

under investigation, I hope the final report will provide information that can help us understand how this happened.

PFC Mayek was a vibrant young man who loved being outdoors and enjoyed sports. During his senior year at Rock Springs High School, Joseph played split end and cornerback for high school football team. Soon after graduating in 2001, he joined the United States Army. Upon completion of basic training he was assigned to C Company, 2nd Battalion, 6th Infantry Regiment in Germany.

President Bush recently addressed the Nation to declare victory in the Battle for Iraq. This was a monumental task accomplished by the dedicated people and their families who serve in our Armed Forces. America's men and women who answer the call of service and wear our Nation's uniform deserve respect and recognition for the load that they alone must bear. Our people put everything on the line everyday, and because of these folks, our nation is more secure and remains strong in the face of danger.

We say goodbye to a son, a soldier and an American. Our Nation pays its deepest respect to Private First Class Mayek for his courage, his love of country and his sacrifice, so that we may remain free.

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#### HUMAN RIGHTS VIOLATIONS IN BURMA

Mr. KOHL. Mr. President, I rise today to call attention to the gross violations of human and religious rights in Burma. Dr. Salai Tun Than, a University of Wisconsin alumni, who was released over the weekend in Burma, initiated a hunger strike protesting the human and religious rights violations at the prison where he was held. Dr. Tun Than had been serving a 7-year prison sentence in Burma for handing out copies of a petition demanding political reforms.

Dr. Tun Than, 75, has severe health problems that required medical treatment, which he was not granted. The conditions that he and other prisoners endured were violations of international human rights laws. Restrictions on communications between prisoners, unsanitary prison conditions and forced "hooding" as prisoners were transported outside are examples of the violations. As a Christian, Dr. Tun Than also was protesting violations in religious freedom which included not being allowed a Bible or to receive Communion.

During my Senate career I have been an advocate for human rights and religious freedoms for every individual across the globe. I am saddened by the conditions in which Dr. Tun Than and other prisoners in Burma have had to live. It is my hope that the Burmese Government will recognize religious and human rights, not only to their prisoners, but to their general populace as well.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. In the last Congress Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred October 27, 1992, in Sasebo, Japan. Terry M. Helvey, an airman apprentice in the U.S. Navy, and Amn Charles E. Vins beat PO Allen Schindler to death in a public restroom. After spotting Schindler, who was known to be gay, outside a bar, Helvey and Vins followed him into a public restroom so that they could "beat him up," according to Vins. The two brutally kicked and punched Schindler to death on the restroom floor. Helvey and Vins beat Schindler so badly that a Navy pathologist described his injuries as "more consistent with a high-speed automobile accident or low-speed airplane crash."

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

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#### DEVELOPMENTS IN BURUNDI

Mr. FEINGOLD. Mr. President, I rise today to call my colleagues' attention to the situation in the Central African country of Burundi, where a remarkable step has been taken to end that country's brutal civil war. Last week, President Pierre Buyoya voluntarily ceded power to Domitien Ndayizeye, who will now lead the country through the second half of a 3-year transitional power-sharing government. This orderly transfer of power, conducted in compliance with the Arusha Accords signed in 2000, is an important symbol of ethnic reconciliation, as a Tutsi President with a Hutu Vice President gives way to a Hutu head of state with a Tutsi Vice President. An African Union force is slated to help provide stability during this transitional period. This is a development to be celebrated, and the United Nations Security Council was right to praise this milestone achievement.

But much more needs to be done. Rather than being satisfied with President Ndayizeye's inauguration, the people of Burundi and the international community should seize on this moment as a catalyst for more energetic and focused efforts to bring Burundi out of crisis. A comprehensive cease-fire among all parties to the conflict is still not in place. Little progress has been made to date toward comprehensively reforming the secu-

rity services to reflect a multiethnic society. Burundi's future will also depend upon increasing respect for basic human rights, ending the climate of impunity in which these rights have been violated, and establishing viable mechanisms for holding those responsible for abuses accountable for their actions. The international community must maintain an engaged policy that both supports these reforms and pressures those who resist them.

Most importantly, the international community and the Burundian leadership must take this opportunity to establish a firm relationship between positive developments in the political sphere and the conditions of the Burundian people, who languish, sometimes in grave and consistent insecurity, and often in desperate humanitarian crisis. Abject poverty, a dramatic decline in primary school enrollment, soaring infant mortality rates, and displacement on a massive scale characterize the situation of Burundian society. If we allow paper agreements and political milestones to remain disconnected from concrete improvements for the people of Burundi, we are only empowering the spoilers in this process, and only encouraging the kind of hideous violence that has become all too common in Central Africa.

Nine years ago Burundi's neighbor erupted in genocide. Ongoing conflict in the Democratic Republic of the Congo has cost the lives of millions. Crises spill across borders, poisoning the prospects for progress throughout the region, and creating lucrative opportunities for international criminals. Burundi may be small, but its suffering is great, and its capacity to help or hinder efforts to stabilize a vast swathe of Africa should not be underestimated. We know what the consequences of indifference are; we have seen them in the millions dead, displaced, mourning and grieving. For a brief moment, Burundi has captured global attention. We should not look away again; the stakes are too high.

I yield the floor.

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#### PROTECT ACT

Mr. KENNEDY. Mr. President, this child-abduction legislation is important and needed. According to the Justice Department, 2,200 children are reported missing each day. There are approximately 114,600 attempted abductions by strangers every year, and between 3,000 and 5,000 of these attempts are successful.

Each child abduction is a tragedy. Last year, I met with two of my constituents, John and Magi Bish. On June 27, 2000, their daughter Molly Ann Bish, a 16-year-old lifeguard, disappeared from her life-guarding post at Comins Pond in Walden, MA. Molly's family and friends continue to search for her. The Bish family is also working to raise awareness about this important issue. They started the first Missing Children's Day in Massachusetts. They

also established the Molly Bish Foundation to provide services to children and families across our State and the New England area. John and Magi Bish have shown extraordinary courage and perseverance in the face of an overwhelming loss.

The legislation addresses the problem of child abductions in several ways, and I supported it. It establishes a national AMBER Alert system to help locate abducted children, and it gives prosecutors major new tools to address these terrifying crimes.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 1298. An act to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes.

H.R. 6. An act to enhance conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2121. A communication from the Under Secretary of Defense, Acquisition, Technology and Logistics, transmitting, pursuant to law, the Fiscal Year 2002 Defense Environmental Restoration Program report, received on April 28, 2003; to the Committee on Armed Services.

EC-2122. A communication from the Under Secretary of Defense, Personnel and Readiness, transmitting, pursuant to law, the report of a review of the existing statutory active and reserve general and flag officer authorizations; to the Committee on Armed Services.

EC-2123. A communication from the Comptroller of the Currency, Administrator of National Banks, Legislative and Regulatory Activities Division, transmitting, pursuant to law, the report rule entitled "Electronic Filings (12 CFR Part 5)" received on April 28, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-2124. A communication from the Director, Division of Scientific Planning and Policy Analysis, Public Health Service, Department of Health and Human Services, trans-

mitting, pursuant to law, the report Fiscal Year 2001 National Institutes of Health (NIH) Annual Report on Health Disparities Research; to the Committee on Health, Education, Labor, and Pensions.

EC-2125. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the report of a draft bill entitled "Veterans Programs Improvement Act of 2003" received on April 28, 2003; to the Committee on Veterans' Affairs.

EC-2126. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Old-Age, Survivors and Disability Insurance; Repeal of Facility-of-Payment Provision (RIN 0960-AE02)" received on April 16, 2003; to the Committee on Finance.

EC-2127. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the report of a proposed bill entitled "Department of Justice Appropriations Authorization Act for Fiscal Years 2004 and 2005" received on April 11, 2003; to the Committee on the Judiciary.

EC-2128. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "VISAS: Documentation of Nonimmigrants under the Immigration and Nationality Act, as amended: Student and Exchange Visitor Information Systems (SEVIS) (22 CFR Part 41)" received on April 25, 2003; to the Committee on the Judiciary.

EC-2129. A communication from the Assistant Attorney General, Administration, Justice Management Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Final Rule exempting five Privacy Act systems of records of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) from certain subsections of the Privacy Act: Criminal Investigation Report System (ATF-003); Internal Security Record System (ATF-006); Personnel Record System (ATF-007); Regulatory Enforcement Record System (ATF-008); and Scientific Services Record System (ATF-009)"; to the Committee on the Judiciary.

EC-2130. A communication from the Chairman, UNICOR, Federal Prison Industries, Department of Justice, transmitting, pursuant to law, the report entitled "Federal Prison Industries, INC. (FPI) FY 2002 Annual Report" received on April 11, 2003; to the Committee on the Judiciary.

EC-2131. A communication from the Acting Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Clarification of Listing of 'Tetrahydrocannabinols' in Schedule 1 (RIN 1117-AA55)"; to the Committee on the Judiciary.

EC-2132. A communication from the Chief, Legal Counselor, Bureau of Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Electronic Signature on Applications and Petitions for Immigration and Naturalizations Benefits (1615-AA83)" received on April 28, 2003; to the Committee on the Judiciary.

EC-2133. A communication from the Director, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, the report of a bill to reauthorize the Office of National Drug Control Policy, received on April 16, 2003; to the Committee on the Judiciary.

EC-2134. A communication from the Attorney Advisor, Department of Transportation, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Administrator, Re-

search and Special Administration, received on April 22, 2003; to the Committee on the Judiciary.

EC-2135. A communication from the Secretary of Homeland Security, transmitting, pursuant to law, the report relative to the feasibility of Accelerating the Integrated Deepwater System, received on April 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC-2136. A communication from the Attorney Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 90 of the Commission's Rules and Policies for Applications and Licensing of Low Power Operations in the Private Land Mobile Radio 450-470 MHz Band (WT Doc. No. 01-146) (FCC 03-35)" received on May 1, 2003; to the Committee on Commerce, Science, and Transportation.

EC-2137. A communication from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hours of Service of Drivers; Driver Rest and Sleep for Safe Operations (2126-AA23)" received on April 30, 2003; to the Committee on Commerce, Science, and Transportation.

EC-2138. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Office of Sustainable Fisheries, Domestic Fisheries Division, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries, Catch Sharing Plan; Temporary Final Rule; Annual Management Measures for Pacific Halibut Fisheries and Approval of Catch Sharing Plan and Final Plan; Changes to the Catch Sharing Plan (0648-AQ67)" received on April 30, 2003; to the Committee on Commerce, Science, and Transportation.

EC-2139. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, the report of a summary to the Energy Information Administration's report "Voluntary Reporting of Greenhouse Gases 2001" received on April 11, 2003; to the Committee on Energy and Natural Resources.

EC-2140. A communication from the General Counsel, Department of the Treasury, transmitting, pursuant to law, the report of a draft bill to reauthorize United States participation in and appropriations for the U.S. contribution to the seventh replenishment of the resources of the Asian Development Fund, received on April 11, 2003; to the Committee on Foreign Relations.

EC-2141. A communication from the General Counsel, Department of the Treasury, transmitting, pursuant to law, the report of a draft bill to reauthorize United States participation in and appropriations for the U.S. contribution to the ninth replenishment of the resources of the African Development Fund, received on April 11, 2003; to the Committee on Foreign Relations.

EC-2142. A communication from the General Counsel, Department of the Treasury, transmitting, pursuant to law, the report of a draft bill to reauthorize United States participation in and appropriations for the U.S. contribution to the thirteenth replenishment of the resources of the International Development Association (IDA), received on April 11, 2003; to the Committee on Foreign Relations.

EC-2143. A communication from the President of the United States, transmitting, pursuant to law, the 6-month periodic report on the emergency with respect to significant narcotics traffickers centered in Colombia; to the Committee on Foreign Relations.