

also requires additional reviews by experts on how to improve regulation of these products.

Second, the bill includes important provisions to assure uniformity throughout the United States of bio-defense product labeling and other FDA-regulatory requirements. We urgently need this provision to respond in a uniform and united way to a potential bioterrorist attack or other deadly epidemic.

Dramatically conflicting or confusing state and local labeling and composition requirements will limit the ability of Americans across the country to respond adequately and quickly. It is important to note that the provision includes language for exempting purely local matters such as pharmacy practice laws from national uniformity requirements and unique local conditions.

The Bioterror Act of 2002 took significant steps forward to address public health infrastructure needs of the country. BioShield II builds on these authorities in an effort to prioritize resources to those areas faced with the greatest threat—to build the technical expertise of the federal workforce, particularly at our premier biomedical and health organizations at NIH, FDA, and CDC—and to build private sector response capacity in various private-public arrangements designed to have credentialed, expert, and trained teams on hand to respond quickly to a crisis. Surveillance authorities here and abroad also need to be strengthened and developed—using innovative private sector analysis of prescription drug, hospital emergency room and doctor visits and other “leading indicators.” In short, as Richard Falkenrath of the Brookings Institution notes, “there’s no area of homeland security in which the administration has made more progress than bioterrorism, and none where we have further to go. But, it is critical to agree with Elin Gursky with the Anser Institute for Homeland Security, “This problem won’t be solved by money alone.”

We have an obligation to be prepared for the worst threat. Maybe that “next” attack will never come. Or maybe it will come tomorrow.

We can’t know where or when it will come or what our enemies will try to do. We have to be prepared for all possibilities. Therefore, we have to have a vibrant and strong biotechnical industry, a biomedical industry, and an atmosphere here in the Federal Government which encourages the development of the vaccines and other antibodies which will allow us to address these type of threats.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 AND 2007—Continued

Ms. STABENOW. Mr. President, I rise today to speak about an amendment my colleague Senator LINDSEY GRAHAM and I have submitted that would create a special trade prosecutor within the Office of the U.S. Trade Representative.

It is my understanding, working with our leader and the chairman of the Finance Committee, that we are not going to proceed with this amendment and instead will be entering into a colloquy with the chairman of the Finance Committee about his willingness to work with us to add language to create a special trade prosecutor on appropriate legislation coming to the Finance Committee to reauthorize trade laws. We look forward to working with him. I look forward to the colloquy we will be submitting for the RECORD shortly.

I thought it was important to be able to speak about this issue for a moment because I know there are many of us on both sides of the aisle who are deeply concerned about what is happening as it relates to unfair trade practices by other countries. We want to work together on a bipartisan basis in order to address this, and address this as quickly as possible. That is why I am so pleased Senator GRAHAM has joined with me as an author of this amendment. We also have a separate bill as well to do the same thing. We look forward to working with the Finance Committee in order to be able to create the prosecutor and to include legislation in a future bill coming to the Senate.

This amendment is based on the concept by Senator BAYH from Indiana. I thank him for being a serious and thoughtful voice in this debate, for his ongoing advocacy, and for providing the Senate with solutions to fix our growing trade deficit. I congratulate Senator BAYH as well.

This amendment would create a special trade prosecutor appointed by the President and confirmed by the Senate with authority to ensure compliance with trade agreements and to protect our manufacturers as well as our farmers against unfair trade practices. This prosecutor will have the authority to investigate and recommend the prosecution of cases before the WTO, as well as those under trade agreements to which the United States is a party.

Currently, we have an executive branch that is organized in such a way as to make prosecution of unfair trade cases unlikely, at best. This trade prosecutor would allow us to fix that. Coupled with the fact that our domestic manufacturing base has eroded due to unfair trade practices, and we have put our manufacturers and others in our economy in an impossible situation, we

are asking our U.S. Trade Representative to do too much and the office is not able to deliver. We ask that they negotiate trade agreements with foreign nations at one moment and then turn around and enforce agreements the next, all without damaging the ability of the United States to negotiate the next trade deal. It is not working. While significant portions of our trade imbalances are not caused by lax enforcement, many of them are.

In February, the Department of Commerce reported that the merchandise trade deficit reached a record level of \$666.2 billion in 2004, a 21.7-percent increase since 2003. That translates into job loss. The aggregate U.S. trade deficit, which includes both goods and services, was \$617.7 billion dollars, a 24-percent increase over 2003. We have many trading partners that fulfill their obligations under our agreements, but we also have many that do not. We should address this problem with a straightforward solution, a special trade prosecutor.

Yesterday, we finally saw a glimmer of hope on the trade front as the administration began the process of imposing import quotas on shirts, trousers, and underwear. But it could have come much sooner if we had someone in the Government whose job it was to look for these violations and to recommend action.

Commerce Secretary Gutierrez, a man whom I respect and strongly supported as Secretary of Commerce, coming from the great State of Michigan, is already having a positive impact. I hope he will pursue this case until our textile industry finally gets the relief it deserves.

That is not enough. There are more U.S. industries facing similar unfair trade practices. We are proposing an institutional change that will allow us to thoroughly and vigorously investigate and prosecute these cases.

For instance, China is a textbook case of how a foreign government has used a network of illegal subsidies and government interventions in order to destroy foreign competition both in the United States as well as in many other countries.

According to the United States-China Economic and Security Commission, these actions have gone virtually unchallenged by the U.S. Government, despite the fact that China’s actions are in clear violation of both U.S. trade law and WTO rules.

These anticompetitiveness actions by the Chinese Government include currency manipulation. I am very proud to have been a cosponsor of the amendment that overwhelmingly passed earlier today, bipartisan amendment, to send a very strong message to China regarding the fact we will no longer tolerate the manipulation of their currency. It is causing job loss. It is causing pressure on our American businesses. I am pleased we were able to address that.

It is estimated that currency manipulation provides as much as a 40-percent subsidy for Chinese exporters. In addition, the Chinese Government also has illegal direct Government subsidies of its state-owned textile and apparel sectors, illegal export tax rebates of about 13 percent, and the deliberate extension of billions of dollars in nonperforming or free money loans by China's central banks in order to award a competitive advantage against foreign competition.

The Commission goes on to say that in the case of China, the dramatic increase in subsidies has caused Chinese prices to drop by an average of 58 percent over the past 2 years in those product areas where the quotas have been removed.

As a result, China has begun a near monopoly share in these products over the last 24 months, gaining 60 percent of the market.

Our businesses in Michigan just ask for a level playing field. They just ask the rules be fair. It is our job to make sure they are. However, our Government has failed to file any complaints at the WTO despite the Chinese Government's repeated and widespread violations of WTO rules. This is of grave concern to colleagues on both sides of the aisle and was reflected again in the vote earlier today as it relates to China's manipulation of their currency.

Last year, as is widely reported, our Government refused to criticize China's human rights and labor rights record before the United Nations Human Rights Commission despite overwhelming evidence of human rights violations.

Our Government's inaction is costing hundreds of thousands of American jobs—I argue that is rapidly becoming millions crippling our manufacturing sector, distorting trade and investment patterns globally, and leaving hundreds of millions of Chinese workers vulnerable and mistreated, as well.

Let me give a few examples of the violations occurring. Counterfeit automotive products are a big problem in my home State of Michigan. Not only does it kill American jobs, but it has the potential to kill Americans as cheap, shoddy automotive products replace legitimate ones of higher quality. The American automotive part and components industry loses an estimated \$12 billion in sales on a global basis to counterfeiting. We do not even keep statistics on the potential loss of life. We should understand if left unchecked, this penetration of counterfeit automotive products jobs has the potential to undermine the public's confidence and trust in what they are buying. We cannot let that happen.

Our amendment, the effort we will work on with the Finance Committee, will give us a voice and a watchdog so we can take appropriate action sooner, more aggressively, more appropriately.

In Michigan, we lost 51,000 manufacturing jobs from 1989–2003 due to China's unfair trade practices, according to the Economic Policy Institute.

Unfortunately, the plant closings continue in Michigan and around the Nation. Over the past three months we see example after example of the damage a "wait and see" attitude has on workers in this country.

Lear Corporation continues to cut jobs in Grand Rapids, a total of 300 to date, and the company promises more layoffs this summer. Also, in Grand Rapids, Steelcase will cut 600 jobs. The ripple effect of Lear Corporation's decision will lead Advanced Plastics in Schoolcraft, MI, to layoff more than 100 employees this spring.

The City of Edmore recently lost 120 high paying manufacturing jobs at the local Hitachi plant. Those jobs are moving to China.

In Alma, 260 employees at Oxford Automotive are now unemployed due to the competitive pressures in the automotive industry, a large part of which is due to current manipulation by Japan and China.

And the examples don't end there as we all know. We should not be shirking our responsibilities to enforce trade rules. This amendment helps us do that. And it helps us save American jobs.

I believe in trade and the benefits it can have for our manufacturers, farmers, and other industries. But, we need to have fair trade first and foremost.

A Special Trade Prosecutor would have the power to stand up for our manufacturers and farmers and make sure that other countries are holding up their end of their trade agreements.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 726 and S. 727 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ALEXANDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DEMINT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DAYTON. Mr. President, I rise to discuss an amendment that I have filed and will offer formally. It is a sense-of-the-Senate resolution that calls for the United Nations to give full nation membership status to Israel.

Unfortunately, and wrongly, Israel has not been granted the full status that other 190-nation members enjoy, ever since it became a nation state in 1948 and formally became a member of the United Nations in 1949. For over 50 years, until the year 2000, Israel was the only member state that was consistently denied admission into a regional group.

Even now, it is still limited to the Western European and others group in New York but not in Geneva and elsewhere. As a result, for example, Israel

cannot participate in the voting for the composition of the International Court of Justice in The Hague, nor can an Israeli judge serve on that court. Yet the court is called upon, and was recently, by other nations and the General Assembly to pass judgment on the actions of Israel to protect its national borders and to secure the lives and the safety of its citizens.

Also, as a result of the denial of full status, Israel is not allowed to participate in United Nations conferences on human rights, racism, and other issues held in world locations, which is particularly important since some of those conferences unfairly discriminate against Israel in their consideration of issues they do not consider to the same extent or at all as they affect other member nation states.

My amendment says it is the sense of Congress that President Bush should direct the U.S. permanent representative to the United Nations to seek an immediate end to the persistent and deplorable inequality that is experienced by Israel in the United Nations; that Israel should be afforded the benefits of full membership in Western European and other groups in the United Nations to achieve that full participation, and that the U.S. Secretary of State should report to Congress on a regular basis on the actions of the administration to encourage Israel's full acceptance by other member states in the United Nations. Obviously this law and those requirements would apply equally to future administrations of our Government as well.

It is ironic because the United Nations created the State of Israel back in 1948, and yet it has been the body where some of the most anti-Semitic and discriminatory attacks against the democratically elected Government of the people of Israel have taken place. There have been some improvements. There have been recognitions most recently by Secretary Kofi Annan of the anti-Semitic and anti-Israel bias historically in the United Nations. Some progress has been made, but some is not full progress or acceptance, and some is not enough.

The United Nations was founded upon the principle that all member nations of the world, all of which may be engaged to some or another extent in practices or activities that other nations may disagree with, are equal members there for the purpose of resolving the differences among nations and among the peoples of the world peacefully, equitably, and hopefully in the ultimate best interests of all concerned. So by denying this great nation, a democratic government and the people of Israel, the full rights of citizenship in that world body runs contrary to the founding principles and the purpose of the United Nations. It is destructive to the attempt to resolve the differences in the Middle East peacefully, equitably, and hopefully permanently for the benefit of all concerned.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO TWO GREAT AMERICANS: FRED KOREMATSU AND ERNEST CHILDERS

Mr. DURBIN. Mr. President, It is said that Pope John Paul II was probably the most widely recognized person in the entire world. We have heard many inspiring tributes to this great man, and rightly so.

I would like to take a few minutes to pay tribute to two other great men who died recently. Unlike the Pope, their names and their faces were not instantly recognizable. But they shared some of his finest qualities. They were remarkably brave men who risked much to protect transcendent truths, and who continued to defend those truths even in the twilight of their lives. In their cases, the truths were the principles that are the essence of America.

Both of these men first made their marks on American history during World War II.

Ernest Childers was a Native American, a member of the Creek Nation from Oklahoma, and a recipient of the Medal of Honor.

He was a lieutenant in the Army National Guard when he arrived on the beaches of Salerno, Italy, in September 1943. Hearing that many in his division were pinned down by enemy fire in nearby hills, he organized a group of eight soldiers to help clear a path to rescue the endangered soldiers.

An exploding enemy shell threw Lt. Childers to the ground, breaking his ankle, but he continued to advance. Ordering his soldiers to lay down a base of fire to protect him, he crawled—with his shattered ankle—toward an enemy sniper's nest.

Almost out of ammunition, he reached down and threw a rock at the snipers guessing correctly that they would mistake it for a hand grenade. He was right. When the snipers stood to run, Lt. Childers shot and killed one of them; one of his soldiers killed the other. Later that day, he single-handedly captured an enemy soldier.

After recovering from his wounds, he was sent back into combat and fought at the Battle of Anzio, where he was wounded again. He was recovering in a military hospital when he learned that he was to receive the Medal of Honor.

He retired from the Army as a lieutenant colonel in 1965, worked briefly in Washington, then returned home to Oklahoma.

After September 11, he wrote a widely circulated column criticizing the at-

tacks on some Arab-Americans. He wrote:

Even though I have darker skin than some Americans, that doesn't mean I'm any less patriotic than any other American. I am appalled that people who call themselves "Americans" are attacking and killing other Americans simply because of their skin color.

Now let me speak of another recently lost. Fred Korematsu also suffered a great injury in World War II. In his case, however, the injury wasn't physical, and it wasn't inflicted by enemy soldiers. It was inflicted by the United States government in one of the most shameful chapters in our Nation's history.

In 1942, Mr. Korematsu was 22 years old, living in California, when the U.S. government declared 120,000 Japanese-American citizens and immigrants "enemy aliens" and ordered that they be forced from their homes into internment camps—prison camps.

Mr. Korematsu—who was born in California to immigrant parents—had tried twice to enlist in the military after Pearl Harbor, but was rejected for health reasons. He did everything he could think of to be accepted as American. He changed his name, and even had an operation to try to make his eyes appear rounder. Still, he was still ordered to be imprisoned at Tule Lake, an infamous internment camp in California.

His family and friends complied with the order. But Fred Korematsu resisted because, he said, he was an American, and he believed that the internments were unconstitutional.

He challenged the order all the way to the United States Supreme Court. In a decision that remains one of the most infamous decisions in its history, the Court ruled in 1944 that the internment of American citizens of Japanese descent was justified by the need to combat sabotage and espionage.

It took nearly 40 years for Fred Korematsu's conviction for opposing internment to be overturned by a U.S. District Court.

In 1988, Mr. Korematsu helped win an apology and reparations from the United States Government for internment camp survivors. A decade later, he was awarded the Presidential Medal of Freedom.

In November 2003, Mr. Korematsu did something he never expected he would have to do again in his life. He filed another brief before the Supreme Court protesting what he believed to be unconstitutional internments by our Government only this time, the detainees were being held at Guantanamo Bay, Cuba.

Mr. Korematsu's brief contained a simple plea.

... to avoid repeating the mistakes of the past, this court should make clear that the United States respects constitutional and human rights, even in times of war.

Fred Korematsu died on March 30 at his home in Larkspur, CA after a long respiratory illness. He leaves his wife, Katherine, and their son and daughter.

Ernest Childers, a courageous warrior to the end, died March 17 at a hospice in Tulsa after suffering a number of strokes. He leaves his wife of 59 years, Yolanda, and their three children.

These men were recipients of the Presidential Medal of Freedom, the highest civilian honor our Nation can bestow on an individual; and the Medal of Honor, the highest military honor our Government grants.

They risked everything as young men to defend the great principles on which our Nation is based, and they continued to speak out for those principles until they died. They were truly American heroes.

Our thoughts and prayers go out to their family and friends.

THE NUCLEAR OPTION

Mr. LEAHY. Mr. President, we heard a distinguished leader of a country pushing into democracy this morning, addressing a joint meeting of the Congress over in the other body. I think every time a country moves into democracy, and its leaders and citizens come to this country, one of the things they are thrilled about is the independence of our Federal judiciary and our judiciary overall. They say in their country, if they ever want to have democracy, they have to have the independence of the judiciary.

I mention this because in recent weeks there seems to have been this escalating verbal attack by political leaders—and I must say, with all due respect, Republican political leaders—against Federal judges, including those who have been appointed by Republican Presidents, and against the Supreme Court, where most of the justices have been appointed by Republican Presidents.

The Republican leader of the House has spoken seeking vengeance against judges involved in the Terri Schiavo matter. A Senate Republican has referenced the brutal murders in the State court in Georgia and of Judge Lefkow's family in Illinois as if they were somehow connected to judicial decisions that some people do not like and which lead to pressures that explode in violence.

Now, I know all Senators, Republicans and Democrats, including the Senator who made those remarks, strongly agree there can be no justification for violence against judges or their families. In Iraq, judges are being attacked by insurgents. In Columbia, honest judges were murdered by drug-dealing thugs. That is not a circumstance we want to see anywhere in the world, especially here. We cannot tolerate or excuse or justify it here in the United States.

When I chaired the Judiciary Committee in 2001, one of the first things I did was push for passage of the Judicial Protection Act, which toughened criminal penalties for assaults against judges and their families. I sponsored it