

## NOT VOTING—11

Biden	Kerry	Smith
Campbell	Landrieu	Stevens
Edwards	Lieberman	Talent
Inouye	Murkowski	

The nomination was confirmed.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that there be a period of morning business with Senators speaking for up to 10 minutes each.

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

Mr. MCCAIN. Madam President, where is Aung San Suu Kyi? Burma's political crisis grows, and much of the world is outraged. Burma's democratically elected leader, winner of the Nobel Peace Prize and world-renowned icon of freedom, remains imprisoned. Burma's ruling generals so far have prevented both the U.N. special envoy, who has been in Rangoon for 3 days, and the International Committee for the Red Cross, to visit her. The generals seem unmoved by the world's condemnation, and their peoples' suffering. It is time for all respectable members of the international community to put weight behind their words and take active measures to secure the freedom of Aung San Suu Kyi and the Burmese people.

Most of the world sees the Burma crisis in staggeringly different terms than do its military rulers. Despite the regime's denials, the May 30 assault on Aung San Suu Kyi and her supporters was a well-organized, premeditated attack by members of the Union Solidarity Development Association, a militia of the ruling, and misnamed, State Peace and Development Council. Given Aung San Suu Kyi's stature within Burma and around the globe, we know Burma's top generals, led by General Than Shwe, would have had to personally approve a physical attack on her and her delegation. We know that Than Shwe would never let his conscience interfere with any calculation of what is in the best interests of the junta's continued ability to repress the democratic aspirations of its people.

Aung San Suu Kyi's associates, including several who witnessed the May 30 attacks, say that at least 70 and perhaps 100 members of her National for

Democracy were slaughtered by the regime's militia in the most violent crackdown since the junta crushed the August 1988 popular uprising against the regime—and we know the junta's claim that only four people died on May 30 in what they call a spontaneous clash with the opposition is false. We know that Suu Kyi is not in "protective custody," as the junta insists, but that she is being held because her national popularity and clear democratic mandate ultimately make rule by generals impossible to sustain. We know the generals are holding her incommunicado because, if she were free to speak, she would speak the truth about their brutality, and about the ruin they have brought to their country. What's so dangerous about these obvious sentiments is that the generals themselves know they are true, and that it is they who are to blame for this devastation, exposed as they are before their people and the world.

The irony is that by crushing the democratic opposition, the generals have once again demonstrated to their people and the world the fragility of their rule, which no amount of repression will legitimize. That one woman, unarmed and leading only an army of citizens who believe in her, can so rattle a group of uniformed officers who control every instrument of national power is testimony to what Vaclav Havel called the power of the powerlessness. As Havel and many other brave dissidents behind the Iron Curtain knew, no amount of repression can provide a regime the democratic legitimacy that is the only basis for regime survival. No leader or leaders can systematically repress their people and loot their country and get away with it forever. The Burmese military has been doing it for 40 years, and their time is running out.

Another sad truth the current crisis has exposed is how little the leaders of Burma's neighbors, including the democracies, seem to care for the most basic rights of the Burmese people. The Prime Minister of Thailand arrives in Washington today: I hope he is prepared for a barrage of questioning—and criticism—of Thailand's warm embrace of the dictatorship next door since he assumed office in 2001. Under Prime Minister Thaksin, Thailand has moved aggressively to deepen Thai business ties with Burma, provide substantial economic assistance to the junta, collaborate with the Burmese military against Burmese ethnic groups who oppose rule by the generals, arrest and repatriate exiled Burmese democrats across the Thai-Burma border, and pursue a policy of cooperation and conciliation with a regime that is opposed by the vast majority of its people and known to much of the world as an outlaw.

Bangkok's coddling of Rangoon has gone well beyond passive acceptance of the regime next door to something approaching active sponsorship of the junta. Thailand has made no effort to

reach out to the Burmese opposition, which is especially unfortunate since some of its most fearless leaders reside in the Thai-Burma border region. Under Prime Minister Thaksin, Thailand has supported and sustained its historic enemy, at the very time when it could use its influence to help bring about the negotiated transition to democracy in Burma.

India's government also appears to have made a strategic decision to "constructively engage" Rangoon out of fear of growing Chinese influence in Burma. India has legitimate concerns about China's interest in using Burma as an outlet for Chinese commerce and military forces in the Andaman Sea. But given China's pervasive influence in Burma, India cannot hope to compete with Beijing for the junta's affection. A more effective strategy would be to support the Burmese opposition's campaign for a free Burma. I don't know what policies a Burma led by Aung San Suu Kyi would pursue towards China, but I'm quite confident she wouldn't choose to pursue a strategic partnership with an Asian dictatorship. Democratic India would be a natural ally of a free Burma, and I believe Delhi would be wise to help move Burma in that direction, rather than curry favor with the generals.

China's unreconstructed policy towards Burma following the attack of May 30 was best expressed by China's ambassador to Rangoon, who told U.N. envoy Razali Ismail that China considers the crisis to be Burma's "internal political affair." Interestingly, China has been helpful in dealing with the North Korean nuclear crisis, I hope because Beijing understands the costs of tying itself too closely to a regime that is actively alienating the rest of the world. Perhaps it is wishful thinking to hope that China's rulers will reach a similar conclusion about their support for the Burmese junta: that in their increasing repression and devastation of their country, the generals are fighting a battle they can't win, and that undermines the stability and prosperity China seeks in Southeast Asia. Perhaps Beijing would take a more resolution line with the generals if Southeast Asia were united in condemnation of their assault on the Burmese people.

The Association of Southeast Asian Nations will hold its annual ministerial summit and security meetings next week in Phnom Penh. Secretary of State Powell is scheduled to attend the meetings of the ASEAN Regional Forum and the ASEAN Post-Ministerial Conferences from June 18–20. I urge Secretary Powell to reconsider his plans to travel to Southeast Asia unless the ASEAN nations, excluding Burma, agree to address the crisis in Burma as their central agenda item; agree to forcefully condemn the crackdown on democracy in Burma; agree to require the release of Burma's detained democracy leaders in order for Burma

to participate in the ASEAN ministerial meetings; and agree to issue a concrete action plan to move Burma towards a negotiated settlement with Aung San Suu Kyi that grants her a leading and irreversible political role culminating in free and fair national elections.

I understand the importance of Secretary Powell's visit to Southeast Asia. I agree that the region is too important for the United States to neglect. But as long as Burma's neighbors neglect the political crisis in their backyard, it is hard to imagine what coherent role ASEAN can play in the region and the world. All Southeast Asian leaders have a vested interest in building ASEAN into a strong regional bloc that can help expand prosperity and improve security in Southeast Asia. As long as Burma, an ASEAN member since 1997, is held captive by the generals, destabilizing the region and attracting precisely the kind of international sanction Southeast Asian leaders would like to avoid—and as long as those leaders do little or nothing about it—Southeast Asia will remain little more than the sum of its parts, and ASEAN will have little enduring relevance. Secretary Powell should condition his visit to Phnom Penh on an ASEAN agenda that addresses the rot at the heart of the organization—the decaying dictatorship in Rangoon—and that helps move ASEAN towards a more constructive role in Southeast Asia than that of “constructively engaging”, and abetting, tyranny in Burma.

The United States has moved to restrict visas for officials of Burma's Union Solidarity Development Association and freeze Burmese leaders' assets. Tomorrow, the Senate will take up a measure banning imports from Burma. Europe is moving to tighten existing sanctions against the junta. These efforts to bring to bear pressure for democratization will have additional force if Burma's neighbors end business as usual and take concrete steps to help liberate the Burmese people.

It is hard to believe that Americans and Europeans care more about the rights of the Burmese people than do people in Bangkok, Beijing, Delhi, Manila, Jakarta, and other Asian capitals. These nations will always have Burma as a neighbor. Burma will not always be ruled by the generals. When they are gone, free Burma's leaders will speak the truth about ASEAN and its support for Asian autocrats, unless that organization and its member states make a strategic decision to stand with the Burmese people in their struggle for freedom today.

#### FORMER SENATOR DANIEL PATRICK MOYNIHAN

Mr. DASCHLE. Madam President, on March 31, 2003, a Mass of Christian Burial for Senator Daniel Patrick Moynihan was held at St. Patrick's Church here in Washington. At that service, a

beautiful homily honoring our friend and revered former colleague Senator Moynihan was given by his pastor, Rev. Msgr. Peter Vaghi. For the benefit of all Senators and for history, I ask unanimous consent that Msgr. Vaghi's remarks be printed in the RECORD.

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

#### MASS OF CHRISTIAN BURIAL, DANIEL PATRICK MOYNIHAN, MARCH 31, 2003

My dear Liz, Maura, John, Tim and Tracey, Michael Zora, distinguished guests and friends,

We gather on this Lenten Monday in this historic church of St. Patrick in sorrow but also in confident hope. For we come to pray for the soul of Daniel Patrick Moynihan in this his parish church, a church which he loved so much with so many of us who loved him as well. We commend him this morning into the loving hands of God our Father as we celebrate this holy Mass, this perfect prayer of redeeming love, given to the church by Christ as He Himself prepared to return to His Father in heaven. In this time of war, we pray at this Mass for Pat's eternal and heavenly peace.

This parish church is a long way from Hells Kitchen in New York where he was raised, but a short walk from his apartment overlooking Pennsylvania Avenue, an avenue which was so close to his heart, an avenue he helped transform. And this short walk is one he made each Sunday for holy Mass often with Irish walking stick in hand and that unforgettable tweed hat.

In the preface for Christian Death in this morning's Mass, we hear those consoling words that for your faithful people, Lord, “life is changed not ended.” These are words of hope in a world desperately looking for signs of hope. They are words of our faith, a faith Pat embraced and lived. They are words of faith in Jesus Christ who “is the way, the truth and the life.” In that first reading from the Book of Wisdom, how can we not be consoled, referring to “the souls of the just,” thought “in the view of the foolish to be dead,” but affirmed so cogently by that revealed text to be “at peace.”

There are many titles which describe the life and work of Pat Moynihan, words which portray the mosaic of his 76 years of long and productive, life: a senator for two and a half decades, ambassador, professor and scholar, voracious reader, an independent-minded intellectual, administration official under four successive presidents, veteran, author of 18 books, public servant, statesman, awardee of innumerable honors, friend and confidante, a father and grandfather, spouse of 48 years to his wonderful wife Liz, and I might add, a faithful parishioner at this historic church of St. Patrick, this church of his patron saint. Each part of this rich mosaic of his life touches us in different ways depending on how we knew him but assuredly the totality of the gift of his life brings comfort and consolation to each of us in these days of deep loss no matter how we knew him.

He loved this parish. He had a particular love for our choir. He would often stand in the side aisle toward the end of Mass and watch the choir looking up from that vantage point. How he enjoyed them! On occasion, he would also take up the collection. He did it ever so slowly thanking everyone individually, in his unique style, for the contribution each person made. As I would watch him with basket in hand, hoping we could continue the Mass, I always found it hard to believe that this was really the chair of the Senate Finance Committee!

Pat Moynihan was a man of quiet faith. As with every person of faith, however, he

struggled to make the living Word of God shape his decisions in life. For him, this found expression in his long commitment to the body politic, the pursuit of the common good and his special care for the poor, the family structure, and the most needy in our midst. In the words of Revelation, speaking of those who have died in the Lord: “. . . let them find rest from their labors, for their works accompany them.” Like Pat, they and each one of us—in our turn—will meet our good and gracious God who judges us all with a loving and merciful heart.

For him, there is now no longer any human pain, anxiety, loneliness, the rush of daily life, the frailty of our human condition. No longer must the Lord, like the Hound of Heaven, pursue him—as He constantly pursues each one of us in life. He now possesses him fully—we pray—for Pat was baptized into Christ Jesus. Our faith teaches us that for those baptized into Christ Jesus, “those who have died with Christ, we believe that [they] shall also live with him.” Yes, “the souls of the just are in the hand of God and no torment shall touch them.”

In this Mass of Christian Burial, we gather as a family to pray for him. We gather as well to console his wife Liz, his sons, daughter, daughter-in-law, his grandchildren and family. We gather in prayer to console each other.

And as we ponder the mystery of Pat's death—for death is a mystery—it is also an appropriate time for each of us to ponder the mystery of life, the mystery of his life, the mystery of life in general. For each one of us without exception, life has its ups and downs, its surprises, its victories and defeats, its happiness and loneliness. Life is a mystery which only death will ultimately reveal. As we contemplate Pat's rich life, we pray that now at last, in the company of a gracious God, he will have the answer to the challenge of his life.

In this morning's Gospel passage, Jesus told Martha that “I am the resurrection and the life; whoever believes in me, even if he dies, will live, and everyone who lives and believes in me will never die.” As Martha came to believe that Jesus is the Messiah, the Son of God, we ask the Lord Jesus this day, a day when we remember Pat Moynihan, to empower us to believe and live more deeply in Him, our Savior Jesus Christ, who is the resurrection and the life. In His own time, then, He will also raise us up as, in faith, we believe He raises up Pat “for everyone who lives and believes in me will never die.”

We shall miss Pat Moynihan. How can we ever forget him? We all loved him in life, may we never forget him in death. As his extended family, let us pledge this day to pray for him, his wife and family.

May he rest in peace!

#### HONORING OUR ARMED FORCES

Mr. GRASSLEY. Mr. President, I rise today to pay tribute to a young man from Iowa who lost his life in service to his country. On Monday, May 26, 2003, Private Kenneth Nalley was killed in a tragic accident on a road in Iraq. Kenny was only 19 years old. As the town of Hamburg, Iowa mourns the loss of one of its sons, I know I join many of my fellow Iowans in extending my prayers and sympathy to Kenny's family. Private Nalley is the third soldier from Iowa to be killed since the start of Operation Iraqi Freedom. His death reminds us that a great many American men and women are still putting