

(1) Inter-American Commission on Human Rights activities relating to the situation of human rights in Cuba;

(2) the funding of an OAS emergency fund for the deployment of human rights observers, election support, and election observation in Cuba as described in section 109(b) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6039(b)(1)); and

(3) scholarships for Cuban students attending colleges, universities, or other educational programs in member states of the OAS.

SEC. 7. SENSE OF CONGRESS.

(a) SENSE OF CONGRESS REGARDING CONSULTATION WITH WESTERN HEMISPHERE.—It is the sense of Congress that the President should begin consultation, as appropriate, with governments of other Western Hemisphere countries regarding a transition in Cuba.

(b) SENSE OF CONGRESS REGARDING OTHER CONSULTATIONS.—It is the sense of Congress that the President should begin consultations with appropriate international partners and governments regarding a multilateral diplomatic and financial support program for assistance to a transition in Cuba.

SEC. 8. ASSISTANCE PROVIDED TO THE CUBAN PEOPLE IN PREPARATION FOR A TRANSITION IN CUBA.

(a) AUTHORIZATION.—Notwithstanding any other provision of law other than section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1) and comparable notification requirements contained in any Act making appropriations for foreign operations, export financing, and related programs, the President is authorized to furnish an amount not to exceed \$15,000,000 in assistance and provide other support for individuals and independent nongovernmental organizations to support democracy-building efforts for Cuba, including—

- (1) political prisoners and members of their families;
- (2) persons persecuted or harassed for dissident activities;
- (3) independent libraries;
- (4) independent workers' rights activists;
- (5) independent agricultural cooperatives;
- (6) independent associations of self-employed Cubans;
- (7) independent journalists;
- (8) independent youth organizations;
- (9) independent environmental groups;
- (10) independent economists, medical doctors, and other professionals;
- (11) in establishing and maintaining an information and resources center to be in the United States interests section in Havana, Cuba;
- (12) prodemocracy programs of the National Endowment for Democracy that are related to Cuba;
- (13) nongovernmental programs to facilitate access to the Internet, subject to section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6032(g));
- (14) nongovernmental charitable programs that provide nutrition and basic medical care to persons most at risk, including children and elderly persons; and
- (15) nongovernmental charitable programs to reintegrate into civilian life persons who have abandoned, resigned, or been expelled from the Cuban armed forces for ideological reasons.

(b) DEFINITIONS.—In this section:

(1) INDEPENDENT NONGOVERNMENTAL ORGANIZATION.—The term "independent nongovernmental organization" means an organization that the Secretary of State determines, not less than 15 days before any obligation of funds to the organization, is a

charitable or nonprofit nongovernmental organization that is not an agency or instrumentality of the Cuban Government.

(2) ELIGIBLE CUBAN RECIPIENTS.—The term "eligible Cuban recipients" is limited to any Cuban national in Cuba, including political prisoners and their families, who are not officials of the Cuban Government or of the ruling political party in Cuba, as defined in section 4(10) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023(10)).

SEC. 9. SUPPORT FOR A TRANSITION GOVERNMENT IN CUBA.

(a) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds otherwise available for such purposes, there are authorized to be appropriated \$30,000,000 to the President to establish a fund to provide assistance to a transition government in Cuba as defined in section 205 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023).

(b) DESIGNATION OF FUND.—The fund authorized in subsection (a) shall be known as the "Fund for a Free Cuba".

(c) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 146—EX-PRESSING THE SENSE OF THE SENATE REGARDING THE ESTABLISHMENT OF AN INTERNATIONAL TRIBUNAL TO PROSECUTE CRIMES AGAINST HUMANITY COMMITTED BY FIDEL CASTRO RUZ AND OTHER CUBAN POLITICAL AND MILITARY LEADERS

Mr. REID (for himself and Mr. ENSIGN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

Mr. REID. Mr. President, I submit this resolution on my behalf and that of Senator ENSIGN. Senator ENSIGN is not present on the floor today because, as I speak, he is in Florida. He will be the keynote speaker in Florida at the Cuban Independence Day celebration. And it should be a celebration.

Because today, Mr. President, a proud Cuban people should mark the 101st anniversary of their independence. But they have not had that independence for the last 44 years.

I applaud and commend my colleague from Nevada for taking the time and effort to be in Florida to be the spokesperson for those of us who hope for a truly independent Cuba—a Cuba free of the tyrant Fidel Castro.

I realize that another dictator is on the minds of many Americans these days. Our troops continue to investigate the fate of that man—Saddam Hussein—and to search for his top henchmen. We must ensure that all these despicable figures are held accountable for their crimes against humanity. Under the direction of Hussein, the Iraqi leadership embarked upon one of history's most premeditated and brutal campaigns of theft, kidnapping, torture, and murder against the Iraqi, Kuwaiti, Kurdish,

and Iranian people. We are, as I speak, finding graves in Iraq where hundreds, if not thousands, of people are buried who have been murdered by the henchmen of Saddam Hussein and his two sons. Some 200,000 Iraqis are still missing, most taken from their homes under cover of darkness, never to be seen or heard from again.

In the modern era, such crimes cannot go unpunished. The United States must assist the Iraqi people in bringing Hussein—if he is still alive—and all other responsible Iraqi officials to justice. The victims of their crimes, including U.S. soldiers, deserve no less.

But closer to home, 90 miles from the shores of the United States, Fidel Castro continues to wage a vicious assault against fundamental human rights and liberties. For more than 44 years, he has led a tyrannical regime in Cuba that systematically violates basic human rights, including freedoms of expression, association, assembly, and movement.

Since 1959, more than 100,000 Cubans have been persecuted by Castro's regime, over 18,000 of whom have been killed or who have disappeared. Now, these are just ballpark figures. We do not know precisely how many people have been executed by Castro and his henchmen, but we can identify thousands of them by name. And Fidel Castro shows no sign of ending his campaign of terror—none at all. In fact, this past March, just a couple months ago, he launched a massive crackdown on leaders of independent labor unions. All they were doing was trying to organize, that's all. He also continued a crackdown on leaders of opposition parties and the pro-democracy movement that led to the arrest of almost 100 dissidents. Castro denied these detainees due process and subjected them to secret trials, after which 50 of them received prison sentences of up to 28 years.

In April, last month, three Cubans hijacked a ferry in an attempt to flee Castro's repressive regime. The Cuban Government summarily tried these men behind closed doors and then had them shot by firing squads.

Journalists have endured especially severe punishment from Castro. Just last year, his Government killed 25 journalists and threatened, harassed, or detained almost 1,500 more.

While I wish I could say I just told you about all the atrocities of his regime, I have not even come close. The list goes on and on and on.

As I said earlier, today is the 101st observance of Cuban Independence Day. It should be a celebration of freedom for the Cuban people. Instead, their island has been hijacked by a cruel dictator whose false promises of prosperity have given way to cowardly acts of intimidation. The sad truth is the Cuban people are still not free. Castro's regime is an insult to the legacy of the Cuban independence movement. As long as he continues to stifle the will of the Cuban people by denying them basic human liberties, any celebration

of Cuban Independence Day will ring hollow.

And so, Mr. President, today is a particularly appropriate day to discuss ways the United States and the international community can hold evil dictators accountable. Since the end of World War II, the United States and other free nations of the world have agreed that individuals who commit crimes against humanity must be held responsible for their actions. From Nuremberg to Bosnia to Rwanda, and now Iraq, the international community, under our leadership, has brought tyrants to justice. Why should we treat Fidel Castro any differently?

Today, with Senator ENSIGN, I am submitting a resolution that calls upon the State Department and the Organization of American States to convene a tribunal that will try Fidel Castro and other political and military leaders of Cuba who have committed crimes against humanity. We cannot allow Castro, Hussein, or other dying despots or their associates to hide behind a phony claim of immunity. They have willingly chosen to torture and kill their own people, and it is time to hold them accountable for that decision.

The Cuban people deserve justice. That includes the many Cuban Americans who came to this country to escape Castro's regime. I have come to know the Cuban-American community very well.

We have a large Cuban-American community in Las Vegas. Some of the leaders of our State are Cuban Americans. I can recite a long list of Nevadans who were forced to leave Cuba, who gave up family fortunes, professional careers, men and women who worked by their hands, who were willing to brave the 90-mile journey across the ocean to freedom. They left their homeland because of Fidel Castro's oppression. Many of these people have gone on to become leading figures in Nevada.

One of these people, who is like a father to Senator ENSIGN and is a dear friend of mine, is a man by the name of Tony Alamo. Tony Alamo still speaks with an accent, even though he has been in this country for a long time. That accent dignifies this great man. He is a person who has achieved greatness in Nevada. But he started in Reno as a janitor. He worked his way up. He dealt cards. He educated himself. He is a man of letters. He understands important issues, and he is extremely engaged in global current events.

Today he is No. 3 in the hierarchy of one of the largest resort companies in the world, Mandalay Bay, a property that has tens of thousands of hotel rooms in Nevada. He has worked in the past as a corporate officer in the MGM company. He is one of the leaders of the State's tourist society. He has two fine young children, a son, Tony, Jr., who is a physician, and a daughter who also is well educated and involved in Nevada's business community.

Tony Alamo and his family are living examples of all the good Cuban Ameri-

cans have done for our country. But he still loves Cuba. Even though he will never return there—he is an American through and through—he still loves his homeland and detests what Fidel Castro has done to it.

I hope the Senate understands what an evil person Castro is, and what horrible things he has done to the people of Cuba. I hope this resolution is taken to the Foreign Relations Committee, that hearings are held, and that it is reported out favorably so that we can vote on it on the Senate floor.

I again express my appreciation for the sacrifices made today by Senator ENSIGN. He has traveled to Florida to fulfill what both he and I believe is an extremely important responsibility—to represent the Senate on the 101st observance of Cuban Independence Day.

SENATE RESOLUTION 147—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF JOHN JENKEL V. BILL FRIST

Mr. MCCONNELL (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 147

Whereas, Senator Bill Frist has been named as a defendant in the case of *John Jenkel v. Bill Frist*, No. C-03-1235 (MEJ), now pending in the United States District Court for the Northern District of California;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members of the Senate in civil actions relating to their official responsibilities: Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Senator Frist in the case of *John Jenkel v. Bill Frist*.

SENATE RESOLUTION 148—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF JOHN JENKEL V. 77 U.S. SENATORS

Mr. FRIST (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 148

Whereas, in the case of *John Jenkel v. 77 U.S. Senators*, No. C-03-1234 (VRW), pending in the United States District Court for the Northern District of California, the plaintiff has named as defendants seventy-seven Members of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members of the Senate in civil actions relating to their official responsibilities: Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent the Members of the Senate who are defendants in the case of *John Jenkel v. 77 U.S. Senators*.

SENATE RESOLUTION 149—EXPRESSING THE SENSE OF THE SENATE THAT THE INTERNATIONAL RESPONSE TO THE CURRENT NEED FOR FOOD IN THE HORN OF AFRICA REMAINS INADEQUATE

Mr. FEINGOLD submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 149

Whereas, according to the United Nations World Food Program, there are nearly 40,000,000 people at risk of starvation in Africa this year due to drought and widespread crop failure;

Whereas more than 14,000,000 of those people live in Ethiopia and Eritrea;

Whereas the World Food Program has raised only 25 percent of the \$100,000,000 it needs to assist 900,000 people in Eritrea;

Whereas increased food and transportation costs have reduced the purchasing power of aid organizations;

Whereas the United States has contributed more than any other donor country in responding to the food crisis;

Whereas food aid is only part of the solution to the complex problems associated with famine, and non-food aid is also critical to lowering fatality rates;

Whereas the number of people at risk of food shortages in the Horn of Africa could exceed the levels of the famine of 1984;

Whereas urban areas in the region lack effective food security and vulnerability monitoring and sufficient assessment capacity;

Whereas countries in Africa have the highest HIV/AIDS infection rates in the world;

Whereas malnutrition lowers the ability of people to resist infection by the HIV/AIDS virus and hastens the onset of AIDS;

Whereas a person infected with HIV/AIDS needs to consume a higher number of calories per day than the average person does in order to survive; and

Whereas there is not enough food in the assistance pipeline to satisfy the dire food needs of the people in drought-affected countries of the Horn of Africa: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should—

(1) review our food assistance programs to ensure that we are as committed to, and successful at, meeting food needs in Africa as we are to meeting food needs in other parts of the world;

(2) take all appropriate measures to shift available United States food assistance resources to meet food needs in the Horn of Africa, including drawdowns of the remainder of the reserve stocks in the Emerson Humanitarian Trust;

(3) encourage other donors to commit increased food assistance resources through bilateral and multilateral means; and

(4) direct the Secretary of State, the Secretary of Agriculture, and the Administrator of USAID to work with international organizations, other donor countries, and governments in Africa to develop a long-term, comprehensive strategy for sustainable recovery in regions affected by food crisis that—

(A) integrates agricultural development, clean water access, inoculations, HIV/AIDS awareness and action, natural disaster management, urban vulnerability measures, and other appropriate interventions in a coordinated approach;

(B) estimates costs and resource requirements; and

(C) establishes a plan for mobilizing resources, a timetable for achieving results, and indicators for measuring performance.