

shown in effective congressional oversight. Our security and the American people are the losers in this regard.

Late on a February Friday afternoon—a time often used by the current administration to bury news stories—the FBI quietly released a report on its broken “Office of Professional Responsibility.” The report was occasioned in part by FBI whistleblowers who had the courage to stand up and denounce longstanding problems in the way the FBI disciplined itself. One recommendation of the OPR report was to adopt a reform Senator GRASSLEY and I have introduced over the last few years as part of our FBI Reform Act. Like oversight, our legislative efforts to improve the practices of the Executive branch also seem stymied. This Republican-controlled Senate will not even consider enacting reforms we all know are needed, that watchdogs within the Executive have endorsed.

So here we are, over 13 months after we last saw General Ashcroft, and we have no schedule for the long overdue appearance by the Attorney General of the United States before the oversight committee of the Senate. Republican Senators may have disagreed with Attorney General Reno’s leadership on certain issues, but they cannot say that she did not appear before the Judiciary Committee for hours and hours at a time and listen to our questions and seek to answer the questions of all Senators, Republicans and Democrats. By contrast, the current Attorney General found the time to make a 19-city cross country tour last year in which he appeared before friendly, hand-picked audiences and delivered a series of statements seeking to defend his use of the PATRIOT Act. He finds time to attend virtually every press conference on an indictment or case development in high profile cases. Yet he has not, and apparently will not, appear before the people’s elected representatives to answer our questions, hear our concerns and work with us to improve the work of the Department of Justice.

We in Congress have the constitutional obligation and public responsibility to oversee the Department of Justice’s operations. After September 11, after we expressed our sorrow for the victims and our determination to respond while preserving American freedoms, I publicly noted my regret that we had not performed more effective and thorough oversight of the Department of Justice in the years before 2001. During the 17 months in 2001 and 2002 when I chaired the Judiciary Committee I worked with all Members, Republicans and Democrats, to provide real oversight. There were times when the Attorney General used our hearings as a forum to attack us and our patriotism but we persisted to perform our constitutional duties. It is with deep regret that I report to the Senate and the American people that it is now more than a year since the Attorney General of the United States last appeared before the Senate Judiciary

Committee. It is with sadness that I note the lack of effective oversight the Committee and the Senate are conducting on matters that threaten the freedoms and security of the American people.

#### CHILD ABUSE PREVENTION MONTH

Mr. DOMENICI. Mr. President, I rise today in recognition of April as Child Abuse Prevention Month.

Child abuse continues to be a significant problem in the United States. It was estimated that in 2001, 903,000 children were the victims of child abuse or neglect. Child abuse is a crime perpetrated on the innocent and the defenseless.

In 2003, there were 17,345 substantiated child abuse or neglect cases in New Mexico. We must protect these children who cannot protect themselves. By acknowledging April as Child Abuse Prevention Month, we are increasing awareness in the hopes that no more children live in fear.

Across this Nation, numerous individuals and organizations dedicate countless hours of selfless work in the fight against child abuse. Many of the organizations that work to end child abuse began at the local level. I would like to acknowledge one of these organizations from my home State in Las Cruces, NM. The child abuse awareness team consists of around 40 members who recognized a need in their community and resolved to make a change. This team of volunteers, law enforcement agents, school personnel and social service agency representatives, continually strives to protect the children in Dona Ana County.

The child abuse awareness team educates the community about child abuse prevention and reporting child abuse and neglect, promotes enforcement of child abuse and neglect laws, and provides advocacy for child abuse victims. They believe the most effective child abuse prevention programs succeed when the entire community is involved. The child abuse awareness team has developed this support system within the community by creating partnerships among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community.

The child abuse awareness team is taking the right steps in preventing child abuse incidents. I would like to specifically recognize the founder of this community organization Jesús Frietze, a social worker who saw a need in his community and took action. It is noble actions, from individuals like Jesús, who make a difference not only in the local communities but in our States and our Nation.

By taking this month to recognize the problem of child abuse, I hope we will all do our part to combat this epidemic.

#### THE PARTIAL BIRTH ABORTION BAN ACT COURT TRIALS

Mr. SANTORUM. Mr. President, I rise today to draw the attention of my colleagues to an issue that is currently being debated in Federal district courts in New York, Nebraska, and San Francisco. Today, the Partial Birth Abortion Ban Act, which we overwhelmingly passed and saw signed into law last year, is being challenged in three Federal courts across the country. This law bans the gruesome procedure known as partial birth abortion, which is performed over a three-day period in the second or third trimester of pregnancy. In this particular abortion technique, the physician delivers all but the baby’s head through the birth canal, stabs the baby in the base of the skull with curved scissors, and then uses a suction catheter to remove the child’s brain.

As we have seen these trials go forward, I have been disturbed at some of the testimony that has been given in opposition to this legislation, and I wanted to ensure that my colleagues were aware of it.

In particular, in the testimony of these doctors who are challenging this law, we see a complete disregard for any consideration of the pain a child experiences during a late-term abortion. On March 30, in the New York case, the judge asked the doctor testifying whether the fetus having pain ever crossed his mind. The witness, who does not perform partial birth abortions, but who has been present when they were done, replied, “No.” The judge further questioned the witness as to whether the mother of the child was informed as to the specifics of the procedure in terms that the patient can understand.

The Witness: I guess I would say that whenever we describe medical procedures we try to do so in a way that’s not offensive or gruesome or overly graphic for patients.

The Court: Can they fully comprehend unless you do? Not all of these mothers are Rhodes scholars or highly educated, are they?

The Witness: No, that’s true. But I’m also not exactly sure what using terminology like sucking the brains out would . . .

The Court: That’s what happens, doesn’t it?

The Witness: Well, in some situations that might happen. There are different ways it could be dealt with, but that is one way of describing it.

This witness further testified that up until the last steps of a partial birth abortion, the feet of the child could be moving.

On April 5, another doctor testifying for the plaintiffs in New York showed similar callous disregard for the pain the fetus might feel.

The Court: Do you ever tell them (the women) that after that is done you are going to suction or suck the brain out of the skull?

The Witness: I don’t use suction.

The Court: Then how do you remove the brain from the skull?

The Witness: I use my finger to disrupt the central nervous system, thereby the skull collapses and I can easily deliver the remainder of the fetus through the cervix.