

substituted for an asbestos containing product.

“(2) TERMS AND CONDITIONS.—An exemption granted under this subsection shall be in effect for such period (not to exceed 5 years) and subject to such terms and conditions as the Administrator may prescribe.

“(3) GOVERNMENTAL USE.—

“(A) IN GENERAL.—The Administrator of the Environmental Protection Agency shall provide an exemption from the requirements of subsection (b), without review or limit on duration, if such exemption for an asbestos containing product is—

“(i) sought by the Secretary of Defense and the Secretary certifies, and provides a copy of that certification to Congress, that—

“(I) use of the asbestos containing product is necessary to the critical functions of the Department;

“(II) no reasonable alternatives to the asbestos containing product exist for the intended purpose; and

“(III) use of the asbestos containing product will not result in an unreasonable risk to health or the environment; or

“(ii) sought by the Administrator of the National Aeronautics and Space Administration and the Administrator of the National Aeronautics and Space Administration certifies, and provides a copy of that certification to Congress, that—

“(I) the asbestos containing product is necessary to the critical functions of the National Aeronautics and Space Administration;

“(II) no reasonable alternatives to the asbestos containing product exist for the intended purpose; and

“(III) the use of the asbestos containing product will not result in an unreasonable risk to health or the environment.

“(B) ADMINISTRATIVE PROCEDURE ACT.—Any certification required under subparagraph (A) shall not be subject to chapter 5 of title 5, United States Code (commonly referred to as the ‘Administrative Procedure Act’).

“(4) SPECIFIC EXEMPTIONS.—The following are exempted:

“(A) Asbestos diaphragms for use in the manufacture of chlor-alkali and the products and derivative therefrom.

“(B) Roofing cements, coatings, and mastics utilizing asbestos that is totally encapsulated with asphalt, subject to a determination by the Administrator of the Environmental Protection Agency under paragraph (5).

“(5) ENVIRONMENTAL PROTECTION AGENCY REVIEW.—

“(A) REVIEW IN 18 MONTHS.—Not later than 18 months after the date of enactment of this chapter, the Administrator of the Environmental Protection Agency shall complete a review of the exemption for roofing cements, coatings, and mastics utilizing asbestos that are totally encapsulated with asphalt to determine whether—

“(i) the exemption would result in an unreasonable risk of injury to public health or the environment; and

“(ii) there are reasonable, commercial alternatives to the roofing cements, coatings, and mastics utilizing asbestos that is totally encapsulated with asphalt.

“(B) REVOCATION OF EXEMPTION.—Upon completion of the review, the Administrator of the Environmental Protection Agency shall have the authority to revoke the exemption for the products exempted under paragraph (4)(B), if warranted.

“(d) DISPOSAL.—

“(1) IN GENERAL.—Except as provided in paragraph (2), not later than 3 years after

the date of enactment of this chapter, each person that possesses an asbestos containing product that is subject to the prohibition established under this section shall dispose of the asbestos containing product, by a means that is in compliance with applicable Federal, State, and local requirements.

“(2) EXEMPTION.—Nothing in paragraph (1)—

“(A) applies to an asbestos containing product that—

“(i) is no longer in the stream of commerce; or

“(ii) is in the possession of an end user or a person who purchases or receives an asbestos containing product directly or indirectly from an end user; or

“(B) requires that an asbestos containing product described in subparagraph (A) be removed or replaced.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents in section 1 of the Toxic Substances Control Act (15 U.S.C. prec. 2601) is amended—

(1) by inserting before the item relating to section 201 the following:

“SUBTITLE A—GENERAL PROVISIONS”;

and

(2) by adding at the end of the items relating to title II the following:

“SUBTITLE B—BAN OF ASBESTOS CONTAINING PRODUCTS

“Sec. 221. Ban of asbestos containing products.”.

Mr. SPECTER. It would be my request to my colleagues that the matter be examined and studied because we are going to have to move forward on it one way or another, if it is to be taken up at an early date. I have set a very demanding schedule on the work of those who have been in the drafting process. So I ask consideration of my colleagues to consider this matter at an early opportunity.

I thank the Chair.

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. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Florida.

VISIT TO THE SENATE BY THE VICE PRESIDENT OF THE ARGENTINE REPUBLIC

Mr. NELSON of Florida. Mr. President, it is a privilege for me today to call to the attention of the Senate the very good relations the United States has with the country of Argentina.

We are honored to have as our guest the Vice President of Argentina, Daniel Scioli, who, in his capacity, has the privilege of the floor because, as under the Argentine Constitution, so, too, under our Constitution, the Vice President of the country is also the President of the Argentine Senate. Since we have parliamentarians of the various parliaments of the world who have the privilege of the floor, it is my privilege

to bring Daniel Scioli, a personal friend, to see the greatest deliberative body in the world, the United States Senate.

Argentina has had quite an economic revival. Under Vice President Scioli and President Kirchner, they have had an economic turnaround in the course of the last couple of years, particularly evident within the last year because we have seen a number of their economic problems start to come under control. We have seen a lessening of their inflation. We have seen them attempting to deal with their debt that is owed to international institutions as well as to other countries. As a matter of fact, there are very significant negotiations going on now with Argentine bondholders that are held around the world as to whether there will be some kind of forgiveness. Of course, you can imagine the bondholders are resisting that enormously. But we do know this: For Argentina to increase its economic capacity as the leader that Argentina is in Latin America, as it is very reflective of an elected government and elected democracy, it is clearly in the interest of the United States that Argentina does well.

We see that the Kirchner administration has benefited from the results of that economic revival, for President Kirchner and, no doubt, Vice President Scioli, in fact, are very high in popularity in the polls in Argentina.

It is interesting that another country in Latin America that has had tremendous economic problems—Peru, under President Toledo—likewise, is coming up in their economy, but President Toledo does not enjoy the high standing in the polls in his country of Peru that the Kirchner administration is enjoying in the polls in Argentina. I think, over the course of time, we will see President Toledo begin to rise in the polls, but he has had a very tough time.

The Vice President and I just had a discussion about a number of topics that are of mutual interest to our country. On his border with Brazil and with Paraguay, the Argentine-Paraguay-Brazilian border, called the triborder area, there is a city called Ciudad del Este, a place about which we are concerned because there is a lot of money laundering, there is a lot of fundraising for Muslim charities, there are a lot of knockoff goods that are being sold, contraband being sold. So those conditions are ripe for terrorists to infiltrate, and it is our hope that these countries in the triborder region, the three major countries, will continue to cooperate with us.

I can tell you that Argentina has clearly cooperated with us. In the recent trip I took with Senator DODD and Senator CHAFEE where we visited these areas, we were quite encouraged with the cooperation on terrorism getting a foothold in that region. We have seen

terrorism move from the Middle East. We have seen it in Europe. We have seen it move into Africa. Our concern now is that terrorism is moving into Latin America.

Another topic of enormous mutual interest to our two countries is the question of the direction that Venezuela will take and the direction that President Chavez is taking it.

In a recent meeting with President Chavez with these other Senators, he was very friendly. He said that he was, in fact, clamping down on the FARC and the ELN, the guerrillas in Colombia coming across into Venezuela. He said, in fact, he had just returned nine FARC members to President Uribe of Colombia, and then, lo and behold, we find evidence to the contrary shortly thereafter.

I have spoken with Vice President Scioli, as well as President Kirchner of Argentina, to intercede to see if there is any common ground with the President of Venezuela because Venezuela and the United States have a mutual interest. They sell half of their daily production of oil to us. We import 15 percent of our daily consumption of oil from Venezuela. Who knows, it could be a leader just like the leader from Argentina who is visiting with us today who could be the intermediary to help improve the relations if President Chavez is sincere.

Mr. President, I wish to welcome our distinguished guest from Argentina, who has now become a personal friend of mine and my wife Grace, to this cradle of our democracy, this great deliberative body. Earlier today, he visited with our Vice President, Vice President CHENEY. We are now glad to have him come and see the body over which the Vice President of the United States sits as the President of the Senate.

Welcome, Mr. Vice President.

I thank the Chair for this opportunity. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

COMMENDING THE PEOPLE OF IRAQ ON DEMOCRATIC ELECTIONS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. Res. 38, which the clerk will report.

The assistant bill clerk read as follows:

A resolution (S. Res. 38) commending the People of Iraq on the January 30, 2005, national elections.

The PRESIDING OFFICER. The time until 5:30 will be equally divided between the leaders or their designees.

The Senator from Delaware.

Mr. BIDEN. Mr. President, I will be speaking as the designee of Senator REID, the Democratic leader.

I rise to speak to the resolution congratulating the people of Iraq for their historic elections which took place on January 30.

The Iraqi elections were an important step forward and a tribute to the courage of the Iraqi people. It was actually incredible to see them go to the polls literally as they heard explosions in the streets. The images that we saw were quite moving.

The election is only the first step in a long road filled with potentially lethal potholes, and the next months are going to be very critical.

If the elections are to be a true turning point in the history of Iraq, then it is critical, and I believe the administration fully understands, that the administration act with the urgency that is needed in several key areas to sustain this very positive momentum.

In my view, the first priority is to build Iraqi capacity. The election, hopefully, strengthened the political legitimacy of the Iraqi government, but it did nothing to build its governing capacity.

The Iraqi government is no more capable today than it was the day before the elections of providing law and order, defeating the insurgents, or delivering basic services like water, gasoline, and electricity.

We have squandered 2 years developing these capabilities, and now it is time to move into high gear, especially in training Iraqi forces that are able to operate independently and effectively. Our ability to draw down responsibly in Iraq depends on that happening.

Second, we must promote political power sharing. Because many Sunni Arabs stayed home or, quite frankly, were scared away, understandably I might add, from the polls, they may feel even more alienated and continue to support the insurgency.

I am encouraged by conciliatory statements by some Sunni-affiliated organizations that suggest they are willing to work with the new government in drafting Iraq's permanent constitution. We all should remember this election was primarily about electing people who are going to be the people who write the constitution. In a sense, it is a little bit like our Constitutional Convention that took place in Philadelphia. These folks are going to write a constitution, then they are going to present it to the Iraqi people essentially in a referendum at the end of this year, next fall. If the Sunni Arabs are not in on the deal, it is not likely to be accepted.

We must use our influence with the Shi'a and the Kurds to reach out to those who were left out, that is the Sunni Arabs, who are willing to participate in the writing of that constitu-

tion. They also have to be well represented in the cabinet of this transitional government.

Finally, just as the international community appointed a first-rate representative to the independent Iraqi election commission, so, too, should it consider similar assistance as Iraqis begin to grapple with the complexities of drafting a constitution.

Thirdly, we have to make Iraq the world's problem, not just our own. Secretary Rice said before the Senate Foreign Relations Committee "the time for diplomacy is now." The proof will be the administration's efforts and success in getting more help to train Iraqi security forces and to build Iraq's infrastructure. The administration has to make a diplomatic full court press.

Our allies claim to be concerned about the plight of the Iraqi people. Well, now is their chance to prove it. The Europeans have to get over it. George Bush has been elected for the next 4 years. The fact is, they must get involved and stop shirking their responsibility. We also must help the Iraqi government develop positive relations with its neighbors and regional states. Our Presidential elections are over, the American people have spoken, and it is time for our allies to get over their past differences with the Bush administration and act in their own self-interest to promote a stable, unified, representative Iraq.

A week ago, several of my colleagues from both sides of the aisle had the chance to visit with President Chirac. I think it is fair to say we sensed a new willingness to work with us if France is given a seat at the table.

Similarly, Chancellor Schroeder, during Secretary Rice's visit last week, offered additional German assistance to train Iraqi security forces, build Iraqi ministries, and support Iraqi civil institutions.

We must not squander yet another opportunity to bring our key allies into the effort.

Last April, I called for the creation of a board of directors—a contact group—consisting of the major powers, the Iraqi government, and key regional countries to support Iraq's transition. It would meet on a monthly basis to coordinate diplomatic, political, economic, and security support for Iraq.

I urge the administration to reconsider creating a contact group. The President could use his forthcoming visit to Europe to launch the effort.

A broader group which includes other nations on the U.N. Security Council, the G-8, and the multinational force can meet on a regular, but more infrequent basis to discuss ways to support the contact group's efforts.

Fourth, we must show reconstruction results. More than a year ago, the administration told Congress it urgently needed \$18.4 billion for Iraq's reconstruction.