

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, April 27, 2005, at 10 a.m. for a hearing titled "Chemical Attack on America: How Vulnerable Are We?"

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

COMMITTEE ON INDIAN AFFAIRS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, April 27, 2005, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on Regulation of Indian Gaming.

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

COMMITTEE ON THE JUDICIARY

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on "Executive Nominations" on Wednesday, April 27, 2005 at 9:30 a.m. in Dirksen Senate Office Building Room 226.

Witness List:

Panel I: Senators.

Panel II: Paul D. Clement, to be Solicitor General of the United States.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, April 27, 2005, at 9:30 a.m., to markup S. 271, a bill which reforms the regulatory and reporting structure of organizations registered under Section 527 of the Internal Revenue Code.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. HATCH. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 27, 2005 at 9:30 a.m. to hold a hearing.

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

SPECIAL COMMITTEE ON AGING

Mr. HATCH. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet Wednesday, April 27, 2005 from 10 a.m.–12 p.m. in Dirksen G50 for the purpose of conducting a hearing.

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

EXECUTIVE SESSION

NOMINATION OF ROBERT J. PORTMAN TO BE UNITED STATES TRADE REPRESENTATIVE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to executive session for the consideration of Executive Calendar No. 74.

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

The clerk will report.

The assistant legislative clerk read the nomination of Robert J. Portman, of Ohio, to be United States Trade Representative.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I understand we cannot get a time agreement on this nomination due to an objection on the other side. Therefore, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 74, the nomination of Robert J. Portman, of Ohio, to be United States Trade Representative, with the rank of Ambassador Extraordinary and Plenipotentiary.

Bill Frist, Chuck Grassley, Sam Brownback, Kay Bailey Hutchison, David Vitter, Orrin Hatch, Elizabeth Dole, Lisa Murkowski, Bob Bennett, John Cornyn, Lamar Alexander, Johnny Isakson, C.S. Bond, Michael B. Enzi, Mike DeWine, John Ensign, Ted Stevens.

NOMINATION OF STEPHEN L. JOHNSON TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Executive Calendar No. 61.

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

The clerk will report.

The assistant legislative clerk read the nomination of Stephen L. Johnson, of Maryland, to be administrator of the Environmental Protection Agency.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, again I am told there is objection from the Democratic side to a time agreement on the nomination. Therefore, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 61, the nomination of Stephen L. Johnson, of Maryland, to be Administrator of the Environmental Protection Agency.

Bill Frist, J.M. Inhofe, Sam Brownback, Kay Bailey Hutchison, David Vitter, Orrin Hatch, Elizabeth Dole, Lisa Murkowski, Bob Bennett, John Cornyn,

Lamar Alexander, Johnny Isakson, C.S. Bond, Michael B. Enzi, Mike DeWine, John Ensign, Ted Stevens.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the live quorums with respect to both cloture votes be waived and the Senate resume legislative session.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

VERMONT DAIRY FESTIVAL

Mr. McCONNELL. Mr. President, I ask unanimous consent that it be in order for the Agriculture Committee to be discharged from further consideration of S. Res. 118, and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 118) recognizing June 2 through June 5, 2005, as the "Vermont Dairy Festival," in honor of Harold Howrigan for his service to his community and the Vermont dairy industry.

There being no objection, the Senate proceeded to consider the resolution.

Mr. JEFFORDS. Mr. President, I rise to discuss S. Res. 118, a resolution I submitted with Senator LEAHY to recognize the Enosburg Falls Vermont Dairy Festival in honor of Harold Howrigan.

Harold is a dairyman through and through.

He recently retired from the board of the St. Albans Co-op, a Vermont dairy cooperative, and he ably served as the board's president for 17 years.

Harold is a great guy—a real leader in Vermont's dairy industry—and I've known him and his family for many years.

Dairy farming is a tough job, and only those who really love it are successful.

Congratulations, Harold, and I wish you the best in retirement.

Enosburg Falls and the Lions Club of Enosburg host and sponsor the Vermont Dairy Festival.

This year, the festival celebrates its 49th year.

They say it is the largest parade in Vermont, and I believe it is the largest.

Enosburg Falls is a small town; I know, I used to spend a lot of time there.

In fact, my family settled in Enosburg in 1792.

My family owned the local pharmacy on Main Street, in downtown Enosburg, for many years.

But during the festival, thousands of Vermonters show up to enjoy the parade and participate in the events.

It is a wonderful time.

Our resolution honors Harold's years of service.

And it recognizes the men and women who make the Vermont Dairy Festival the success that it is and will continue to be.

I am hopeful that the Senate will soon act on this resolution to appropriately celebrate Harold's career and Vermonts dairy farmers.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motions to reconsider be laid upon the table en bloc, and that any statement relating to the resolution be printed in the RECORD, with no intervening action or debate.

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

The resolution (S. Res. 118) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 118

Whereas the town of Enosburg Falls, Vermont, will host the "Vermont Dairy Festival" from June 2 through June 5, 2005;

Whereas the men and women of the Enosburg Lions Club will sponsor the Vermont Dairy Festival, which celebrates its 49th year;

Whereas the Vermont Dairy Festival is a beloved expression of the civic pride and agricultural heritage of the people of Enosburg Falls and Franklin County, Vermont;

Whereas the people of Enosburg Falls and Franklin County have long-held traditions of family owned and operated dairy farms;

Whereas the St. Albans Cooperative Creamery, Inc., which was established in 1919, is a farmer-owned cooperative;

Whereas Harold Howrigan served on the Board of the St. Albans Cooperative for 24 years;

Whereas Mr. Howrigan was the President of the Board of the St. Albans Cooperative for 17 years;

Whereas Mr. Howrigan recently retired from his position as President of the Board of the St. Albans Cooperative; and

Whereas Mr. Howrigan led the St. Albans Cooperative to uphold the region's traditions and to meet future challenges: Now, therefore, be it

*Resolved*, That the Senate recognizes June 2 through June 5, 2005, as the "Vermont Dairy Festival", in honor of Harold Howrigan for his service to his community and the Vermont dairy industry.

HONORING FRED T. KOREMATSU

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 126, submitted earlier today by Senator DURBIN.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 126) honoring Fred T. Korematsu for his loyalty and patriotism to the United States and expressing condolences to his family, friends, and supporters on his death.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to, en bloc, the motion to reconsider be laid upon the table, with no intervening action, and that any statements relating to this resolution be printed in the RECORD.

Mr. DURBIN. Mr. President, reserving the right to object, and I will not object, I would like to say a brief word or two about this resolution honoring the life of a great American who passed away recently. I am proud to be joined by Senators INOUE and STEVENS on this resolution.

Three weeks ago, when I heard that Fred Korematsu died at the age of 86, I came to the Senate floor and paid my tribute. But because his place in our Nation's history is so important, I have come to the floor again to ask the entire Senate to recognize this man with this resolution.

In recent months, I have had several occasions to mention Fred Korematsu's name in committee and floor proceedings, because the story about the injustices he and thousands of others faced as a Japanese American during from World War II is one that we should never forget.

Today, as our Nation is engaged in a global war on terrorism and when we are confronting the issues of the balance between civil liberties and security, Fred Korematsu's name is a reminder that we need to learn from our history, as difficult and shameful as it may be.

In November 2003, Fred Korematsu filed a brief before the Supreme Court in a case involving the detentions at Guantanamo Bay. His brief contained a simple plea to the government: "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."

As leaders in Washington, we are responsible for a wide range of legislative and policy decisions that will have impact on millions of lives of our fellow Americans. As we deliberate and debate these issues, I hope all my colleagues will continue to heed the wise words of this humble man.

Fred Korematsu died on March 30 at his daughter's home in Larkspur, CA, after a long illness. He leaves behind his wife, Kathryn, and their son and daughter. Our thoughts and prayers go out to their family and friends, and we honor his memory today with this resolution.

I ask my colleagues to support this resolution honoring a true American hero.

Fred Korematsu is a family name known to every student who has ever gone through law school. It was Mr. Korematsu who filed the law case protesting the internment of Japanese Americans during World War II. His family, like so many others, was discriminated against simply because of their heritage. We now realize it was a

serious mistake and a great disservice to many loyal and patriotic Japanese Americans.

His recent passing was a reminder of this man's courage throughout his life, and I hope that this resolution, when it is sent to his family, will be a fitting tribute from the Senate for all the contributions they and his family have made to America.

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

Mr. INOUE. Mr. President, I rise to speak in support of the Senate resolution honoring Fred Toyosaburo Korematsu for his loyalty and patriotism to the United States and expressing condolences to Fred's family, friends and supporters on his passing.

On March 30, 2005, our Nation lost a deeply compassionate man and a great American patriot. Fred profoundly influenced the course of American history and legal jurisprudence when he led a courageous legal challenge against the internment of Japanese Americans by the United States Government. Fred was born in Oakland, CA, in 1919. His parents were Japanese immigrants who ran a flower nursery while Fred attended Castlemont High School and later the Master School of Welding. Fred worked on the Oakland docks as a steel welder and was quickly promoted to a foreman position.

The war in Europe, however, changed his life. America began providing supplies to Great Britain in its war against Germany and Germany's allies, including the country of Japan. At home in California, when Fred entered restaurants, waiters refused to serve him because of his ancestry. Fred's union terminated his membership, and Fred lost his job. American by birth, Fred wished to prove his patriotism by joining the United States Coast Guard, but the recruiting officer refused his application. Fred eventually found work with a mobile trailer company, but after the bombing of Pearl Harbor in December 1941, his employer fired him.

Fred was 22 years old when President Roosevelt issued Executive Order 9066, authorizing military commanders on the West Coast to issue whatever orders necessary for national security. Curfews, exclusionary orders, and the internment of 120,000 Japanese Americans soon followed, and the Korematsu family was taken to the Tanforan race-track in San Mateo. Fred, however, held a deep conviction that the constitutional rights of Japanese Americans were being violated by the internment order issued without any real evidence of disloyalty, without specific charges, and without trial, and so Fred chose to defy the order.

Fred assumed a non-Japanese identity and even had plastic surgery in an attempt to change his appearance. Nevertheless, the police stopped him in San Leandro and Fred was charged with violating the military's exclusion order. Fred was sent to Federal prison and later to live with his family in a