

often the court of last resort in critical issues involving workers' rights, civil liberties, and environmental regulations. I am concerned that, given his prior record relating to title IX, Mr. Griffith may not be able to hear such cases with the impartiality required of a judge on one of our Nation's highest courts.

Mr. Griffith's hostility to title IX and the importance of the DC Circuit are not the only problems with this nominee. He has, on more than one occasion, failed to comply with the basic standards and practices of his profession by not paying bar dues and failing to get a license. He does not meet the high standards we must apply to any nominee for a lifetime appointment to the second highest court in the land.

The Senate has the constitutional duty to advise the President and decide whether to consent to his nominations to the Federal bench. I believe that this role is one of the Senate's greatest responsibilities. It is critical that Senators work with the President to find judicial nominees that meet the standards of fairness, even-handedness and adherence to the law that we expect of judges in our communities.

I believe the Senate has the duty to ensure each nominee has sufficient experience to sit in judgment of our fellow citizens, will be fair to all those who come before the court, will be even-handed in administering justice, and will protect the rights and liberties of all Americans. Unfortunately, Mr. Griffith's record shows his inability to serve in such a manner and, therefore, I opposed his nomination.

#### CHILD LABOR

Mr. HARKIN. Mr. President, it is with a sense of sorrow that I rise today to speak about the practice of abusive and exploitative child labor, as well as to recognize the International Labor Organization's World Day against Child Labor, which occurred on June 12. Unfortunately, hundreds of millions of children are still forced to work illegally for little or no pay. The ILO has set aside this day to give a voice to these helpless children who toil away in hazardous conditions.

We should not only think about these children on June 12. We should think about this last vestige of slavery every day. I have remained steadfast in my commitment to eliminate abusive and exploitative child labor. It was in 1992 that I first introduced a bill to ban all products made by abusive and exploitative child labor from entering the United States.

Since I introduced that bill, we have made some progress in raising awareness about this scourge. In June of 1999, ILO Convention 182, concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, was adopted unanimously in the ILO and here in the U.S. Senate. This was the first time ever that an ILO convention was approved without

one dissenting vote. In record time the Senate ratified ILO Convention 182 with a bipartisan, 96-0 vote.

For the first time in history the world spoke with one voice in opposition to abusive and exploitative child labor. Countries from across the political, economic, and religious spectrum—from Jewish to Muslim, from Buddhists to Christians—came together to proclaim unequivocally that abusive and exploitative child labor is a practice which will not be tolerated and must be abolished.

Gone is the argument that abusive and exploitative child labor is an acceptable practice because of a country's economic circumstances. Gone is the argument that abusive and exploitative child labor is acceptable because of cultural tradition. And gone is the argument that abusive child labor is a necessary evil on the road to economic development. When this convention was approved, the United States and the international community as a whole laid those arguments to rest and laid the groundwork to begin the process of ending the scourge of abusive and exploitative child labor.

In 2001, Congressman ENGEL and I, along with the international chocolate industry, negotiated the Harkin-Engel Protocol. This agreement was precipitated by news reports that same year on the abuse of children on cocoa farms. We knew that if consumers learned about the brutal realities of cocoa production, their taste of chocolate would sour. Sales—and delicate African economies—would plummet. But that was not our goal. We wanted to stop child slavery, not chocolate production.

We viewed a legislative remedy not as a first resort but as a last resort. So, in good faith, we engaged the major chocolate companies in lengthy, intense negotiations. The result was the Harkin-Engel Protocol. The companies agreed to join with other stakeholders to produce an agreement for eliminating the worst forms of child and slave labor throughout the chain of chocolate production, and to do so expeditiously. They also agreed to implement an industrywide voluntary certification system to give a public accounting of labor practices in cocoa-growing countries. This would enable consumers to make better-informed choices.

There are an estimated 1.5 million small cocoa farms spread across four desperately poor countries in Africa. The Protocol established a public-private partnership enlisting government, industry, labor unions, nongovernmental organizations and consumer groups. The U.S. Government's role is to ensure that whatever certification plan emerges from this process is credible and effective in eliminating abusive child and slave-labor practices in the cocoa industry and ensuring the rehabilitation of the victims.

Unfortunately, the chocolate industry has been slow to meet all of the

terms of the Protocol. July 1, 2005, is the deadline for full implementation of the certification system. That is just 3 short weeks away. While I remain hopeful that industry will continue to engage in the elimination of child labor beyond July 1, it is clear that the exact terms of the Protocol will not be met by July. No public certificate has yet been issued. And only small regions of Ghana and Cote d'Ivoire have been monitored for child labor. Nevertheless, we are continuing discussions with the chocolate industry and continue to believe that the Harkin-Engel Protocol remains a possible framework for engagement to fix the enormous problem of abusive and exploitative child and slave labor in the cocoa-growing countries of West Africa.

Forced child labor remains a significant problem. According to the ILO, there are some 246 million child laborers in the world; 73 million of these are under the age of 10, and approximately 22,000 children die in work related accidents every year. Abusive and exploitative child labor is prevalent in many parts of the world, including here in America.

Abusive child labor should be a thing of the past. The United States should not continue to turn a blind eye to this scourge. It is time that we enforce our laws and international standards and ensure that countries are raising their standards on this issue. If we did our part to ensure that children were learning and not laboring, there would not be a need to have a day dedicated to end child labor.

#### WORLD WAR II BAKERS CREEK AIR CRASH

Mr. SPECTER. Mr. President, I have sought recognition today to honor the 40 American soldiers who tragically perished at Bakers Creek, Queensland, Australia on June 14, 1943. Their deaths came as a result of the crash of a B-17C Flying Fortress, which proved to be the worst aviation disaster of the Southwest Pacific theatre during World War II. More soldiers died on that plane from my home State of Pennsylvania—six—than from any other State. These six men were: Pvt. James E. Finney; T/Sgt. Alfred H. Frezza; Sgt. Donald B. Kyper; Pfc. Frank S. Penksa; Sgt. Anthony Rudnick; and Cpl. Raymond H. Smith.

Only recently has the Air Force shared the details of this incident. As a result, most of the victims' families were left in the dark about the specifics surrounding their loved ones' deaths in World War II. For over a decade, the members of the Bakers Creek Memorial Association, based in Orrtanna, PA, led by George Washington University professor Robert S. Cutler, have worked to locate the victims' families and to notify them of the circumstances of the tragic mishap. Because of the dedication of this small group of military veterans, the families of 36 of the 40 casualties now

have been contacted, including those of: Private Finney, Technical Sergeant Frezza, Sergeant Kyper, and Private First Class Penksa. The Bakers Creek Memorial Association continues to search for family relatives of the remaining 4 victims.

The aircraft that crashed at Bakers Creek had been operated by the U.S. Army Air Force's 46th Transport Carrier Squadron, of the Fifth Air Force. The plane was one of several B-17 bomber aircraft that had been removed from combat status and converted to transport service. Shortly after take-off from Mackay airport, the B-17C lost altitude, fell to earth in a slow and steady bank, and crashed in a ball of flames, 5 miles south at Bakers Creek. The 40 lost onboard included 6 crew members and 34 soldiers returning to their New Guinea battlefield posts after being on R&R leave in Australia. The crash left one survivor, Foye K. Roberts, an Army corporal at the time of the accident. Mr. Roberts recently passed away on February 4, 2004, at the age of 83.

I understand that retired Major General Robert H. Appleby, former commander of the Pennsylvania Army National Guard, who lost an uncle in the crash, and other members of the Bakers Creek Memorial Association, plan to place a wreath on June 14 at the National World War II Memorial in Washington, DC, to commemorate the 62nd Anniversary of the crash.

I applaud the members of the Bakers Creek Memorial Association and thank them for their efforts to help bring closure to the casualty families and public remembrance of the forty forgotten American soldiers of World War II in the Southwest Pacific, who perished at Bakers Creek in Australia on June 14, 1943.

#### ADDITIONAL STATEMENTS

##### HONORING HUGH O'BRIAN

• Mrs. BOXER. Mr. President, I rise today to acknowledge a special milestone for one of America's beloved entertainers and philanthropists. I am pleased to extend my sincere congratulations to Hugh O'Brian as he celebrates his 80th birthday.

Hugh O'Brian came into the public eye in the role of Wyatt Earp in the 1950s television series, "The Life and Legend of Wyatt Earp." An accomplished stage and screen actor, he used his talents to bring history to life while expanding his influential role well beyond the theater and television to the broader stage.

In 1958, Mr. O'Brian established the organization HOBY, Hugh O'Brian Youth Leadership, aiming to provide support for young people striving for excellence. Over the past 47 years, HOBY has promoted extensive volunteerism, active global citizenship, and bright futures for young people. Through HOBY, Mr. O'Brian encour-

ages local, national, and international communities to be responsive to the needs of our future leaders, empowering countless young people with knowledge and conscientious role models.

We are extremely fortunate that people like Hugh O'Brian are committed to bringing people together in the spirit of creative problem-solving and positive social change. In his many roles, Mr. O'Brian has led, inspired, and provided hope. On the occasion of his 80th birthday, please join me in congratulating Mr. Hugh O'Brian on his lifetime of accomplishment.●

##### RETIREMENT OF REVEREND DAVID L. TIEDE

• Mr. COLEMAN. Mr. President, for the past 64 years, Minnesota has had the good fortune to be blessed with Dr. David L. Tiede.

When I was first elected Mayor of St. Paul, the first thing I did was travel around and meet the men and women who made the city tick. I encountered ordinary men and women, working moms and dads, who had tipped the scales to make a real difference. It was the first time I truly realized the ability of a single person to change the world around him for the better. David L. Tiede is such a person. He is a leader and a visionary, and thanks to his presence, Minnesota will never be the same.

Recently, David announced that he is retiring from Luther Seminary. Times like this are bittersweet. It is bitter because we are bidding farewell to somebody who has meant so much to us. It is sweet because we have an opportunity to pay tribute to someone who has given us so much and deserves acclaim.

A native Minnesotan, David earned his bachelor's degree at Northfield's own St. Olaf College, only a few miles away from his home in Le Center. After earning his Master of Divinity degree from Luther Seminary in St. Paul, David left Minnesota to complete his graduate study and eventually earn his PhD.

After earning his doctorate from Harvard in 1971, Massachusetts' loss was Minnesota's gain as he returned to serve as the associate pastor of Trinity Lutheran Church in Minneapolis. At Trinity, David was not only a pastor, but also a teacher. Each Sunday he would teach Christ's lessons to his parish enabling them to realize God's calling and commission.

This is David's genius. Too often we are told that there is no right and wrong, that everything is subjective. The truth is that there is a right and a wrong, and there is something called the good life, which is not an easy life. It can be hard to do the right thing and can be even harder to lead others to do the right thing. However, that is exactly what David did.

David continued his commitment of teaching God's lessons when he joined

Luther Seminary to teach the New Testament. Working first as a member of the faculty and then as president, David brought his expertise of teaching and leadership to Luther Seminary, giving the school a strong mission focus in the preparation of pastors and other professional leaders for the Lutheran church. David taught his students that a pastor without a mission is just a guy talking. In other words, David realized that the old saying that a leader without followers is just a guy taking a walk is as true in a church as it is in life.

I remember shortly after being elected mayor of St. Paul being invited by Dr. Tiede to be a part of a program launching Luther Seminary's new Islamic Studies program. It was worth noting that this was probably the first time that a Jewish mayor of a Roman Catholic city was speaking at a Lutheran seminary to inaugurate an Islamic studies program.

David's leadership is recognized throughout the theological world. In 2002, he became only the second Lutheran to be elected president of the Association of Theological Schools, an organization of accredited theological schools in the United States and Canada. In addition, he serves on the board of IN TRUST, Inc., which provides resources for governing boards of theological institutions and has received the Outstanding Executive Award from the Association of Lutheran Development Executives. This spring, Trinity Lutheran Seminary in Ohio awarded him the Joseph A. Sittler Award for Theological Leadership. Most recently, Augsburg College in Minneapolis named Dr. Tiede to the newly established Bernhard M. Christianson Chair of Religion, the college's first endowed chair. In this capacity, Dr. Tiede will be able to teach, write and continue his study of the New Testament even as he continues to work to strengthen the institutions of the Lutheran church.

David Tiede's retirement will be a great loss to Luther Seminary and Minnesota. Certainly he has been one of the finest, most skilled religious leaders in our state. David will be missed, but will never be forgotten as his teachings and philosophy have been passed on through the Luther Seminary to a new generation of religious leaders.●

##### TRIBUTE TO JIM BRENT

• Mr. CONRAD. Mr. President, I recognize Jim Brent, the Cass County Veterans Service Officer, who most ably serves veterans of my State's largest city of Fargo and the rest of Cass County. On June 23, 2005, various veterans organizations and friends of Jim will host an appreciation dinner and program at the Fargo Teamsters Hall. This upcoming event is a real testament to how much Jim has contributed to the veterans community and the Fargo community as a whole.

Jim Brent began his service to our great Nation in the United States