

I said yesterday, on the Senate floor—and I say again today—BOB TORRICELLI is my friend. We came to Washington to serve in the House of Representatives together. We sat together in the same committee, the Foreign Affairs Committee, in the House.

We developed a friendship then, 20 years ago, that has remained. I feel so bad for my friend, BOB TORRICELLI. Mr. President, I cannot determine all he went through, but he went through enough that he dropped out of the Senate race. He did it because, for those of us who know him, the emotional toll was tremendous.

Now, would it be better for the people of New Jersey to have no Senate race? The sitting Senator is out of the race. Would it be better that the people of New Jersey have no election, no choice?

The paramount interest that the New Jersey Supreme Court determined was that the people of New Jersey should have a choice. Now, they heard that argument today, and they have already decided by a 7-to-0 vote. It was, as they say in basketball, a slam dunk. This was not a difficult legal proceeding. The people of New Jersey should have a choice as to who is going to serve in the Senate.

I would hope people would drop all the litigation. I am sure some of my friends in the minority are clamoring to get to the Supreme Court and have an election determined there like they did a couple years ago. But I think it would be to everyone's best interest to let the people of New Jersey decide that, with a 7-to-0 determination by the New Jersey Supreme Court, and let these two people—Lautenberg and his opponent—have a race where they have debates and public forums, run TV ads, and have an election like we have in America. New Jersey deserves that. That is what this is all about.

So I hope the election can go forward, as the New Jersey Supreme Court, by a 7-to-0 vote, said it should. And I am sure it will. I cannot imagine even this Supreme Court would change that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate now proceed to a period of morning business with Senators allowed to speak for up to 5 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FIRST ANNUAL REPORT OF CONGRESSIONAL EXECUTIVE COMMISSION ON CHINA

Mr. BAUCUS. Mr. President, I rise to speak in my capacity as Chairman of the Congressional Executive Commission on China. This commission was created in the China PNTR legislation two years ago and has the mandate to monitor human rights and developments in the rule of law in China. Today, we transmitted the first annual report to the Congress and to the President.

With passage of PNTR the Congress, and the country, declared that economic engagement was important—in terms of our own economic and strategic interests and in terms of our ability to promote and encourage change inside China. The commission was created to ensure that concerns about human rights and rule of law issues in China would continue to have a high priority in our government—in Congress and in the administration. That is why it includes members from both branches nine Senators, nine House members, and five Administration representatives appointed by the President.

The commission membership itself reflects the broad range of views of China within the Congress. Yet we were able to develop a report that is supported by an overwhelming majority of our members. The vote in the commission was 18 to 5 in favor of the report.

Let me turn to the report itself. This is the most comprehensive document produced by Congress on human rights in China. It pulls no punches in describing current human rights conditions in China. And it recommends actions to Congress and to the Administration that we believe will help promote change in China.

The underlying assumption of the report is that human rights cannot be enjoyed without a legal structure to protect those rights. Although China protects many rights on paper, this is often not the case in practice.

This is a time of uncertainty in China as they adjust to their WTO membership, go through a political transition with the senior leadership of the Chinese Communist Party and the government, and face increasing demands from their citizens for greater economic, social, religious, and political freedom.

In fact, the last 20 years has seen a period of profound change inside China—economic reform and the development of a market economy, decentralization of power, individual Chinese citizens gaining more individual autonomy and personal freedom. Yet the government continues to resist political liberalization and suppresses any threat to the Communist Party's grip on power. There are no free labor unions; all religious groups must register with the government and submit to its control; the media and Internet are restricted; there is tight control in minority ethnic regions.

The United States has limited means to influence change within China. The Chinese people, ultimately, must determine how they want to be governed and under what conditions. But we can help contribute to improving the situation inside China.

Let me stress that the commission is not seeking to impose American standards on China. But, from the Universal Declaration on Human Rights, to the International Labor Organizations' Declaration on Fundamental Principles, China has agreed to respect internationally recognized human rights for its citizens. Our desire is that the Chinese government abide by the terms of these international commitments, as well as the guarantees enshrined in China's Constitution and laws. That is the standard we, and others around the world, need to encourage—constantly.

Our report stresses that the United States must take a dual approach.

First, we need to pursue high-level advocacy on core human rights issues and cases of individuals who are denied their fundamental rights. The President, senior Administration officials, and members of Congress, should raise these issues at every opportunity. It also means multilateral advocacy. The United Nations Commission on Human Rights has many tools at its disposal. The International Labor Organization is becoming increasingly involved in labor rights issues in China. We need to work with other nations to pressure China in these areas.

Second, we need to provide increased technical and financial assistance to help build a legal system in China that protects human rights. Elements of this include training lawyers and judges to build a more professional legal system; promoting grassroots legal aid so Chinese women, workers, and farmers will understand their rights and how they can try to assert them; assisting with the drafting of new laws and regulations; teaching about experiences in other countries in the West, in Asia, in the former Soviet states, regarding how they dealt in a non-authoritarian way with some of the economic, social, and political problems that confront China today; providing currently unavailable information to the average Chinese using radio, cable, and the Internet; and working with nascent Chinese NGOs who are trying to deal with the staggering social and economic challenges in China.

The range of issues is huge. This past year, our commission examined some of the major areas of human rights and rule of law, including religious freedom, labor rights, free press and the Internet, Tibet, and the criminal justice system. Next year, we will continue to pursue these problems and address many others, including the role of foreign companies in Chinese society, women's rights which includes the one-child policy, HIV/AIDs, and the 2008 Olympics and human rights, to name just a few.