

better able to focus their resources on economic development, education, health, infrastructure, and all the fundamentals that we know help to build prosperity.

They will be able to once and for all break the loan-debt-forgiveness cycle that has undermined their ability to grow and to invest.

Saturday's agreement will help many of Africa's poorest countries get on their feet and make meaningful strides toward the future.

President Bush and the Republican-led Congress have been steadfast supporters of Africa's development. I personally have had the opportunity to visit the continent of Africa on eight separate occasions, both as majority leader and as part of medical mission work on that wonderful continent. We have consistently championed efforts to promote accountability, good governance, political reform, and economic growth. Overcoming the problems that afflict the continent is tough work, it is difficult work, it is challenging work, but we are committed to helping Africa realize its rich potential.

Instead of seeing only problems and obstacles, we seek solutions. Instead of offering a Band-Aid, we offered smart aid. We as a country have much to be proud of in terms of our contributions. One only need to look at the statistics. So far this fiscal year, the United States has provided the continent of Africa with \$1.4 billion in humanitarian relief. President Bush has tripled America's contributions.

Today, nearly a quarter of every aid dollar to Africa comes from America, up from just 10 percent 4 short years ago. Yes, we really for the first time demand accountability from these investments. These aid dollars today are tied to economic and political reforms. Our goal is to help these countries root out corruption, to address human rights, to protect human rights, to promote the rule of law, and to build a stable, civil society, one that can meet the needs and demands of a growing and modern society.

Meanwhile, the African Growth and Opportunity Acceleration Act, also known as AGOA, is already demonstrating its poverty fighting power. Last year, the Senate passed and the President signed the African Growth and Opportunity Acceleration Act. As a result, U.S. exports to sub-Saharan Africa have increased by 25 percent and America's imports from these participating countries are up 88 percent. Economic growth in sub-Saharan Africa is at an 8-year high.

Our goal is to break with the old approaches of the past where success was measured in dollars. Instead, we want real, measurable results, proof that the African people are benefiting from our efforts. And they are coming. I applaud the President for his strong and principled leadership. He understands that Africa can be and is a place of great hope and opportunity. He sees both the

practical and the moral dimensions of America's leadership.

Every human being needs and deserves the fundamentals of life: food, shelter, water, safety. Countries that fail in any of these basic functions become dangerous places for their citizens and potential threats to America's security. It is in our mutual interest to promote peace and stability on the African Continent.

As a physician, I have had the opportunity to travel extensively throughout the continent. I have had the opportunity to perform surgery and operate in the oldest medical school on that continent in Uganda. I have had the opportunity to treat patients for war injuries, injuries from a civil war in southern Sudan, to treat patients with HIV/AIDS.

From that perspective, I was so proud when the President today was talking at the press conference with the Presidents of those countries about his HIV/AIDS initiative: \$15 billion committed by the United States, by our U.S. Congress, to combat what I believe is the greatest moral, humanitarian, and public health challenge of our times. I am also participating in an effort to help expand health care and spread goodwill through that health care across the globe. I believe—and I have had that little window to be able to see directly—that through the good works of many talented women and men of compassion medicine can be not only an instrument of health but by the delivery of that medicine and by the delivery of that public health care can be a true currency for peace.

I have seen that real tangible intervention can help bridge the gaps and misunderstandings that so often divide people, that can divide societies. We see that phenomenon in Afghanistan and Iraq and we saw it in Southeast Asia in the aftermath of the terrible tsunami tragedy. Countless health care professionals from all over the world, both volunteers and government workers, rushed to that devastated region to offer assistance. Private companies, corporations, and nongovernment organizations offered services and supplies. The outpouring of support from all over the world, led in many ways by American efforts, was truly an extraordinary event, a moving testament to our shared humanity. That is why in April I introduced the Global Health Corps Act of 2005. America possesses a vast reservoir of talent, skills, knowledge, and compassion that can both help heal but also promote health, both literally and figuratively, promoting our global ties. This is just one of the many efforts we are making to help promote peace and well-being on the African Continent. We are also reaching out directly to individual countries to help them tackle their most pressing problems.

Today, I also had the opportunity to speak with the President of Namibia. Namibia is one of Africa's greatest success stories. We were just there on a

congressional delegation about 2 years ago.

Just 15 years after attaining its independence from apartheid-led South Africa, Namibia has emerged as a multiparty, multiracial democracy with a stable market-based economy. Like many African countries, the greatest threat to Namibia's development and continued success is the spread of the virus of HIV/AIDS. Namibia is one of the countries most adversely affected by HIV/AIDS. Already, 22 percent of sexually active adults in Namibia are infected by HIV. AIDS accounts for half of the deaths among individuals between the ages of 15 and 19 in Namibia and for 75 percent of all hospitalizations in public facilities.

The continued spread of this disease will have a devastating impact on the Namibian people and their efforts to build on their already remarkable achievements. For this reason, it is critical to continue to fund the President's emergency plan for AIDS relief, or PEPFAR, to assist Namibia in their battle against this terrible disease.

PEPFAR funding for Namibia has increased from \$23 million in 2004 to an estimated \$36 million in 2005. The administration has requested \$49 million for 2006, and I encourage my Senate colleagues to support this funding as the Namibian people continue their fight against HIV/AIDS.

Despite its openness and competitiveness, the Namibian economy still faces a number of challenges. Since 1990, the annual per capita GDP growth rate in Namibia has averaged just 1.6 percent. The African Growth and Opportunity Acceleration Act is helping to capitalize Namibia's economic potential. Already, AGOA is estimated to have created 9,000 new jobs in Namibia. In addition, Namibia's 2004 exports to the United States under AGOA are valued at \$161 million.

These achievements I mention because they are a model for political and economic reform throughout the African Continent. Steady American support will enhance Namibia's ability to contribute to Africa's peace, security, and stability. The President has said America has a special calling to come to the aid of the African people and that "we will do so with the compassion and generosity that has always defined the United States."

I look forward to working with my colleagues in the Senate and with the President to continue helping the continent heal and grow. We care deeply about the future of Africa. With time and an unwavering commitment to progress, I believe that together we can help Africa and its people share in the blessings of peace and prosperity.

TRIBUTE TO JESSE R. NICHOLS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 168, which was submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 168) expressing gratitude and sincere respect for Jesse R. Nichols.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 168) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 168

Whereas, Jesse R. Nichols, Sr., faithfully served the United States Senate and the Committee on Finance as the Government Documents Clerk and Librarian from Nineteen Hundred Thirty-Seven through Nineteen Hundred Seventy-One; and

Whereas, Jesse R. Nichols, Sr., was born on June 14, 1909, in Clarksdale, Mississippi, and was the first African American Clerk employed by the United States Senate; and

Whereas, he carried out his duties in exemplary fashion, bringing credit to the Committee and to Congress; and

Whereas, Jesse Nichols worked effectively under the guidance of Democratic and Republican Chairmen, including Pat Harrison of Mississippi, Walter F. George of Georgia, Harry Flood Byrd of Virginia and Russell B. Long of Louisiana from the 75th Congress through the 91st Congress.

Whereas, the Committee on Finance will long remember the commitment, service and leadership of Jesse R. Nichols, Sr., as documented in an oral history posted on the Senate Historian's Web site; and

Now, therefore, be it resolved, that the United States Senate expresses its deep gratitude and sincere respect for Jesse R. Nichols for his unflinching service and his dedication to the United States Senate. The Senate hereby expresses condolences to the family due to the death of Jesse R. Nichols, Sr., on February 18, 2005.

Mr. FRIST. Mr. President, this resolution expresses our gratitude and respect to the family of Jesse Nichols. I will take just a couple of moments to comment on Jesse Nichols, who was the first African-American clerk to be employed by this body, the Senate.

Jesse Nichols was born on June 14, 1909, in Clarksdale, MS. In 1930, Jesse enrolled at Howard University where he hoped to study medicine, but his plans were derailed by the Depression, and he, as so many others, had to join the employment line.

After a stint working at a local delicatessen, Jesse secured a position at the Reconstruction Finance Corporation. Then in 1937, Senator Pat Harrison of Mississippi hired Jesse Nichols to join the Finance Committee as document clerk/librarian. He became responsible for the committee's immense collection of tax codes and hearings, witness statements, and other publications.

Over the days and the weeks ahead, Mr. Nichols became indispensable to

the committee staff and the Senators who depended on his professionalism and accumulated knowledge. On his 30th anniversary in the Senate, Member after Member rose to pay tribute to Mr. Nichols. Senator Russell Long praised Mr. Nichols for his consummate professionalism, diligence, and devotion to this body. Delaware Senator John R. Williams testified that over his three decades of service Jesse Nichols "earned the respect of those former giants of this Senate, each of whom was proud to call him a friend."

Jesse Nichols was deeply respected by his colleagues and was dearly missed when he retired from the Senate in 1971. On February 18th of this year, Jesse died a few months short of his 96th birthday. Jesse Nichols lived a full and long life. On behalf of the Senate family, I recognize the contributions of Jesse Nichols to this venerable body. We are sincerely grateful for his service and dedication.

I yield the floor.

Mr. BAUCUS. Mr. President, today I rise to pay tribute to Jesse R. Nichols, Sr. Mr. Nichols, who passed away on February 15, was the first African-American clerk for the Senate Finance Committee and one of its longest serving staff members. He worked with the committee from 1937 to 1971.

Born in Clarksdale, MS, Mr. Nichols came to the Finance Committee at a time early in the building of its staff. Back then, there were few, if any, African-Americans on staff with the Senate. At Finance, there were just three staff members with the committee and no standing subcommittees. Today, there are 70 staff members and 5 standing subcommittees.

During his more than 30 years with the committee, he created the committee's archival system and became our resident historian. He also contributed to the history of the Senate as a whole. In 1994, he generously participated in an extensive oral history for the Senate Historical Office. In it, he describes some of his most memorable moments during his long tenure. Mr. Nichols rubbed elbows with some of the most important leaders of the day—but he was excluded from eating in the Capitol's restaurant and cafeterias because of his race.

On the day that Mr. Nichols celebrated his 30th anniversary with the committee, several Senators paid him homage on the Capitol floor. They noted that Mr. Nichols outranked every member of the Finance Committee in terms of length of service. Senator Long in particular called Mr. Nichols a "senior member" of the committee and "one of God's best people." When Mr. Nichols finally retired in 1971, the committee had to hire two people to carry on his extensive work.

I salute Mr. Nichols for his long and trusted service to the Senate and send my heartfelt condolences to the Nichols family.

Mr. GRASSLEY. Mr. President, today I want to pay tribute to the life

of Jesse Nichols, Sr., who passed away on February 22, 2005. Jesse R. Nichols, Sr., faithfully served the U.S. Senate for over 30 years. He was the first African American Clerk employed by the U.S. Senate.

Jesse Nichols was born on June 14, 1909, in Clarksdale, MS. He began his service when the late Pat Harrison of Mississippi was the distinguished Chairman of the Finance Committee—the committee I am now privileged to chair.

Jesse was appointed as a messenger for the Finance Committee in 1936, and was elevated about 6 months later to assistant clerk of the Committee. At that time, the staff of the Finance Committee numbered only three.

In 1967, on the occasion of his thirtieth anniversary on the Senate staff, several members of the Finance Committee, led by Delaware Republican John J. Williams, rose in the Senate chamber to pay tribute to Jesse Nichols who had "earned the respect of those former giants of the Senate, each of whom was proud to call him a friend."

Senator Williams added that:

It is refreshing to meet a man who throughout the years has served the Senate and his country with but one thought in mind, and that is, to do his job to the best of his ability, always remembering that as a Government employee he is a servant of the people.

Senate Republican Leader Everett Dirksen added his endorsement, noting that:

Thirty years of faithful and devoted service certainly deserves to be taken account of in the proceedings of this body.

An oral history interview conducted by the Senate Historical Office from March 26 to April 12, 1994, is available on the Senate Web site. The history documents Jesse's employment by the Committee on Finance from the 75th Congress through the 91st Congress.

He worked under the guidance of Democratic and Republican Chairmen, including Walter F. George of Georgia, I Senator Eugene Millikin of Colorado, Harry Flood Byrd of Virginia and Russell B. Long of Louisiana.

Jesse Nichols' service was faithful, exemplary and noteworthy. He served not only the Finance Committee with class and grace, but also the Senate as a whole during that critical period in American history. I join my colleagues in recognizing Mr. Nichols' life and am grateful to his service to our country.

S. RES. 168

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of Mississippi, Walter F. George of Georgia, Harry Flood Byrd of Virginia and Russell B. Long of Louisiana from the 75th Congress through the 91st Congress; and

Whereas the Committee on Finance will long remember the commitment, service and leadership of Jesse R. Nichols, Sr., as documented in an oral history posted on the Senate Historian's website: Now, therefore, be it

Resolved, That the United States Senate expresses its deep gratitude and sincere respect for Jesse R. Nichols for his unflinching service and his dedication to the United States Senate. The Senate hereby expresses condolences to the family due to the death of Jesse R. Nichols, Sr., on February 18, 2005.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF THOMAS B. GRIFFITH TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and proceed to the consideration of Calendar No. 66, which the clerk will report.

The assistant legislative clerk read the nomination of Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that I be allowed to proceed as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. MCCONNELL are printed in today's RECORD under "Morning Business.")

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, is the Griffith nomination before the Senate?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. HATCH. Mr. President, I rise in support of the nomination of Thomas B. Griffith to serve as a judge on the United States Court of Appeals for the District of Columbia Circuit.

Because Tom Griffith served as Senate legal counsel from 1995 to 1999, many Members of this body are very familiar with his character, judgment, and record. For the benefit of those new members of this body and those members of the public who are not familiar with Tom Griffith, I want to spend the next few minutes detailing why his education, experience, and expertise make him an excellent nominee for this extremely important Federal court.

As I will set forth, Tom has broad support on both sides of the aisle. In

the far too often partisan debate over judicial nominations that has occurred over the last few years, it is refreshing to have before us a nominee whose past record of achievement has resulted in so many current supporters who are firmly convinced that his future service on the bench will be successful.

One of the many reasons why I am particularly proud to support Tom Griffith is because he is a constituent of mine. Mr. Griffith serves as assistant to the president and general counsel of Brigham Young University.

As might be expected, Tom has many supporters at BYU. Here is what associate dean and Professor Constance Lundberg at the J. Reuben Clark School of Law has to say about the nominee:

[Tom] is also a lawyer of unexcelled ability. He understands the differences between law and policy and has a deep understanding of the powers and prerogatives of each of the three branches of government. He is immensely fair and compassionate. The laws and Constitution of the United States could not be in better hands.

Tom also has his supporters among law school faculty off the BYU campus. For example, please listen to what Harvard Law Professor William Stuntz has said about the qualifications of Tom Griffith:

I know a great many of talented men and women in America's legal profession; I've taught more than three thousand students at three top law schools, and I have friends scattered across the country in various kinds of law practice and in academics. I do not know anyone whom I would rather see on the federal bench than Tom Griffith. If he is confirmed, he will not just be a good judge. He'll be a great one.

That is certainly strong praise and, as I remember law school, getting praise from law professors is never easy unless you truly earn it.

In order to become the lawyer he is today, Tom received a solid education.

Back in 1978, Mr. Griffith received his Bachelor's degree from BYU. I am proud to say that we both graduated from BYU. I am also proud to tell you that Tom graduated *summa cum laude*. For those of us who are proud to call Brigham Young University our alma mater, I want to note that BYU is our Nation's largest private university and is recognized by many as one of the finest institutions of higher learning anywhere in the world.

Tom Griffith was the valedictorian of the BYU College of Humanities. He was chosen as the recipient of the prestigious Edward S. Hinckley Scholarship.

Mr. Griffith pursued his legal studies at the University of Virginia School of Law. Once again, he distinguished himself by being selected as a member of the law review at the University of Virginia. This is an honor that very few law students achieve.

Upon graduation from law school in 1985, Tom commenced his legal career as an associate in the Charlotte, NC, law firm of Robinson, Bradshaw and Hinson. During this time, Mr. Griffith

was engaged in corporate, commercial, securities and employment litigation.

In late 1989 Tom Griffith joined the well-known and highly regarded Washington, DC, law firm of Wiley, Rein and Fielding, first as an associate. Tom specialized and excelled in complex environmental insurance litigation and regulatory investigations and was made a partner in the firm.

Between March, 1995 and March, 1999, Tom Griffith served as Senate legal counsel. This is a highly demanding job as the Senate legal counsel advises the Senate on all legal matters related to the Senate including Senate investigations, the work of Senate committees, and defending acts of Congress and Senate resolutions.

During his time as Senate legal counsel, Tom faced the many challenges of advising the Senate during the impeachment of President Clinton. If there was ever a circumstance to test the temperament of a lawyer, his ability to ascertain what the law is and what prudence dictates, and to provide objective legal advice in a fair and even-handed manner in a highly charged atmosphere, surely it was the unique circumstances of the impeachment trial. By all accounts, Tom Griffith came through in flying colors.

After the impeachment trial, Tom rejoined the firm of Wiley, Rein and Fielding for about one year before taking his current position in Utah as the general counsel of Brigham Young University.

As you can tell from this thumb nail sketch of Tom Griffith's career, he is an achiever. He has had a terrific education and has done very well at very demanding schools. He has also distinguished himself in the practice of law with one of the great law firms in this country, as Senate legal counsel, and in his current capacity as assistant to the president and general counsel at BYU.

Many have relied upon Tom Griffith for sound legal advice. That is because he is an excellent lawyer who provides excellent advice.

Despite the claims on his time made by the various legal positions Mr. Griffith has held, he still found the time to take on a number of voluntary assignments that demonstrate a commitment to serving those in need. For example, between 1991 and 1995 Mr. Griffith spent several hundred hours of his own time attempting to overturn the sentence of a death row inmate. Ultimately, the strategy devised by Mr. Griffith was successful in obtaining a pardon by then-Governor, now-Senator GEORGE ALLEN on the eve of the scheduled execution.

Tom has volunteered to represent disadvantaged public school students in disciplinary proceedings and has helped operate soup kitchens or people in need.

I would also like to make my colleagues aware of Tom's interest in, and commitment to, the emerging democracies in Central Europe. For the last