

Burma, in my view, is such a case. One year is not a sufficient period of time to judge the effectiveness of the sanctions, and there is reason to believe that the international community is coming together to put additional pressure on the military regime.

I was disappointed that the European Union and the Association of Southeast Asian Nations (ASEAN) did not follow the United States' lead last year and impose tough sanctions on the military junta.

Nevertheless, the EU, for one, is beginning to realize that engagement with Rangoon has failed to achieve the desired results.

Last week, the EU refused to include Burma in two lower-level meetings with ASEAN representatives and, in response to ASEAN's demand that all of its members be allowed to attend, the EU canceled the meetings.

Supporters of freedom and democracy in Burma should welcome this move and continue to urge our allies to put additional pressure on the military regime.

There is also some positive movement within ASEAN itself, including Malaysia, the country that sponsored Burma's entry into the Association and has supported "non-interference" in domestic affairs of other members.

Earlier this month, a group of Malaysian parliamentarians—from the government and the opposition—formed a committee to press for democracy in Burma. The group called on the SPDC to immediately and unconditionally release all political prisoners and restore democratic government.

The parliamentary group stated: "The caucus also calls upon the (Burma) government to respect ASEAN and international opinion and return to the mainstream of responsible international norms and behavior."

Of course, we would all like to see ASEAN, the EU, and others to take additional steps to put pressure on Rangoon to respect human rights and restore democracy. But we must continue to take the lead.

I believe that by passing this resolution and renewing the sanctions on imports from Burma for another year, we will enhance our leadership in this area and rally the international community to our cause. Now is not the time to weaken our resolve.

Some may argue that the sanctions do no harm to the members of the military junta and instead place additional hardships on the Burmese people.

The military junta itself cynically suggested that the reason why human trafficking is a rampant problem in Burma—as cited in the latest State Department report—is due to the desperate economic conditions caused by the sanctions imposed by the United States.

Let us not forget that for over 15 years the military junta has brutalized its won citizens, engaged in numerous human rights abuses including rape, forced labor, and human trafficking of

young boys and girls, and run the Burmese economy into the ground.

And the consequences of the regime's repressive rule extend far beyond its borders. As Senator McCONNELL and I pointed out in an op-ed that appeared in the Wall Street Journal, the spread of narcotics, HIV/AIDS, and refugees across the region can be traced back to Rangoon.

As South African Archbishop Desmond Tutu stated earlier this year: "To dismantle apartheid [in South Africa] took not only commitment, faith, and hard work, but also intense international pressure and sanctions. In Burma, the regime has ravaged the country, and the people, to fund its illegal rule. Governments and international institutions must move past symbolic gestures and cut the lifelines to Burma's military regime through well-implemented sanctions."

We cannot say for certain these sanctions will work. But we can be certain that if we do nothing and allow these sanctions to expire, the military junta will strengthen its grip on power and the day of Suu Kyi's release from house arrest and the re-birth of democracy in Burma will be put off further into the future.

We simply cannot afford to make that mistake and turn our backs on those who are looking to us for hope and inspiration.

I urge my colleagues to renew their support for freedom and democracy, Suu Kyi and the Burmese people and support this resolution.

Mr. McCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Shall the joint resolution pass? The clerk will call the roll.

The legislative clerk called the roll.

Mr. McCONNELL. I announce that the Senator from Indiana (Mr. LUGAR) and the Senator from Kansas (Mr. ROBERTS) are necessarily absent.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 1, as follows:

[Rollcall Vote No. 150 Leg.]

YEAS—96

Akaka	Carper	Dorgan
Alexander	Chafee	Durbin
Allard	Chambliss	Edwards
Allen	Clinton	Ensign
Baucus	Cochran	Feingold
Bayh	Coleman	Feinstein
Bennett	Collins	Fitzgerald
Biden	Conrad	Frist
Bingaman	Cornyn	Graham (FL)
Bond	Corzine	Graham (SC)
Boxer	Craig	Grassley
Breaux	Crapo	Gregg
Brownback	Daschle	Hagel
Bunning	Dayton	Harkin
Burns	DeWine	Hatch
Byrd	Dodd	Hollings
Campbell	Dole	Hutchison
Cantwell	Domenici	Inhofe

McConnell	Schumer
Mikulski	Sessions
Miller	Shelby
Murkowski	Smith
Murray	Snowe
Nelson (FL)	Specter
Nelson (NE)	Stabenow
Nickles	Stevens
Pryor	Sununu
Reed	Talent
Reid	Thomas
Rockefeller	Voivovich
Santorum	Warner
Sarbanes	Wyden

NAYS—1

Enzi

NOT VOTING—3

Kerry Lugar Roberts

The joint resolution (H.J. Res. 97) was passed.

Mr. McCONNELL. Mr. President, I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Kentucky.

ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 393, which is at the desk; provided further that the Senate proceed immediately to a vote on the adoption of the resolution with no intervening action or debate. I further ask unanimous consent that following the vote, the preamble be agreed to and the motion to reconsider be laid upon the table. I further ask unanimous consent that following that vote the Senate proceed to executive session to the votes on the two previously debated judges; provided further that following those votes the Senate proceed to a vote on the confirmation of Executive Calendar No. 637, William D. Benton to be U.S. circuit court judge for the Eighth Circuit.

I further ask unanimous consent that following the votes the Senate proceed en bloc to the following nominations on the Executive Calendar: No. 433, No. 638, and No. 639.

I further ask unanimous consent that the nominations then be considered and confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

Mr. REID. Mr. President, will the Senator modify his request so all of these votes will be 10-minute votes?

Mr. McCONNELL. I so modify my request.

Mr. BYRD. Mr. President, reserving the right to object—I probably won't object—will the Senator identify the first resolution to which he alluded?

Mr. McCONNELL. Will the Chair identify the resolution?

MIDDLE EAST PEACE PROCESS

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 393) expressing the sense of the Senate in support of United States policy in the Middle East peace process.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, I remove my reservation.

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

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the resolution. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. I announce that the Senator from Indiana (Mr. LUGAR) is necessarily absent.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 3, as follows:

[Rollcall Vote No. 151 Leg.]

YEAS—95

Akaka	Dodd	Lincoln
Alexander	Dole	Lott
Allard	Domenici	McCain
Allen	Dorgan	McConnell
Baucus	Durbin	Mikulski
Bayh	Edwards	Miller
Bennett	Ensign	Murkowski
Biden	Enzi	Murray
Bingaman	Feingold	Nelson (FL)
Bond	Feinstein	Nelson (NE)
Boxer	Fitzgerald	Nickles
Breaux	Frist	Pryor
Brownback	Graham (FL)	Reed
Bunning	Graham (SC)	Reid
Burns	Grassley	Roberts
Campbell	Gregg	Rockefeller
Cantwell	Hagel	Santorum
Carper	Harkin	Sarbanes
Chafee	Hatch	Schumer
Chambliss	Hollings	Sessions
Clinton	Hutchison	Shelby
Cochran	Inhofe	Smith
Coleman	Inouye	Snowe
Collins	Johnson	Specter
Conrad	Kennedy	Stabenow
Cornyn	Kohl	Stevens
Corzine	Kyl	Talent
Craig	Landrieu	Thomas
Crapo	Lautenberg	Voivovich
Daschle	Leahy	Warner
Dayton	Levin	Wyden
DeWine	Lieberman	

NAYS—3

Byrd Jeffords Sununu

NOT VOTING—2

Kerry Lugar

The resolution (S. Res. 393) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 393

Whereas the Road Map, endorsed by the United States, Israel, the Palestinian Authority, the European Union, Russia, and the United Nations, remains a realistic and widely recognized plan for making progress toward peace;

Whereas, on April 14, 2004, President Bush welcomed the plan of Israeli Prime Minister

Ariel Sharon to remove certain military installations and all settlements from Gaza, and certain military installations and settlements from the West Bank;

Whereas under the Road Map, Palestinians must undertake an immediate cessation of armed activity and all acts of violence against Israelis anywhere, all Palestinian institutions, organizations, and individuals must end incitement against Israel, the Palestinian leadership must act decisively against terror (including sustained, targeted, and effective operations to stop terrorism and dismantle terrorist capabilities and infrastructure), and Palestinians must undertake a comprehensive and fundamental political reform that includes a strong parliamentary democracy and an empowered prime minister;

Whereas Prime Minister Sharon noted Israel's responsibilities under the Road Map include limitations on the growth of settlements, removal of unauthorized outposts, and steps to increase, to the extent permitted by security needs, freedom of movement for Palestinians not engaged in terrorism;

Whereas there likely will be no security for Israelis or Palestinians until they and all states join together to fight terrorism and dismantle terrorist organizations;

Whereas the United States remains committed to Israel's security, and well-being as a Jewish State, including secure, recognized, and defensible borders, and to preserving and strengthening Israel's capability to deter enemies and defend itself against any threat;

Whereas Israel has the right to defend itself against terrorism, including to take actions against terrorist organizations that threaten Israel's citizens;

Whereas, after Israel withdraws from Gaza and parts of the West Bank, existing arrangements regarding control of airspace, territorial waters, and land passages relating to the West Bank and Gaza are planned to continue;

Whereas, as part of a final peace settlement, Israel must have secure and recognized borders, which should emerge from negotiations between the parties in accordance with United Nations Security Council Resolutions 242 and 338;

Whereas, in light of realities on the ground, including already existing major Israeli population centers, it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949, but realistic to expect that any final status agreement will only be achieved on the basis of mutually agreed changes that reflect these realities;

Whereas Israeli Prime Minister Ariel Sharon has stated: "the barrier being erected by Israel is a security rather than political barrier, is temporary rather than permanent, and should therefore not prejudice any final status issues including final borders, and its route should take into account, consistent with security needs, its impact on Palestinian communities";

Whereas an agreed just, fair, and realistic framework for a solution to the Palestinian refugee issue as part of any final status agreement will need to be found through the establishment of a Palestinian state, and the settling of Palestinian refugees there, rather than in Israel;

Whereas the United States supports the establishment of a Palestinian state that is viable, contiguous, sovereign, and independent, so that the Palestinian people can build their own future;

Whereas the United States will join with others in the international community to assist in fostering the development of Palestinian democratic political institutions and new leadership committed to those institu-

tions, the reconstruction of civic institutions, the growth of a free and prosperous economy, and the building of capable security institutions dedicated to maintaining law and order and dismantling terrorist organizations; and

Whereas in order to promote a lasting peace, all states must oppose terrorism, support the emergence of a peaceful and democratic Palestine, and state clearly that they will live in peace with Israel: Now, therefore, be it

Resolved, That the Senate—

(1) endorses the above-mentioned principles and practices of United States policy in the Middle East, and ongoing actions to make progress toward realizing the vision of two states living side by side in peace and security, as a real contribution toward peace, and as important steps under the Road Map;

(2) reaffirms its commitment to a vision of two states, Israel and Palestine, living side by side in peace and security as the key to peace; and

(3) supports efforts to continue working with others in the international community, to build the capacity and will of Palestinian institutions to fight terrorism, dismantle terrorist organizations, and prevent the areas from which Israel has withdrawn from posing a threat to the security of Israel.

Mr. CHAFEE. Mr. President, in the world of diplomacy, some things are better left unsaid. For that reason, I would have preferred that President Bush not send the April 14, 2004 letter to Prime Minister Sharon.

Nevertheless, I gave my qualified support to S. Res. 393 because Israeli withdrawal from Gaza has the potential to jumpstart the Israeli-Palestinian peace process. There have been too many missed opportunities already. It would be a shame to miss another one.

My vote for S. Res. 393 is subject to two understandings. First, Prime Minister Sharon's disengagement plan should not be a substitute for bilateral negotiations between Israel and the Palestinians; and second, all final status issues should be mutually agreed upon by both parties.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. FRIST. Mr. President, after the following judge vote, we are scheduled to consider another five additional judges this evening. Of the ones after this one—looking at those five—the next two are circuit judges, to be followed by three district judges.

It has been cleared on this side to have voice votes on all of those five judges.

I ask the ranking member of the Judiciary Committee if we could, out of consideration of the many different schedules tonight, voice vote the remaining nominations after the next rollcall vote.

Mr. LEAHY. Well, Mr. President, in response to my friend from Tennessee, normally I would say: Have rollcall votes. I also know with the Defense authorization bill we had some very late night schedules. This is pushing up against the Fourth of July recess. I think the Senator from Tennessee, the Senator from South Dakota, and the respective whips have the hardest jobs

in the world trying to please everybody.

I will tell my friend from Tennessee, if that would make his life easier, I would be happy to accommodate him.

Mr. FRIST. Mr. President, I very much appreciate that.

On behalf of our colleagues, I thank the Senator.

Mr. LEAHY. I say to the majority leader, he has made a few other people happy.

Mr. President, is it my understanding on the first one there is a rollcall vote?

The PRESIDING OFFICER. No rollcall vote has yet been ordered.

EXECUTIVE SESSION

NOMINATION OF DIANE S. SYKES TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session, and the clerk will report the nomination.

The legislative clerk read the nomination of Diane S. Sykes, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit.

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. FRIST. Mr. President, for the information of colleagues, after this vote, the next vote will be after the recess on July 6, sometime after 2:15 p.m.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Diane S. Sykes, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. McCONNELL. I announce that the Senator from Indiana (Mr. LUGAR) and the Senator from Oklahoma (Mr. NICKLES) are necessarily absent.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 27, as follows:

[Rollcall Vote No. 152 Ex.]		
YEAS—70		
Alexander	Crapo	Lott
Allard	DeWine	McCain
Allen	Dodd	McConnell
Bayh	Dole	Miller
Bennett	Domenici	Murkowski
Biden	Dorgan	Nelson (NE)
Bingaman	Ensign	Pryor
Bond	Enzi	Roberts
Breaux	Feingold	Rockefeller
Brownback	Fitzgerald	Santorum
Bunning	Frist	Schumer
Burns	Graham (FL)	Sessions
Byrd	Graham (SC)	Shelby
Campbell	Grassley	Smith
Cantwell	Gregg	Snowe
Carper	Hagel	Specter
Chafee	Hatch	Stevens
Chambliss	Hollings	Sununu
Cochran	Hutchison	Talent
Coleman	Inhofe	Thomas
Collins	Kohl	Voinovich
Conrad	Kyl	Warner
Cornyn	Landrieu	
Craig	Lincoln	
NAYS—27		
Akaka	Feinstein	Lieberman
Baucus	Harkin	Mikulski
Boxer	Inouye	Murray
Clinton	Jeffords	Nelson (FL)
Corzine	Johnson	Reed
Daschle	Kennedy	Reid
Dayton	Lautenberg	Sarbanes
Durbin	Leahy	Stabenow
Edwards	Levin	Wyden
NOT VOTING—3		
Kerry	Lugar	Nickles

The nomination was confirmed.

NOTICE

Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued in the next issue of the Record.

ORDERS FOR FRIDAY, JUNE 25, 2004

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Friday, June 25. I further ask unanimous consent that following the prayer and pledge the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. FRIST. Mr. President, tomorrow we will be in morning business throughout the day. There will be no rollcall votes during tomorrow's session. The next rollcall vote will be on July 6. I will have more to say about the schedule for July during tomorrow's session.

We expect we will be in for a brief period tomorrow. We hope to clear the remaining legislative business prior to the recess. We are also attempting to clear a number of important ambassadorships prior to the Fourth of July break.

Once again, I thank all of our colleagues for their patience over the last few days as we made real progress and as we wrapped up our work on two very important measures.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 9:06 p.m., adjourned until Friday, June 25, 2004, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 24, 2004:

DEPARTMENT OF DEFENSE

KIRON KANINA SKINNER, OF PENNSYLVANIA, TO BE A MEMBER OF THE NATIONAL SECURITY EDUCATION BOARD FOR A TERM OF FOUR YEARS, VICE HERSHELLE S. CHALLENGER, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CATHY M. MACFARLANE, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE DIANE LENEGHAN TOMB, RESIGNED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DENNIS C. SHEA, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE ALBERTO FAUSTINO TREVINO, RESIGNED, TO

WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

ROMOLO A. BERNARDI, OF NEW YORK, TO BE DEPUTY SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE ALPHONSO R. JACKSON, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF TRANSPORTATION

KIRK VAN TINE, OF VIRGINIA, TO BE DEPUTY SECRETARY OF TRANSPORTATION, VICE MICHAEL P. JACKSON, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF THE INTERIOR

SUE ELLEN WOOLDRIDGE, OF VIRGINIA, TO BE SOLICITOR OF THE DEPARTMENT OF THE INTERIOR, VICE WILLIAM GERRY MYERS III, RESIGNED, WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

ENVIRONMENTAL PROTECTION AGENCY

CHARLES JOHNSON, OF UTAH, TO BE CHIEF FINANCIAL OFFICER, ENVIRONMENTAL PROTECTION AGENCY, VICE LINDA MORRISON COMBS, TO WHICH HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

ANN R. KLEE, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE ROBERT E. FABRICANT, RESIGNED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

EXECUTIVE OFFICE OF THE PRESIDENT

ADAM MARC LINDEMANN, OF NEW YORK, TO BE A MEMBER OF THE ADVISORY BOARD FOR CUBA BROADCASTING FOR A TERM EXPIRING OCTOBER 27, 2005, VICE CHRISTOPHER D. COURSEN, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

AFRICAN DEVELOPMENT FOUNDATION

EDWARD BREHM, OF MINNESOTA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING NOVEMBER 13, 2007, VICE CECIL JAMES BANKS, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.