

physical or mental impairment, including substance abuse, that—

“(I) constitutes or results in a substantial impediment to employment; or

“(II) substantially limits 1 or more major life activities.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on October 1, 2005.

Mr. JEFFORDS. Mr. President, it is a pleasure for me to introduce today, along with my colleagues Senators SMITH, COLLINS, CHAFEE, and ROCKEFELLER, the “Pathways to Independence Act of 2005.” This legislation is the product of a bipartisan effort to ensure that those individuals in our welfare system who face the toughest barriers to work, such as individuals with disabilities or substance abuse problems, are provided the best opportunity for future success and productivity. This legislation gives states the tools and incentives necessary to assist them in moving individuals from welfare to work.

The current welfare system has been widely regarded as a success in moving individuals off the welfare rolls, and states have been given incentives to do so. While this approach has been regarded as successful, it has one major flaw. Although the states are provided incentives for removing people from the welfare rolls, no incentives exist for placing individuals into sustainable employment. States receive the same credit for moving a welfare recipient into a high paying job as they do for sanctioning that person outright. This perverse incentive has been particularly difficult for the many welfare recipients who have disabilities or struggle with substance abuse problems. In many states it is easier to write these people off than to give them the support necessary to become truly independent.

In Vermont, approximately 15 percent of the welfare caseload has been diagnosed with a disability and receive services through the Vermont Department of Vocational Rehabilitation. Vermont’s effort to provide these services enables welfare recipients to, move from welfare to work. However, these services are not included in the core work activities allowed under the current welfare law. Vermont receives no credit or incentive for moving these individuals to independence. This policy is wrong. If we truly want welfare to be an initiative that helps people to become independent and self-sufficient, then our policies must reflect our intentions. That is where “The Pathways to Independence Act of 2005” comes into play.

The “Pathways to Independence Act of 2005” would allow states to count certain rehabilitation services for individuals with disabilities and treatment for substance abuse toward work activities. Here’s how it works: the legislation would give states the ability to count a welfare recipient who is engaged in work, or work preparation ac-

tivities, to participate in a drug treatment program for three months. At the end of this 3-month period, the state would be given the opportunity to re-evaluate the status of the individual and decide whether to continue treatment for an additional 3 months. This is the same process that is envisioned in the “Personal Responsibility and Individual Development for Everyone (PRIDE) Act” that the Finance Committee is planning to consider this spring. The PRIDE approach would then require an individual with a severe barrier to meet the same standard as a non-disabled individual. However, the “Pathways to Independence Act” would allow the state to continue treatment for the individual, provided that the individual is meeting at least half of the regular work requirements and following their treatment program for the remaining hours.

This is a common sense proposal. It is consistent with the research on providing effective support programs for people with disabilities and effective treatment programs for people struggling with substance abuse leading to sustainable employment. By allowing states to count these individuals in the “working” category, we provide the states with the necessary incentives to engage those most difficult to serve in meaningful ways that will help them to work. It will allow the states to place people with disabilities and substance abuse problems on a pathway to independence.

The “Pathways to Independence Act of 2005” would supply the states with the tools and incentives necessary to provide welfare recipients with the greatest chance for independence and self-sufficiency. If we truly want to take the necessary steps towards achieving this goal and improving upon our current welfare system, this legislation must be part of any welfare reform reauthorization that is enacted.

I would like to thank the members of the Consortium for Citizens with Disabilities for their help in developing this legislation and their strong letter in support of this initiative. I especially want to thank my colleague from Oregon, Senator SMITH, for his commitment to this legislation and all of our cosponsors in this endeavor.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 58—COMMENDING THE HONORABLE HOWARD HENRY BAKER, JR., FORMERLY A SENATOR OF TENNESSEE, FOR A LIFETIME OF DISTINGUISHED SERVICE

Mr. FRIST (for himself, Mr. BYRD, Mr. REID, Mr. ALEXANDER, Mr. COCHRAN, Mr. STEVENS, Mr. DOMENICI, Mr. HATCH, Mr. WARNER, and Mr. LUGAR) submitted the following resolution; which was considered and agreed to:

S. RES. 58

Whereas Howard Henry Baker, Jr., son of Howard Henry Baker and Dora Ladd Baker, was heir to a distinguished political tradition, his father serving as a Member of Congress from 1951 until his death in 1964, his stepmother Irene Baker succeeding Howard Baker, Sr. in the House of Representatives, and his grandmother Lillie Ladd Mauser having served as Sheriff of Roane County, Tennessee;

Whereas Howard Baker, Jr. served with distinction as an officer in the United States Navy in the closing months of World War II;

Whereas Howard Baker, Jr. earned a law degree from the University of Tennessee Law School in Knoxville where, during his final year (1948–1949), he served as student body president;

Whereas after graduation from law school Howard Baker, Jr. joined the law firm founded by his grandfather in Huntsville, Tennessee, where he won distinction as a trial and corporate attorney, as a businessman, and as an active member of his community;

Whereas during his father’s first term in Congress, Howard Baker, Jr. met and married Joy Dirksen, daughter of Everett McKinley Dirksen, a Senator of Illinois, in December 1951, which marriage produced a son, Darek, in 1953, and a daughter, Cynthia, in 1956;

Whereas Howard Baker, Jr. was elected to the Senate in 1966, becoming the first popularly elected Republican Senator in the history of the State of Tennessee;

Whereas during three terms in the Senate, Howard Baker, Jr. played a key role in a range of legislative initiatives, from fair housing to equal voting rights, the Clean Air and Clean Water Acts, revenue sharing, the Senate investigation of the Watergate scandal, the ratification of the Panama Canal treaties, the enactment of the economic policies of President Ronald Reagan, national energy policy, televising the Senate, and more;

Whereas Howard Baker, Jr. served as both Republican Leader of the Senate (1977–1981) and Majority Leader of the Senate (1981–1985);

Whereas Howard Baker, Jr. was a candidate for the Presidency in 1980;

Whereas Howard Baker, Jr. served as White House Chief of Staff during the Presidency of Ronald Reagan;

Whereas Howard Baker, Jr. served as a member of the President’s Foreign Intelligence Advisory Board during the Presidencies of Ronald Reagan and George H.W. Bush;

Whereas following the death of Joy Dirksen Baker, Howard Baker, Jr. married Nancy Landon Kassebaum, a former Senator of Kansas;

Whereas Howard Baker, Jr. served with distinction as Ambassador of the United States to Japan during the Presidency of George W. Bush and during the 150th anniversary of the establishment of diplomatic relations between the United States and Japan;

Whereas Howard Baker, Jr. was awarded the Medal of Freedom, the Nation’s highest civilian award; and

Whereas Howard Baker, Jr. set a standard of civility, courage, constructive compromise, good will, and wisdom that serves as an example for all who follow him in public service: Now, therefore, be it

Resolved, That the Senate commends its former colleague, the Honorable Howard Henry Baker, Jr., for a lifetime of distinguished service to the country and confers upon him the thanks of a grateful Nation.

SENATE RESOLUTION 59—URGING
THE EUROPEAN UNION TO MAIN-
TAIN ITS ARMS EXPORT EMBAR-
GO ON THE PEOPLE'S REPUBLIC
OF CHINA

Mr. SMITH (for himself, Mr. BIDEN, Mr. BROWNBACK, Mr. KYL, Mr. CHAMBLISS, Mr. ENSIGN, and Mr. SHELBY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 59

Whereas, on June 4, 1989, the Communist Government of the People's Republic of China ordered the People's Liberation Army to carry out an unprovoked, brutal assault on thousands of peaceful and unarmed demonstrators in Tiananmen Square, resulting in hundreds of deaths and thousands of injuries;

Whereas, on June 5, 1989, President George H. W. Bush condemned these actions of the Government of the People's Republic of China, and the United States took several concrete steps to respond to the military assault, including suspending all exports of items on the United States Munitions List to the People's Republic of China;

Whereas, on June 27, 1989, the European Union (then called the European Community) imposed an arms embargo on the People's Republic of China in response to the Government of China's brutal repression of protestors calling for democratic and political reform;

Whereas the European Council, in adopting that embargo, "strongly condemn[ed] the brutal repression taking place in China" and "solemnly request[ed] the Chinese authorities... to put an end to the repressive actions against those who legitimately claim their democratic rights";

Whereas the poor human rights conditions that precipitated the decisions of the United States and the European Union to impose and maintain their respective embargoes have not improved;

Whereas the Department of State 2003 Country Reports on Human Rights Practices states that, during 2003, "The [Chinese] Government's human rights record remained poor, and the Government continued to commit numerous and serious abuses," and, furthermore, that "there was backsliding on key human rights issues during the year";

Whereas, according to the same Department of State report, credible sources estimated that as many as 2,000 persons remained in prison in the People's Republic of China at the end of 2003 for their activities during the June 1989 Tiananmen demonstrations;

Whereas the Government of the People's Republic of China continues to maintain that its crackdown on democracy activists in Tiananmen Square was warranted and remains unapologetic for its brutal actions, as demonstrated by that Government's handling of the recent death of former Premier and Communist Party General Secretary, Zhao Ziyang, who had been under house arrest for 15 years because of his objection to the 1989 Tiananmen crackdown;

Whereas, since December 2003, the European Parliament, the legislative arm of the European Union, has rejected in four separate resolutions the lifting of the European Union arms embargo on the People's Republic of China because of continuing human rights concerns in China;

Whereas the January 13, 2005, resolution of the European Parliament called on the European Union to maintain its arms embargo on the People's Republic of China until the European Union "has adopted a legally binding

Code of Conduct on Arms Exports and the People's Republic of China has taken concrete steps towards improving the human rights situation in that country... [including] by fully respecting the rights of minorities";

Whereas a number of European Union member states have individually expressed concern about lifting the European Union arms embargo on the People's Republic of China, and several have passed resolutions of opposition in their national parliaments;

Whereas the European Union Code of Conduct on Arms Exports, as a non-binding set of principles, is insufficient to control European arms exports to the People's Republic of China;

Whereas public statements by some major defense firms in Europe and other indicators suggest that such firms intend to increase military sales to the People's Republic of China if the European Union lifts its arms embargo on that country;

Whereas the Department of Defense fiscal year 2004 Annual Report on the Military Power of the People's Republic of China found that "[e]fforts underway to lift the European Union (EU) embargo on China will provide additional opportunities to acquire specific technologies from Western suppliers";

Whereas the same Department of Defense report noted that the military modernization and build-up of the People's Republic of China is aimed at increasing the options of the Government of the People's Republic of China to intimidate or attack democratic Taiwan, as well as preventing or disrupting third-party intervention, namely by the United States, in a cross-strait military crisis;

Whereas the June 2004, report to Congress of the congressionally-mandated, bipartisan United States-China Economic and Security Review Commission concluded that "there has been a dramatic change in the military balance between China and Taiwan," and that "[i]n the past few years, China has increasingly developed a quantitative and qualitative advantage over Taiwan";

Whereas the Taiwan Relations Act (22 U.S.C. 3301 et seq.), which codified in 1979 the basis for continued relations between the United States and Taiwan, affirmed that the decision of the United States to establish diplomatic relations with the People's Republic of China was based on the expectation that the future of Taiwan would be determined by peaceful means;

Whereas the balance of power in the Taiwan Straits and, specifically, the military capabilities of the People's Republic of China, directly affect peace and security in the East Asia and Pacific region;

Whereas the Foreign Minister of Japan, Nobutaka Machimura, recently stated that Japan is opposed to the European Union lifting its embargo against the People's Republic of China and that "[i]t is extremely worrying as this issue concerns peace and security environments not only in Japan but also in East Asia as a whole";

Whereas the United States has numerous security interests in the East Asia and Pacific region, including the security of Japan, Taiwan, South Korea, and other key areas, and the United States Armed Forces, which are deployed throughout the region, would be adversely affected by any Chinese military aggression;

Whereas the lifting of the European Union arms embargo on the People's Republic of China would increase the risk that United States troops could face military equipment and technology of Western, even United States, origin in a cross-strait military conflict;

Whereas this risk would necessitate a re-evaluation by the United States Government of procedures for licensing arms and dual-use exports to member states of the European Union in order to attempt to prevent the re-transfer of United States exports from such countries to the People's Republic of China;

Whereas the report of the United States-China Economic and Security Review Commission on the Symposia on Transatlantic Perspectives on Economic and Security Relations with China, held in Brussels, Belgium and Prague, Czech Republic from November 29, 2004, through December 3, 2004, recommended that the United States Government continue to press the European Union to maintain the arms embargo on the People's Republic of China and strengthen its arms export control system, as well as place limitations on United States public and private sector defense cooperation with foreign firms that sell sensitive military technology to China;

Whereas the lax export control practices of the People's Republic of China and the continuing proliferation of technology related to weapons of mass destruction and ballistic missiles by state-sponsored entities in China remain a serious concern of the United States Government;

Whereas the most recent Central Intelligence Agency Unclassified Report to Congress on the Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions, 1 July Through 31 December 2003, found that "Chinese entities continued to work with Pakistan and Iran on ballistic missile-related projects during the second half of 2003," and that "[d]uring 2003, China remained a primary supplier of advanced conventional weapons to Pakistan, Sudan, and Iran";

Whereas, as recently as December 20, 2004, the United States Government determined that seven entities of the People's Republic of China, including several state-owned companies involved in China's military-industrial complex, should be subject to sanctions under the Iran Nonproliferation Act of 2000 (Public Law 106-178; 50 U.S.C. 1701 note) for sales to Iran of prohibited equipment or technology; and

Whereas the assistance provided by these entities to Iran works directly counter to the efforts of the United States and several European countries to curb illicit weapons activities in Iran: Now, therefore, be it

Resolved, That the Senate—

(1) strongly supports the United States embargo on the People's Republic of China;

(2) strongly urges the European Union to continue its ban on all arms exports to the People's Republic of China;

(3) requests that the President raise United States objections to the potential lifting of the European Union arms embargo against the People's Republic of China in upcoming meetings with European officials;

(4) encourages the United States Government to make clear in discussions with Governments in Europe that a lifting of the European Union embargo on arms sales to the People's Republic of China would potentially adversely affect transatlantic defense cooperation, including future transfers of United States military technology, services, and equipment to European Union countries;

(5) urges the European Union—

(A) to close any loopholes in its arms embargo on the People's Republic of China and in its Code of Conduct on Arms Exports;

(B) to make its Code of Conduct on Arms Exports legally binding and enforceable;

(C) to more carefully regulate and monitor the end-use of exports of sensitive dual-use technology; and

(D) to increase transparency in its arms and dual-use export control regimes;