

These are serious issues. But without seeing any progress whatsoever on the part of the regime, it is hard to see why we should be looking for more opportunities to make additional concessions. It is hard to see why we should believe whatever promises the regime might make. And it is hard to see why we should cooperate on migration or counternarcotics with a Cuban navy whose main mission is patrolling for and sinking ships carrying its own fleeing citizens.

If we open up discussions now, we are essentially giving the regime a pass on progress and taking the focus off of where President Obama rightly put it, freedom on the island, freedom for political prisoners, freedom from seizures of a huge percentage of remittances sent to the Cuban people.

So, this is exactly the wrong time to start these conversations and starting them would be in direct contradiction to the White House's own statements, as recently as April 17, that put the burden where it should be, on the Castro regime.

After 50 years of brutality, we need actions, not words, on the part of the Castro regime. Mere words won't erase the lack of dignity that Antúnez is protesting with a hunger strike. Words won't stop people like Oscar Elías Biscet, a renowned doctor, from being thrown into prison for refusing to give women a drug that caused abortions.

And words won't finally allow Oswaldo Payá to see the free elections he's worked for and marched for and gone to jail for.

Last week I heard one of my distinguished colleagues speak about human rights abuses in China. I think the Senator was absolutely right to highlight those abuses. And I think we should be no less concerned with prison camps in China than prison camps in Cuba, no less concerned with Tiananmen Square than with the Primavera Negra crackdown, no less appalled at a child laborer in Beijing than in Havana.

And by now we should be convinced that economic interaction in the face of an authoritarian government will not end Cuba's human rights abuses, just as it has not ended abuses in China.

Another of my distinguished colleagues has pointed out the peaceful revolutions that ended communism in Eastern Europe, including in his ancestors' homeland of Lithuania. I share the Senator's deep respect for those revolutions. And I think it is worth pointing out that when they took place, there was international support and recognition not primarily for the businesses who wanted to open those countries up for financial gain, but for the democracy activists within those countries who risked their lives to bring change.

There is simply no excuse for the Cuban regime's behavior. Forgiving it and forgetting it is not the answer.

If we want to change the way we conduct our policy, there are many things

we can do to isolate and weaken the Castro regime, and hasten the day when the Cuban people can be free.

Let's have the U.S. offer more visitor and student visas for eligible Cubans to come to the U.S., to see and live our way of life. Having Americans travel to Cuba could never be as powerful as having Cuban youth see the greatness of our country, and its pluralistic, diverse, representative democracy. That taste of freedom would be infectious.

In return we simply seek a commitment from Cuba to accept their citizens' return, and to guarantee the issuance of exit permits for all qualified migrants.

Cuba is one of the few countries in the world that will not permit its citizens to travel even when they have a legitimate visa to do so. And, when they give them license to leave, they must pay to do so. I find it ironic that when people mention the U.S. embargo, they fail to mention the Castros' blockade on their own people, a blockade that keeps Cubans not only from leaving Cuba, but from moving freely within their own country.

If we want to facilitate the sales of food to Cuba, let us insist that they be sold in open markets, available to all Cubans, without it being part of Castro's food rationing plan, a plan meant to further control the Cuban people.

In exchange for cooperation with Cuba on narcotics trafficking, let them hand over the 200 fugitives the FBI knows are in Cuba, including JoAnne Chesimard, the convicted killer of New Jersey State Trooper Werner Foerster.

And in exchange for freeing commerce, let the Castros free the political prisoners they hold and allow them to speak freely, organize freely, elect their own leadership and freely practice their religion on Cuban soil. I hope we are not so blinded by the color of money that we forget how important it is for the Castros to close their dungeons and let the light of freedom shine down on everyone who calls the island home.

President Obama, who saw repression in Indonesia when he was a child, promised us this: He said:

My policy toward Cuba will be guided by one word: Libertad. And the road to freedom for all Cubans must begin with justice for Cuba's political prisoners, the rights of free speech, a free press and freedom of assembly; and it must lead to elections that are free and fair.

For 50 years, the regime has been a social, economic and moral failure. It has succeeded merely at staying in power. Today, after the regime has offered few new words and fewer new actions, we can choose to change how we feel about the regime, or we can try to change the way it operates. That is our choice.

We can choose amnesia or we can choose justice. We can choose strong words or we can choose strong actions. We can choose giving in to the commercial interests of a few, or we can choose holding on to the moral interests that unite us all.

That is what I hope we will do. I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ). The Senator from New York.

SAFE BABY PRODUCTS ACT

Mrs. GILLIBRAND. Mr. President, I rise to speak about an issue that is very close to my heart. I am a mom. I have two young boys at home. Like all parents, I have faith and confidence that the products I use on my children—bath products, lotions, and soaps—are safe. But a new study was recently released by the Campaign for Safe Cosmetics revealing that widely used baby products, such as shampoos and baby lotions, contain probable carcinogens and other irritants, in particular formaldehyde and dioxane 1,4.

Like many other moms in New York, when I read this list of potentially dangerous products, I immediately began to worry about my children. I have two boys—Henry who is 11 months old and Theodore who is 5 years old. When I read this list of products, I noticed many of them are literally in my bathroom, and I have used them on my children since they were born. I was immediately very concerned. I began to think about what I could do to make a difference. The bottom line is, I, like all parents in America, need to know the facts about these products.

The Campaign for Safe Cosmetics commissioned an independent laboratory study to test 48 products for 1,4-dioxane, and 28 of those products were also tested for formaldehyde. The lab found that 61 percent contained both of those chemicals. Eighty-two percent contained formaldehyde from a level of 54 to 610 parts per million, and 67 percent contained 1,4-dioxane at levels up to 35 parts per million. The report says these chemicals are both probable carcinogens and irritants and have been known to cause cancer in animals.

The FDA, however, has not established a safe level for these chemicals in cosmetics, and these chemicals are currently not listed as ingredients because they are byproducts of the processing and manufacturing.

To me, this situation is unacceptable. Parents have the right to know whether the products they use on their children are safe. While a single product may not be cause for concern, the reality is, babies may be exposed to many products, several times a week. Children are particularly susceptible. Their skin is much finer, much thinner, so they can absorb contaminants more easily. They tend to breathe more quickly than adults, meaning their exposure to inhalation of some of these chemicals can be more considerable. We need to make sure the combination of these products is not causing harm to our youngest. Parents need to know if there are any risks in the products they trust. Parents have a right to know, and the government has a responsibility to make sure these products are safe.

That is why I rise to introduce legislation that will ensure these baby products are safe and that parents have the information they deserve. The Safe Baby Products Act will require the FDA to investigate the safety of baby products, publicly report the findings, and establish manufacturing practices that will reduce or eliminate any harmful chemicals. While there are no known cases of any disease directly linked to these products, what the legislation will do is require the FDA to test the safety and then report the findings so all of us can rest assured the products we use are safe. This commonsense legislation will ensure that we have all the facts we need about lotions and soap products because parents deserve to know.

This legislation will ensure transparency and accountability in this all-important consumer products market. The United States has a great history of taking steps to safeguard our kids. There is an important tradition of child and product safety laws.

As a mother of two young sons, I understand there is no duty greater for the Federal Government than to protect those who are most vulnerable among us. Other countries have taken leadership. The EU and Canada have banned dioxane in cosmetic products and have regulations for formaldehyde. Japan and Sweden have banned formaldehyde. The Israeli Health Ministry has banned the sales of U.S. baby products with carcinogenic chemicals.

All parents want the best for their kids. Our Government must not fail to protect our youngest and those who need our protection the most. This legislation will ensure that all of our parents have the information they need to keep our children safe.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent that whatever remaining time there is on the Democratic side be preserved in the event that another Democratic speaker would want to speak in morning business.

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

Mr. KYL. I will begin the Republican side at this time.

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

CLOSING GITMO

Mr. KYL. Madam President, President Obama has set an arbitrary deadline of January of 2010 to close our prison at Guantanamo Bay. There is currently no plan on how to accomplish that. Nevertheless, the President has requested \$80 million in a supplemental appropriations bill to accomplish it. The question is, before we approve \$80 million for this purpose, should we not know what the money is going to be used for? We are not in the business of appropriating large sums of money without having any idea of

what is going to happen to the money. There are a lot of questions, but there are virtually no answers.

This facility is virtually brand new. It is a \$200 million state-of-the-art prison. I have not heard that any of the money is going to actually go to shutter the facility. That would be very strange, indeed, since I gather even if all of the terrorists were removed from it, there would still be a reason to have that prison so that it could house others. So what is the money going to be used for?

We have not heard that any other country has agreed to take these prisoners. I think France was willing to take one. But presumably very little of this \$80 million is going to be used to pay other countries to take these prisoners. So what is the money going to be used for?

Obviously, we will not release them into society. I heard one wag talking about the possibility that they would be given some money and turned loose and directed to make the best of their new life. That, obviously, makes no sense. I haven't heard that any of the \$80 million would be used for that purpose.

What could it be used for? Well, I guess the only other option would be these people would be transferred to other prisons, either State prisons or maybe a Federal or a military prison. I will go into why that is not a good idea in a moment. But I suppose some of the money could be used to pay a State prison, for example, or to provide funding for a Federal prison, even though they are already funded, and I am not sure why they should need the additional money. But maybe they need additional security, for example. Perhaps some of the money could be used for that.

Why the number \$80 million? Where did that number come from? Is there a plan, and we have not been told about it yet? There are a lot of questions that have to be answered before I am willing to vote to spend \$80 million—or not spend it but to authorize \$80 million to be spent but on what I do not know.

Let's understand that the reason these terrorists are at Guantanamo Bay—there are two reasons. No. 1, these are the worst of the worst. These are extraordinarily dangerous people who have all said that if given half a chance they will kill Americans or anybody else with whom they disagree. The second reason is, this facility keeps them in a place where they are safe but also we are safe from having the facility attacked in order to release them or to have the guards or the prison officials put into jeopardy as a result of the proximity to terrorists who could have access to them.

Guantanamo Bay is not a place where terrorists can easily get access. As a result, it is the perfect place to keep these kinds of dangerous criminals. We have already let a lot of the people at Guantanamo Bay free because we judged they were not a danger

any longer. Unfortunately, we were wrong about many of them. There are well over 30—and I think the number may be over 50 by now—who we actually have information have returned to the battlefield. Some of them, we know, have been killed, some have been captured again, and we know some have gone right back to committing terrorist atrocities. These are people who we thought were rehabilitated or were not terrorists in the first place.

Now we are talking about roughly 240 or 245 who we know are very dangerous if they were ever to be released. What can be done with them? We cannot release them back to the battlefield. We cannot take them to some country such as Switzerland and turn them loose and say: Well, go wherever you want to. Other countries do not want to take them. You cannot turn them over to countries that we believe will obviously mistreat them or will turn them loose.

The only other option I can see is they would be put in some American prison. Think for a moment about that. One reason the prison guards at Guantanamo do not wear any identification is because they do not want these terrorists to know who they are. If they did, it would be possible to locate their families back in the States and to threaten them or actually do harm to them. This is not hard.

If they are transferred to the State prison in Arizona, let's say, what would have to be done there? Well, everybody knows who the warden of the State prison is in Arizona. Is that person and the family going to be jeopardized as a result of the fact that person is in charge of the Arizona prisons? Obviously, all the guards would have to have the same kind of training that our very capable people at Guantanamo have received. This would cost extra money. They could not be identified in any way to these individuals. The facilities would probably have to be hardened in order to ensure there could be no escape.

But as we found in both Afghanistan and Iraq, when terrorists are aware—and I believe this may have happened in Pakistan, though I could be corrected—when terrorists are aware their colleagues are being held in a facility, they make plans to try to spring them and they attack the facility and they try to hold hostages so they can trade for their colleagues who are in the prison.

Is that what we are going to expose Americans to in our communities? These are the kinds of things that have not been thought through and, obviously, have to be thought through. When somebody says to me: Will you vote for \$80 million to close the prison at Guantanamo? I am going to say: Tell me what the \$80 million is going to be used for. Tell me what the plan is and then I will think about it.

Let me mention—I said before these are the worst of the worst. They include 27 al-Qaida leaders, including the