

Only if the citizens of the Middle East experience the freedoms and opportunity of democratic reform can we hope to win the war against terrorism. We can kill terrorists one by one in Afghanistan and Iraq, but until we change the individual and personal calculations of thousands of young men who are taught to value death over life, there will always be more terrorists around every street corner. A free Iraq will be an oasis of liberty in the heart of the Middle East and a source of democratic influence on its undemocratic neighbors.

Bringing democratic reform to the Middle East is not a lofty hope but a necessary reality and a long-term strategy. Citizens who can voice their frustrations at the ballot box are less likely to do so by strapping bombs to their bodies.

It is no coincidence that democratic Muslim states such as Turkey and reforming states such as Jordan, Egypt, and Morocco are not state supporters of terrorism, while oppressive states such as Syria and Iran provide aid and succor to international terrorists.

President Bush's multi-tiered approach to combating terrorism is the right one. And it is improving.

Likewise, our Nation's efforts can be improved upon if we conduct our debates with the gravity and objectivity required by the high stakes of the war against terrorism, but forgive me for not being optimistic.

Until now, the critics have proposed two alternatives to President Bush's plan to stay the course in Iraq. One alternative is to cut and run or to cede control to the U.N., whose member states by and large want America to cut and run.

Unless failure is our goal, these are not serious proposals. And they discount the very simple fact that unless America delivers on its commitment to eliminate havens for terrorists and support democracy in Iraq, Afghanistan and elsewhere, we will embolden the terrorists who delight and attack when America wavers.

How do I know this? Because Osama bin Laden has told us. In his 1998 "Declaration of War Against the Americans" bin Laden noted, and I quote: "When tens of your soldiers were killed in minor battles and one American Pilot was dragged in the street of Mogadishu, you left the area in disappointment, humiliation and defeat, carrying your dead with you."

Former Secretary of Defense James Schlesinger recently noted that Bin Laden also observed: "when people see a strong horse and a weak horse, they naturally gravitate toward the strong horse."

The terrorists are watching us closely, and we must show strength, not weakness. We must not allow Iraq to become another Somalia because going home early is the surest way to embolden the terrorists and ensure the failure of our efforts to bring peace and security to the Middle East.

It is clear to this Senator that al-Qaida wants us to fail in Iraq, just as it wants us to fail in Afghanistan. Al-Qaida terrorists and other foreign Jihadis are aligning themselves with violent Iraqi insurgents whose radical ideology has no place in a democratic Iraq. These zealots want the United States to appear in the Arab world as a weak horse.

The terrorists are watching us closely, and we must show our strength, not our weaknesses, as we confront the security challenges in Iraq that lie between despotism and democracy.

I yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). The majority leader.

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#### JOBS BILL

Mr. FRIST. Mr. President, this week our colleague, Senator JOHN KERRY, is traveling to the Midwest to discuss ways to help boost job creation. While I applaud his intention on this issue, I also want to make certain Senator KERRY is aware we have scheduled a third floor debate on the JOBS bill—that is the very important bill on manufacturing in this country, S. 1637—to start next week. That important bill seeks to protect more than a million high-quality manufacturing jobs in the United States.

Unfortunately, Senator KERRY's Democrat colleagues in the Senate are waging a filibuster against this jumpstart our business strength bill, the JOBS bill, having twice voted to prevent us from completing action on this essential manufacturing legislation.

I do ask Senator KERRY to use his new position as his party's presumptive nominee, but in all likelihood the nominee, to help convince his colleagues to abandon this filibuster and move this legislation quickly toward passage.

According to the National Foreign Trade Council, there are currently 147,200 jobs in Ohio that hinge on passage of this JOBS bill; in Michigan, some 150,000 jobs will be impacted by this ill-advised filibuster; and in Pennsylvania, nearly 142,000 jobs are tied to this legislation.

We must repeal these European tariffs on at least 100 U.S.-made products. People say: What sort of products? They include safety glass. They include portable handheld tools. They include marine engines. They include aluminum wire, steel wire. They include printing paper. This Euro tax started at \$200 million in March. It increased to \$240 million in April. It will increase again to \$280 million this Saturday and will continue to climb upward to \$680 million next year if we fail to act.

Senator KERRY was a cosponsor of this bill and supported it in the Finance Committee. I urge him to join us in a bipartisan effort to end his fellow Democrats' filibuster and agree to a time to pass and send to President

Bush a jobs bill, a jobs bill that will benefit manufacturing workers throughout the United States.

We must pass this JOBS bill to protect America's manufacturing base and the manufacturing jobs of thousands of our workers across the United States. America's workers are depending on us.

Mr. President, I ask unanimous consent that a letter from me to Senator KERRY dated April 28, 2004, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
OFFICE OF THE MAJORITY LEADER,  
Washington, DC, April 28, 2004.

Hon. JOHN KERRY,  
Russell Office Building,  
Washington, DC.

DEAR SENATOR KERRY: This week you are campaigning in the Midwest to discuss ways to help create jobs for the American people.

While I applaud your enthusiasm, I want to make certain you are aware that we have scheduled a third floor debate on the JOBS bill, S. 1637, to start next week. As you know, this important legislation seeks to protect more than a million high-quality manufacturing jobs in the United States.

Unfortunately, your Democrat colleagues in the Senate are waging a filibuster against the Jumpstart Our Business Strength bill (JOBS), having twice voted to prevent us from completing action on this essential legislation.

It is my hope that you will use your position to help convince your Senate Democrat colleagues of the importance of this legislation and help us to move it quickly toward passage. After all, according to the National Foreign Trade Council, there are currently 147,200 jobs in Ohio that hinge on passage of the JOBS bill. In Michigan, some 150,100 jobs will be impacted by this ill-advised filibuster. In Pennsylvania, nearly 142,000 jobs are tied to this legislation. It is my hope that you will join with us in a bipartisan effort to end the Democrat filibuster and press for timely action on the JOBS measure.

Since you were once a co-sponsor of this bill and supported it in the Finance Committee, I know you appreciate how important it is that we approve this measure and repeal the European tariffs on at least 100 US-made products. This Euro-tax started at \$200 million in March, increased to \$240 million in April, will increase to \$280 million this Saturday, and will continue to climb upward to \$680 million by next year if we fail to act.

We look forward to your support in passing a measure that is absolutely essential if we are to protect America's manufacturing base and the manufacturing jobs of thousands of our workers across the United States.

Sincerely yours,  
WILLIAM H. FRIST, MD,  
Majority Leader,  
United States Senate.

Mr. FRIST. I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I ask unanimous consent that I have 5 additional minutes of leader time.

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

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#### STAYING THE COURSE

Mr. DASCHLE. Mr. President, I want to respond to the distinguished majority leader.

Like him, I have come to the Senate floor on several occasions advocating for passage of the FSC bill. Many of us believe it may be the only opportunity we have to address, meaningfully, jobs policy and the creation of new jobs in this country.

His characterization of our position is unfortunate and inaccurate. We have no desire to filibuster the bill. We simply believe Senators ought to have a right to offer amendments. That was really the discussion and the debate earlier as the legislation was offered. We had an amendment that simply provided for protection for 8 million workers who were not accorded overtime, who the administration now acknowledges were prepared to take overtime as a part of their compensation packages. We fought it. The administration has changed it, not to our satisfaction. But had it not been for our fight, I doubt very much that overtime could have been protected for the millions of workers who otherwise would see it as lost.

We also want to ensure that we have an opportunity to deal with the outsourcing problem. Outsourcing is a very serious issue today. The President has created a new program called Higher Hour Workers. The acronym is HOW. Well, that is our question. How? How are you going to do it? What we have seen so far from this administration falls far short of what we need to do if we are serious about meaningfully addressing the problem of jobs in this country.

This administration has lost 3 million jobs. We have not seen an administration like this in seven administrations. We want to address the terrible and unfortunate record we have seen with regard to the economy over the last 36 months.

So our hope is we can create a real opportunity to debate jobs, to debate the way with which we can compete in the international markets. That is our desire.

I went to Senator FRIST and offered him an agreement, after this cloture vote, and indicated that we would limit our ourselves to 18 amendments. I presented that to him. I was hoping we could get a unanimous consent agreement. That was not done and, as a result, time was lost. Now, as we understand it, they have over 50 amendments pending to this bill. We have something like 30. So there is no filibuster going on. They have some difficulty on their side in trying to address this issue, and in an expeditious way.

We will get through the amendments. It is unfortunate we could not have agreed to the 18. We would be done with it by now. But there has been a practice on the Senate floor, over the last several months—we get on a bill, an amendment is offered, the bill is pulled; we move to another bill, we get on that, an amendment is offered, the bill is pulled. We have to stay on a bill to finish the bill. I am hopeful we can stay on the Internet tax bill until it is

finished, that we can stay then on the FSC bill until it is finished, and welfare reform until it is finished.

We can accomplish a lot, but we have to have greater attention to the work at hand and a willingness to stay with it until it is done. That is the nature of the Senate. That is the way we function. That is our institutional history. We are prepared to work with our Republican colleagues on these and other bills in the months ahead to make that happen.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

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#### FSC/ETI

Mr. FRIST. Mr. President, very briefly, I know we are in morning business and we are on other topics, but so our colleagues will know, we are coming back to the FSC/ETI bill. We have a general agreement and a framework. We are coming back to it. That was really the purpose of my comments today. We are coming back to it next week. I hope we can work together. The American people deserve it. I do not believe either side will have 30 or 40 or 50 amendments. I think we can do it if we start right now to put our heads together. The managers are working. They have, I believe, an excellent glidepath to finish it as we go forward. I appeal, in a strong, bipartisan way—we are going to have to have a bipartisan approach to finish that bill—that we do just that next week. The American people deserve it. Regardless of how we get there, next week we have this opportunity to address it. We absolutely must do that.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, may I inquire how much time we have remaining in morning business?

The PRESIDING OFFICER. Eleven minutes 18 seconds.

Mr. CORNYN. I thank the Chair.

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#### THE 9/11 COMMISSION

Mr. CORNYN. Mr. President, I want to talk a few minutes about the work of the 9/11 Commission. I know it has become popular—perhaps it has always been that way—for those who sit on commissions, those who engage in political debate about the great causes of the day in Washington, DC, to try to find blame for various things that happen. That is no less true of the work of the 9/11 Commission in looking into both the causes of the terrible events of that day and also when it comes to coming up with recommendations about what we might be able to do to make sure that sort of tragedy never occurs on our own soil again.

But I think we ought to be clear about who is to blame for the terrible events of 9/11. It was not President Clinton or his administration. It was not President Bush or his administration. The individual and the organiza-

tion at fault for the events of 9/11 were Osama bin Laden and al-Qaida. Regardless of our differences, especially in this election year where we are going to select a President, I think we ought to make sure our enemies do not draw any comfort from the debates we have on the floor of the U.S. Senate or elsewhere that we somehow are redirecting the blame to others for political gain and to score political points. I think all Members of the U.S. Senate—indeed, all Members of the U.S. Congress—should be absolutely clear where the blame lies. As I said, that lies with al-Qaida and Osama bin Laden.

Indeed, after that terrible day there was an upswelling of bipartisan support in this country to try to make sure we did whatever we needed to do in order to make sure that the events of that day would never occur again. Indeed, the Senate unanimously approved a resolution authorizing the use of all necessary and appropriate force against the persons and organizations responsible for September 11.

Indeed, in an unprecedented fashion, also, we saw that our allies in NATO, under article V of that treaty, declared that an attack against the United States was, in effect, an attack against all NATO nations.

Of course, this issue is as current as today's news because we know there are two cases that are going to be argued before the U.S. Supreme Court, the Hamdi and Padilla cases, which are going to look at the limits of Presidential power under a declaration of war, such as was authorized by the Congress, by the Senate unanimously. Of course, they are going to decide, and it seems obvious to me, but perhaps it is not as obvious to others, that the approval of all necessary and appropriate force must necessarily include the capture and detention of enemy combatants. But that is perhaps an issue for another time.

Also, in the spirit of bipartisan support for using all necessary and appropriate means to defend our country, the Senate passed the USA PATRIOT Act 98 to 1. Of course, this important legislation provides law enforcement with sorely needed tools to combat terrorism. Unfortunately, we also recall that spirit of bipartisan unanimity did not last very long.

Once the Democratic Party began to choose its Democratic nominee, we heard a lot of disparaging remarks made about the USA PATRIOT Act. Indeed, in a misguided and perhaps ill-informed way, there are 287 different municipalities around the country that have passed resolutions disparaging the USA PATRIOT Act.

It is amazing, in Washington, how events can turn on a dime. After we heard testimony before the 9/11 Commission from Janet Reno, former FBI Director Louis Freeh, Attorney General John Ashcroft, FBI Director Robert Mueller, and others, a bipartisan chorus said it was the USA PATRIOT Act which tore down the wall which