

Indonesia, before releasing funds for certain military assistance programs for Indonesia in 2006. As my colleagues know, for the past two years Congress has supported language restricting Indonesia's access to certain, very narrowly defined types of military assistance, pending a determination that the Indonesian Government and military are fully cooperating with the FBI in the investigation of the murder of American citizens that occurred on August 31, 2002 in Timika, Indonesia. Secretary Rice has made such a determination for the current fiscal year, but this issue is by no means resolved. The FBI considers this an ongoing investigation, and the FBI has not exonerated anyone. A number of questions remain unanswered, and clearly other conspirators were involved.

Most importantly, I believe that resolution of this case means that efforts are made to hold those responsible for the ambush accountable for their actions in a court of law. But even the one individual indicted by the U.S. remains at large, and has been neither indicted nor arrested by Indonesian authorities. It is important to keep Congress apprised of ongoing cooperation in this ongoing investigation, as this case tells us a great deal about the context in which our bilateral relationship is moving forward. I look forward to receiving this report, and I certainly hope that it will contain positive news that will reinforce the United States-Indonesian bilateral relationship.

This bill also contains the text of several important measures that I have cosponsored and strongly support. The Global Pathogen Surveillance Act, which will help strengthen international capacity to cope with the threats of biological terrorism and infectious disease, has been turned into a title in this bill, and I commend Senator BIDEN for his excellent work on this issue. Similarly, the Protection of Vulnerable Populations during Humanitarian Emergencies Act is also reflected in this larger authorization bill. This provision will help place the U.S. Government on a firmer footing to address the special vulnerabilities of women and children confronted by humanitarian crisis. Once again, I commend Senators BIDEN and LUGAR for their efforts on this issue.

This bill is not perfect. Reflecting the administration's budget request, this bill cuts the Development Assistance, Child Survival, and International Organizations and Programs accounts in order to dramatically increase the budget of the Office of Transition Initiatives. But the administration acknowledges that OTI will not actually administer this new money. The reasoning behind this request is to give the administration more flexibility with four very different countries—Haiti, Sudan, Afghanistan, and Ethiopia. While I am sympathetic to the need for flexibility in these important countries, I am also alarmed at essentially putting the entire foreign aid

budget for these countries in an account that does not operate under the rules and restrictions that apply to other types of foreign assistance. I am also concerned about the likely consequences for OTI itself, which has never handled a budget of more than \$50 million and was always intended to be a small, highly flexible, very special entity. I urge my colleagues to consider these provisions carefully and to oppose this blank check approach to foreign assistance.

Overall this bill is a vitally important step toward placing the congressional role in foreign policy on a more serious footing. When we consider the stakes in world affairs; when we consider the potential for the developing world's vast youthful populations to grow into allies rather than resentful enemies, when we consider the potential for increased international cooperation in fighting terrorism, we can see that our constituents and future generations stand to gain a great deal from getting foreign policy right. At the very least, we need to start by taking these issues seriously, authorizing important activities and programs, and giving important initiatives the support they deserve.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h-276k, as amended, appoints the following Senator as Chair of the Senate Delegation to the Mexico-U.S. Interparliamentary Group during the 109th Congress: the Senator from Texas, Mr. CORNYN.

FRANK PERDUE

Ms. MIKULSKI. Mr. President, I want to acknowledge the passing of a great Marylander, Frank Perdue, Sr., who helped build the poultry industry on the Eastern Shore, a leading entrepreneur, a philanthropist. He passed away of Parkinson's disease a few days ago.

Born in Parsonburg, on the Eastern Shore of Maryland, Frank Perdue grew up working in his family's egg business—collecting and cleaning eggs from childhood. But Frank Perdue was determined to take the family business to another level—and it was his tremendous capacity for hard work that did just that. When Perdue said, "It takes a tough man to make a tender chicken," America listened, and Frank Perdue became both a savvy businessman and a cultural icon. Today Perdue Farms employs more than 20,000 people across America and has annual sales of about \$3 billion.

I am proud to work have worked with Frank Perdue—and now with his son Jim Perdue—to fight for fair trade policies that enable Maryland chicken producers to export around the world.

As Frank Perdue's business soared, he worked to bring Maryland with him. He became a great benefactor to Salisbury University, establishing the Perdue School of Business with a generous gift. Once a college baseball player and always a baseball fan, Frank Perdue brought the Delmarva Shorebirds to Salisbury in 1996, and then built the team and the Eastern Shore community a stadium. It is for both his business sense and his philanthropic heart that I salute him today.

Frank Perdue and I came from different ends of the political spectrum. Yet we both believed that the best social program is a job—and that we must give help to those who practice self-help. We joked that we should do an ad for a group we both support—we would say—we're two tough birds from the right wing and the left wing—but we both support this tender cause.

Today as we grieve the loss of one of Maryland's finest, Frank Perdue, we send our thoughts and prayers to his family and his many friends and colleagues.

HONORING OUR ARMED FORCES

STAFF SERGEANT SHANE KOELE

Mr. GRASSLEY. Mr. President, today I speak in remembrance of an Iowan who has died in service to his country. A member of the 212th Military Police Company, SSG Shane Koele died on the 16th of March from injuries sustained when his military vehicle ran over a land mine the day before near Shindand, Afghanistan. He was 25 years old and is survived by a wife, Cheryl, a young daughter, Kiley, a mother, Mary Donnenwerth, a father, Keith Koele, and two sisters.

Staff Sergeant Koele grew up in Hartley, IA, and graduated in 1998 from Hartley-Melvin-Sanborn High School. He attended college at Northwestern College and Wayne State before joining the Army. After serving in Iraq for 6 months in 2003, Shane returned home to get married. He was sent to Afghanistan on March 13, 2005.

SSG Shane Koele is remembered by family and friends as a true hero. President Ronald Reagan once said, "Those who say that we're in a time when there are no heroes, they just don't know where to look." Today, we don't have to look far. We have only to remember with pride SSG Shane Koele and all those who have died in courageous service to their country. As his family and friends grieve their loss, I can only offer my prayers and my gratitude.

CHILD LABOR

Mr. HARKIN. Mr. President, it is with extreme disappointment that I

come to the floor today. This week the New York Times ran a story detailing a recent agreement signed between Wal-Mart Stores and the Department of Labor. Wal-Mart was fined just over \$135,000 for 24 child labor violations that occurred in New Hampshire, Arkansas, and Connecticut. One of the most egregious violations involved a boy who injured his thumb while using a chain saw to cut Christmas trees. Others were operating cardboard balers and chain saws, which are illegal for anyone under the age of 18 to work on. The \$135,000 figure is a paltry figure that demonstrates DOL's lax enforcement policy. A \$135,000 penalty against a company the size of Wal-Mart has the same financial impact as a 40-cent penalty for a million-dollar company. DOL has sent American companies a message with this settlement: violators of child labor laws needn't worry about child labor, even if they are caught.

Beyond this minimal fining of Wal-Mart, the Labor Department recently released new regulations that place young workers at greater risk of serious injuries. The new regulations are the first since the May 2002 release of a report detailing dozens of deficiencies in our Nation's child labor laws. The report, published by NIOSH, recommended over 40 changes in child labor laws to better protect America's employed youth from dangerous jobs and equipment. Since the 2002 release, it is estimated that more than 600,000 child workers have been injured in the United States. Among the disappointments in the new regulations, fast food restaurants can now employ 14- and 15-year-olds to operate deep fryers and grills that are cooled to 100 degrees Fahrenheit. According to NIOSH, however, half of all burn injuries among child laborers occur in fast food restaurants. In another regulatory change, 16- and 17-year-olds are now allowed to load paper balers and compactors that meet specified safety standards. Since 1954, children under the age of 18 have been prohibited from any contact with these machines. As with cooking, compliance with this standard will require vigilance by employers who put youth in contact with these machines. Unfortunately, the Labor Department requires no specific training for young workers under these new regulations. Issuing regulations that sometimes allow exposure to certain machines, equipment, and hot surfaces, but not to others, is confusing both to workers and employers. It is bound to result in young workers being exposed to greater dangers. Additionally, young workers still work at dangerous heights, on tractors, in pesticide handling, and in exposure to lead and silica. These hazards and more are recognized in the NIOSH report but have yet to be addressed by the Labor Department.

Sadly, this is not the first instance of Wal-Mart employing dangerous and illegal child labor. In March 2000, the State of Maine fined the company

\$205,650 for violations of child labor laws in every one of its 20 stores in the State. In January 2004, a weeklong internal audit of 128 stores found 1,371 instances in which minors worked too late at night, during school hours, or for too many hours in a day. In the most recent fine levied against Wal-Mart, the average fine per violation is approximately just \$5,600. This is about half of DOL's maximum penalty of \$11,000 per violation. Wal-Mart banks \$285 billion in annual sales. This is not what one would classify a financial hardship.

The most disturbing part of Wal-Mart's settlement with the Labor Department is not even the small and insignificant fines, however. The distressing part of the agreement are the special favors handed out to Wal-Mart. The agreement, which was signed on January 6, was not even made public until now. It took a reporter to question officials about concerns raised by several DOL employees that the agreement gave Wal-Mart special favors. Those employees have remained anonymous, however, due to their fear of retaliation.

What special favors were given to Wal-Mart? First off, DOL promises to give the retailer 15 days' notice prior to any "wage and hour" investigation, like failure to pay minimum wage or overtime. As my colleagues will recall, I have tried for the past year to get the Department of Labor to reverse their damning new overtime provisions which stripped overtime pay benefits from thousands of American workers. This administration's Labor Department continues to stand opposed to respecting worker rights, child labor rights, and overtime rights. But Wal-Mart is really their perfect ally, since they do not allow their workers to unionize. DOL's cozying up to Wal-Mart is outrageous and completely unacceptable. By doling out these special privileges, worker rights in America are taking a giant leap backwards.

The degree to which the current administration has relaxed worker rights should not be seen in a partisan light. Elizabeth Dole, U.S. Secretary of Labor in the first President Bush administration, launched a crackdown amidst record levels of reported child labor law violations in America in 1990. She reminded all Americans that "the children of America are our future. The Department of Labor will do everything within its power to protect children against those who violate our child labor laws. The first step in this process is to reassess our fine structure and take immediate action to step up enforcement." This was the view of a previous Republican Department of Labor. Sadly, we have regressed.

According to John R. Fraser, who was our Government's top wage official under the first President Bush and President Clinton, said the advance-notice provision was unusual. Quoting Mr. Fraser from the New York Times article:

Giving the company 15 days' notice of any investigation is very unusual. The language appears to go beyond child labor allegations and cover all wage and hour allegations. It appears to put Wal-Mart in a privileged position that to my knowledge no other employer has.

And an anonymous DOL employee, who is a 20-year veteran of the Department's Wage and Hour Division, said "with child labor cases involving the use of hazardous machinery, why give 15 days' notice before we can do an investigation? What's the rationale?"

I don't know what the rationale is, Mr. President. There is no viable excuse for this agreement. It flies in the face of our labor laws. It seems more than coincidental that this Labor Department which has taken away overtime pay is now coming close to rewarding a corporation for doing the same. Is it mere coincidence also, then, that Wal-Mart gives more money to the Republican Party than any other corporation in America? Wal-Mart's political action committee, the biggest company PAC in America, gave Republicans 81 percent of its \$1.3 million in donations in the past 2 years, the highest proportion of any of the top 25 corporate PACs, according to PoliticalMoneyLine, a nonpartisan Washington-based group.

Wal-Mart's top three managers each gave the maximum individual contribution of \$2,000 to President Bush's campaign last year and Jay Allen, vice president for corporate affairs went one step further. He raised at least \$100,000 to reelect the President, earning him the Bush campaign's designation of "Pioneer." I bet he had to work some overtime to fit that into his busy schedule.

It is often said that money buys influence in Washington, DC. I certainly hope that is not the case here. I would hope that just because Wal-Mart gives so heavily to the Republican Party they are not given special favors by our Republican President. So Mr. President, I urge the Department of Labor to rethink this agreement. How can child labor be investigated if companies are given 2 weeks' advance notice? Of course they will clean up their act temporarily, but what is to stop them from again regressing into their illegal ways? Nothing. There is no incentive. This agreement was completely unwarranted and should be reversed at the earliest possible time.

NORTH CAROLINA TAR HEELS MEN'S BASKETBALL TEAM

Mrs. DOLE. Mr. President, I rise today to congratulate the University of North Carolina Tar Heels men's basketball team on their national championship. This is the fourth NCAA Division I title for this storied program and a well deserved finish to an amazing season.

Now, I know some of you are wondering . . . Yes, I am a Duke graduate and a Duke fan, and as you know, Duke