages that was read to him in his final hours, from Psalm 119:

Remember your word to your servant, for you have given me hope. My comfort in my suffering is this: Your promise preserves my life.

Pope John Paul II lives on in the hearts of all of us who were touched so deeply by his life. May his example continue to guide us and people everywhere in all the years ahead.

Mr. PRYOR. Mr. President, on the evening of October 16, 1978, white smoke curled from a chimney atop the Sistine Chapel signaling the election of Cardinal Karol Wojtyla of Poland. The crowds in St. Peter's Square roared with great enthusiasm, even before they knew of the extraordinary papacy he would lead for 26 years.

As our Nation continues to grieve the loss of Pope John Paul II, we have spent much time looking back at his accomplishments—decisions and actions made within the walls of the Vatican and those he brought abroad through Europe, Africa, the Americas and Asia.

His steady beliefs and convictions helped inspire peace and human dignity throughout the world. He taught not just Catholics, but people of all religions, the power of faith, principles and courage. And he taught us to use this power to address the social and economic issues that we face each day with truth and morality.

While people may disagree with his conclusions on specific issues, John Paul II's consistent efforts to promote the value of all people remained steadfast. He led by example, exposing overlooked areas of the developing world—those infested with poverty to lands overrun with land mines—and he did so without alienating or rejecting persons or world leaders who disagreed with him. Under his leadership, the Communist domination of Poland came to end, the Vatican and the State of Israel established diplomatic relations, and an unprecedented effort to cleanse the church's conscience began.

On his fifth and final trip to the United States in 1999, Pope John Paul II reminded a flourishing country to look beyond material growth and address the poverty, the spread of gangs, drugs and violence staring us in the face.

Just a few years later, he stood with us, a broken nation, on September 11, 2001, to help victims, friends, and families grieve for their loved ones and turn their loss into good.

Today I stand with Arkansans to offer prayer and to pay homage to Pope John Paul II, one of the most inspirational leaders of our time and a great defender of faith.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 30 minutes.

END-OF-LIFE CARE

Mr. WYDEN. Mr. President, late last week, the Nation witnessed the end to a saga that was heartrending not only for the medical circumstances of the young woman at its center, but for the tragic controversy that surrounded it.

The Congress has spoken once about Terri Schiavo, and in the near future the Senate's Committee on Health, Education, Labor, and Pensions is expected to hold hearings about one of the issues Ms. Schiavo's situation brought to the spotlight: the rights of the incapacitated and our society's responsibility toward that community. I hope the Congress will now begin a thoughtful examination of this and issues relating to end-of-life care. For that reason, I rise today to urge and encourage caution as the Senate moves forward.

George Washington called the Senate the saucer to cool the legislation. I would say the Senate, in fact, must cool its own passions before proceeding. The alternative is unacceptable. The Senate must not revisit the dangerous zero-sum game of 2 weeks ago, creating a false debate between those who seek protection and those who desire choices and actually sacrificing one of those rights to secure the other. This body's responsibility is to find solutions that preserve both. Protecting the vulnerable and preserving end-of-life choices are not mutually exclusive. Advocates for the disabled are right when they say that losing physical or mental capacity must not deprive anyone of their rights even if they have not had or taken the opportunity to make their treatment and wishes known.

There is legitimate cause for worry that the majority of our population might give short shrift to the real rights of a minority group. Journalist James Taranto summed it up well when he said:

It was natural for an able-bodied person to think: I wouldn't want to live like [Terri Schiavo]. But someone who is disabled and abjectly dependent on others was more apt to be chilled by the talk of her "poor quality of life" and to think: I wouldn't want to be killed like that.

Let us reject any legislative effort that springs from these false choices diminishing the rights of the incapacitated and all Americans. New Federal efforts may have the goal of protecting rights, but they may have the real effect of engineering outcomes with little regard to a patient's true interests. Instead of courting this risk, the Senate should seek to empower the disabled and all Americans.

My sense is that momentum still exists in this body to act unwisely in a way that will produce more government and fewer choices for all Americans at the end of life, so let me be clear. I intend to oppose any congressional fiat that disempowers our citizens—disabled, abled, incapacitated, or otherwise. I will oppose any such dictate that restricts the choices for our

citizens at the end of life and grows the role of government instead.

In the last 2 weeks, Americans have overwhelmingly cautioned the Congress against government mandates for the end of life. Many voices are speaking. Some have been shouting. If the Senate can't yet distinguish the country's clearly stated desire, then this body ought to fall silent and listen harder before acting.

In many ways, this is the central question of our time: whether the Federal Government will seek to expand its reach when the citizens wish for more individual empowerment. Presented with that question 2 weeks ago, the Senate got it wrong. The American people have made it clear that moving forward, there ought to be a course correction. True leaders will approach these choices dispassionately with a set of impartial principles.

I will spend a few minutes discussing what I think those principles ought to be. First, the Senate should help empower Americans to make their own choices about the end of life, whatever those choices should be. Policy ought to be grounded on the principle that Americans setting their dining room tables, in their kitchens, discussing their wishes and their fears with their loved ones, and asking in the end that government should make sure their desires are carried out. The choices they have to discuss—discuss in their homes and in their workplaces—ought to be expanded, not weakened, by Government and bureaucracy. Our policies should help their wishes to be honored by their families and their health care system—their lives sustained as they wish or unwanted treatment ended as they wish.

Second, as the Senate looks at the end of life, the Senate needs to look at the entire picture. End-of-life care is more than respirators and feeding tubes and even more than living wills. The Senate has to get beyond today's hot-button questions. The Senate ought to look at the fundamentals: conquering pain, expanding hospice care, capping the great potential of comfort care, which is known as palliative care. Supporting new ways to treat a very ill patient physically, spiritually, and emotionally, long before the last days of life, is a good use of the Senate's time.

Third, the Senate must address end-of-life issues with respect for constitutional boundaries that have been dangerously dismissed to date. For the last 2 weeks, issues of separation of powers and federalism have received virtually no attention. The Senate needs to reflect on the roots and the reason of federalism, which has given the States control over medical practice for more than 200 years. There is a line the Senate must not cross again. Beyond that line are the constitutional rights of States and, ultimately, the rights of our citizens.

Those individual rights, or citizens rights, ought to be the Senate's first

guideline in moving forward. I realize the temptation is to frame the debate entirely in terms of the heartbreaking situation of Ms. Schiavo. I believe it would be a mistake, however, to base Federal law on the basis of the tragic chaos that transpired in that woman's family. The Senate cannot jump in now and play medical czar to predetermine the outcome of every similar case. Our responsibility is to help individuals and their families to avoid the compounded tragedy that occurred in that family.

Helping Americans make their wishes clear is paramount. There are a variety of ways this can be done. The 50 States and the District of Columbia have made provisions for the declaration of individual choices, often through the creation of an advanced directive or a living will. If the Congress acts, it certainly should not thwart State laws in this area. Our goals should be to increase awareness and access and to look for ways to aid the enforcement of those wishes of families and the health care system.

Certainly, living wills should be encouraged, and thousands of Americans now are looking to fill these forms out. But in many instances, frequently that living will, a piece of paper, is not enough. Too often people will still be confused about an individual's real desires. Too often the language will not be clear or subject to misinterpretation. The bioethicist Carl Schneider of the University of Michigan said he is "appalled" at the number of people who are advising the public that a living will alone will be sufficient. He states:

Living wills often do not work.

So the national discussion about end-of-life choices should include information that will ensure that wishes be carried out, not just stated. As national leaders, those of us in the Senate can promote this discussion.

Most folks looking into advanced directives today seem to think they can just avoid a controversy through a living will. Maryland Attorney General Joe Curran recently said that 27,000 people in his State alone downloaded the forms over a period of 7 days. That is compared with 600 downloads during just 1 week in January. But, as I have indicated today—and I know it will be surprising to many Americans—the reality is the laws vary with respect to living wills and advanced directives, and often they do not ensure enforcement of a patient's wishes. Therefore, Americans need to know about vital mechanisms in addition to the living will. For example, the health care proxy, which designates one person if a person becomes incapacitated, is another approach that may be a value to our citizens because it leaves no doubt as to who speaks for those who cannot speak for themselves.

There are other options that can help ensure the effectiveness of an advanced directive. My home State uses a document called a "POLST," which stands