

will be something we need as a national grid to be able to move electricity from the source to the area of consumption. That has changed. That is different than in the past. We will find ways to have cars and trucks that are more conservative in their use of gasoline.

I am pleased we are moving forward. I just left a hearing where we discussed working on that after our recess, that hopefully we can come together with a sensible policy. I hope we do not get tangled up in every detail but, again, have this oriented toward looking out over a period of time as to how we will provide the necessary energy resources and use them in a clean manner. I look forward to that.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

#### HONORING OUR ARMED FORCES

Mrs. BOXER. Mr. President, I come to the floor to pay tribute to 14 young Americans who have been killed in the Iraqi war. All of these young men are either from California or based out of California. I have already eulogized 20 individuals from California, either born there, raised there, or based there. So we are now talking about 34 of my constituents who have been killed.

We pray that the killing is coming to an end. I am sure it cannot come soon enough for all Americans. We pray the POWs will be returned safely. We pray for stability. We pray that we can bring our young men and women home, get them out of harm's way, and share the burden of the rebuilding of Iraq with many nations, so that the people of Iraq can realize their hopes and dreams.

SGT Michael V. Lalush, age 23, grew up in Sunnyvale, CA, before his family moved to Virginia in the mid-1990s. He was killed on March 30 in a helicopter crash in southern Iraq. He joined the Marines 2 weeks after graduating from high school in 1997. He was assigned to the Marine Light Attack Helicopter Squadron, Marine Aircraft Group 39, Marine Corps Air Station, Camp Pendleton, CA. He is survived by his parents, a sister in Los Angeles, and grandparents in Folsom, CA.

SGT Brian D. McGinnis, age 23, was assigned to the Marine Light Attack Helicopter Squadron, Marine Aircraft Group 39, Marine Corps Air Station, Camp Pendleton, CA. He was from St. Georges, DE. He is a graduate of William Penn High School in New Castle, DE, where he was a star member of the wrestling squad. He was killed March 30 in a helicopter crash in southern

Iraq. He is survived by his wife, who is living at Camp Pendleton in California, and he is also survived by his parents.

PFC Christian D. Gurtner, age 19, was assigned to the 3rd Light Armored Reconnaissance Battalion, 1st Marine Division, Marine Corps Air-Ground Combat Center, Twenty-Nine Palms, CA. He was killed April 2 as a result of a noncombat weapons accident in southern Iraq. He is from Ohio City, OH. In March, 2002, while still a high school senior at Van Wert High School, he enlisted in the Marines. His grandfather fought in World War II, and a great-grandfather served in World War I. He also had relatives who fought in Vietnam. His friends have said that Christian loved bowling, the Atlanta Braves, and Ohio State football.

CPL Erik H. Silva, age 22, from Holtville, CA, was killed in action in Iraq Thursday. Erik was assigned to the 3rd Battalion, 5th Marines, 1st Marine Division, based at Camp Pendleton, CA. He graduated from Holtville High, where he played the trumpet, was a drum major, and a member of the varsity golf team. He wanted to pursue a career in law enforcement. He is survived by his mother, living in Chula Vista, CA; two brothers; and a sister, who is currently serving in the Navy.

CPT Benjamin W. Sammis, age 29, was assigned to the Marine Light Attack Helicopter Squadron, Marine Aircraft Group 39, 3rd Marine Aircraft Wing, Camp Pendleton, CA. He was killed in action on April 4 when his AH-1W Super Cobra helicopter crashed during combat operations in Iraq. His hometown was Rehoboth, MA. He was a sailor, an Eagle Scout, a military school graduate, and a career marine, who had yearned to fly helicopters and jets since he was 10 years old. He is survived by a wife, his parents, and two brothers.

PFC Chad E. Bales Metcalf, age 20, was assigned to the 1st Transportation Support Battalion, 1st Force Service Support Group, Camp Pendleton, CA. He was killed on April 3 in a vehicle accident during convoy operations in Iraq. A native of Texas, Chad was born in Lubbock and grew up in Coahoma, where he played high school football. He is survived by his parents, two half sisters, and two half brothers.

CPL Mark A. Evin, age 21, joined the Marines in 2000. He was assigned to the 3rd Battalion, 4th Marine Regiment, 1st Marine Division, Twentynine Palms, CA. He was killed in action on April 3 during a firefight in central Iraq. Corporal Evin was from Burlington, VT. In the last letter he sent to his mom, he mentioned that he decided to go to college to study international relations.

CWO Eric A. Smith, age 41, lived in San Diego, CA, for a few years in the eighties. During his time in San Diego, he became acquainted with some Air Force pilots who sparked his interest in becoming a pilot. He joined the Army in 1987. Chief Warrant Officer

Smith was killed when his Black Hawk helicopter crashed in central Iraq on Wednesday, April 2. He was assigned to the 2nd Battalion, 3rd Aviation Regiment, Hunter Army Airfield, GA. He grew up in Rochester, NY. Eric played soccer at Brighton High School and graduated from the Rochester Institute of Technology.

CAPT Travis A. Ford, age 30, lived in Oceanside, CA, with his wife and their 1-year-old daughter. He was assigned to the Marine Light Attack Helicopter Squadron, Marine Aircraft Group 39, 3rd Marine Aircraft Wing, Camp Pendleton, CA. He was killed in action on April 4 when his AH-1 Super Cobra helicopter crashed during combat operations in Iraq. He grew up in Nebraska.

PVT Devon D. Jones, age 19, was from San Diego, CA. He was killed in a vehicle accident on April 4 in Iraq. Private Jones was assigned to the 41st Field Artillery Regiment, Fort Stewart, GA. He graduated from San Diego's Lincoln High School in 2002. He planned to become an English teacher and serve as a teaching intern at Kennedy Elementary School located across the street from his high school.

SGT Duane R. Rios, age 25, was assigned to the 1st Combat Engineer Battalion, 1st Marine Division based at Camp Pendleton, CA. He was from Griffith, IN. He was killed on April 4 during a firefight in central Iraq. Sergeant Rios was a 1990 graduate of Griffith High School in Indiana. He is survived by his wife living at Camp Pendleton and his parents.

1stSGT Edward Smith, age 39, was from Vista, CA. He joined the Marines when he was 17. He was assigned to the 2nd Battalion, 5th Marine Regiment, 1st Marine Division based at Camp Pendleton, CA. He also served as an Anaheim, CA, reserve police officer. He died April 5 as a result of wounds received in combat in central Iraq. Edward was born and raised on the south side of Chicago. He graduated in 1982 from Cosmopolitan Preparatory School. He is survived by his wife and three children.

CPL Jesus Martin Antonio Medellin, age 21, was assigned to the 3rd Assault Amphibian Battalion, 1st Marine Division, Camp Pendleton, CA. He was from Fort Worth, TX. Corporal Medellin was killed on April 7 in central Iraq after his vehicle was hit by enemy fire. He was active in his church. He loved his grandma's tortillas, and he enjoyed spending time with his 11-year-old brother.

PFC Juan Guadalupe Garza, Jr., age 20, was assigned to the 1st Battalion, 4th Marine Regiment, 1st Marine Division, Camp Pendleton, CA. He was born in Michigan. Private First Class Garza was killed in action on April 8 in central Iraq.

Mr. President, 34 men who were either from California or based in California have died in the Iraqi war. The people of California, and I know the people of the whole country, mourn their loss and all the other losses we

have had. May these beautiful young Americans rest in peace, may all the fighting end soon, and may we pray for the souls of those we have lost.

I cannot help but note that Cpl Mark Evin, age 21, wrote to his mother and said he wanted to study international relations. I hope and pray, in his memory, that we can forge relations in this world such that war is not a necessary tool; that we can forge relations in this world such that the power of democracy and our ideals will be shared by the people of the world, and that the power of those ideals will lead the whole world to peace.

Mr. HATCH. Mr. President, today my heart is heavy. Though our Nation's forces continue to make dramatic gains to rid the world of a tyrant who cares not for basic human dignities, three sons of Utah have made the ultimate sacrifice so that a nation may be reborn in freedom. Their names are SSG James W. Cawley, United States Marine Corps Reserve, SSG Nino D. Livaudais, of the Army's Ranger Regiment, and Randall S. Rehm, of the Army's 3rd Infantry Division.

To their families, I know that no words that I say here today will alleviate the sense of loss that you feel. You see, I too, lost a brother during the Second World War. But their families should know this, that our communities are with you and will stand behind you, that our State of Utah is praying for you and keeping you in our thoughts, and that our Nation will remember and honor your loss.

The death of these three men shows once again that it is our Nation's finest who answer the call of the colors.

Sergeant Cawley of Layton had dedicated his whole life to the protection of others. He was a Marine Reservist, who in civilian life was a Salt Lake City police officer. He was a member of that department's SWAT team and gang unit. Before joining the department he served for 12 years on active duty with the Marines, traveling the world. During one of his deployments to Okinawa he met his wife Miyuki, and they have two children, Cecil and Keiko. I join the entire Senate in telling those children that their father was someone to be proud of.

Sergeant Livaudais grew up around Ogden. He might have only been 23 years old, but he was already a combat veteran twice serving in Afghanistan. He truly died a hero's death, racing to protect a pregnant woman who was being used as a human shield. He fell victim to an explosion caused by a homicide bomber. His selfless act only reaffirms his unit's motto: "Rangers Lead The Way." He leaves behind a wife, two children, and a third child on the way. To his children who, in the coming years, might look back on these events in order to get a better understanding of who their father was and what he stood for, they should know this: Your father represents the very best that our Nation has to offer.

Sergeant Rehm was not a native of Utah, but we were honored to have him

and his family in Utah for 3 years when the Sergeant ran the Army's Salt Lake City recruiting office. He helped so many young people make the important decision to enter Government service. He died in the fighting near Baghdad International Airport, but his memory and spirit will live on in all of the young soldiers that he introduced to the Army. They will now carry on his traditions of honor and service.

After all wars monuments are built and ceremonies are held. However, for me the greatest memorial that can be erected to these fine men is to remember their names—James Cawley, Nino Livaudais, and Randall Rehm—and to learn from their example, that even now, in these challenging times, all people deserve to be free. It is our responsibility to these heroes that we realize a better world for which they fought.

Mr. BROWNBACK. Mr. President, the military campaign to disarm Iraq and free the Iraqi people has been a display of America's technology, power, and compassion. Our fine men and women in uniform have demonstrated that they are not only fully capable of defeating anything that comes their way, but also that they are dedicated professionals even when confronted with the worst sort of cowardice and terrorism. Amidst fake surrenders and using innocent women and children as defensive shields, our troops have stayed on target and have kept civilian casualties to a remarkable minimum.

We now have word that our troops have found what may be chemical weapons on warheads. If proven, this will indeed be the answer to those who claimed that Saddam was not an imminent threat. It is unfortunate that some of our so-called allies, namely France, could not see this danger. But it is a reminder to every American—of just how important it is for the U.S. to act in preserving our security—and not to defer our defense to countries that refuse to face today's new threats.

When completed, military action is only half the battle. In order to secure a long-term peace in the region, and consequently, security for our Nation; we need to ensure a strong and vibrant democracy thrives in a new post-Saddam Iraq.

There have been numerous questions raised about the likelihood of such a transition. But based on my long experience in working with the Iraqi opposition, I strongly believe a better day is around the corner for Iraq. It will not be easy, but it is very likely. Allow me to explain a few reasons why this is not mere optimism.

Iraq is not Afghanistan—the problems we have seen in reconstructing Afghanistan will largely not be present when it comes to Iraq for many reasons. First, Iraq is a resource-rich nation and can afford to pay for its own reconstruction. Second, Iraq is not filled with religious radicals that plagued Afghanistan. And third, Iraq does not have armed warlords to settle

with. In fact, Iraq has a history of having an educated and sophisticated population with a unique focus in the fields of technology and medicine. This will be a huge asset which will make a transformation to democracy more plausible.

There will need to be an extensive "de-Bathification" of the nation—just as in Germany it was necessary to "de-Nazify" much of that country's leaders following WWII. Even after this process, there will remain numerous ethnic, tribal and religious factions within the country that will likely have strong differences of opinion. But that is true of nearly every society and hardly a reason to believe there could be no democratic government. In fact, it makes it more likely that those differences will finally be recognized and worked out through a more productive manner than the use of brute force.

Iraq has a historical model for a federated democratic system—Much like Britain, Iraq used to have two parliamentary bodies. Opposition groups are working to reconstruct that model now to replace the existing regime. This is important because it shows that democracy as a concept, is not something that is being imposed on the Iraqi people, but rather, something that is being brought back to them from their own people. The U.S. should continue to work with all the Iraqi opposition groups in order to assist in this noble goal.

Iraqi opposition leaders have already held elections to replace Saddam—Just last month, members of numerous Iraqi opposition groups met inside northern Iraq and elected six leaders to help in the transition to a democratic government once Saddam Hussein is gone. These opposition members come from very diverse religious and ethnic backgrounds. But they agree on the basic principles—that Iraq should be a federated democracy which respects the freedoms of religion, speech, and respects human rights.

These Iraqi exiles have returned to fight for their homeland side by side with American forces. They have been flown into southern Iraq and are working with the local people there, as we speak, to help unify and embrace a peaceful transition to democracy.

I had an opportunity to meet with many of these now elected Iraqi leaders in a meeting with them in London this past December. I saw then, and I see now, the unity that they are creating. It is not always picture perfect. Democracy never is. But too often, there has been a tendency to write off the important work and success of these leaders. We should not underestimate them. We should instead, use our energies to help make their dreams for a peaceful and prosperous Iraq, into a reality.

Iraq's ultimate success will have to come from the Iraqi people—and it will! This is also why I believe we will see a strong, democratic Iraq in the near future. The people of this country

have suffered under the rule of a tyrant. They have watched as their neighbors in Iran increasingly rise up to protest against the tyranny of the Islamic regime. They see the destitution that years of terrorism has brought to the Palestinian people. Democracy is the only way forward—and the people of Iraq know it. We don't have to convince them of it, but we do have to help them implement this dream. That will be the role for reconstruction in the months to come.

If there is a danger that we face in looking at reconstruction policy in Iraq, it comes from holding on to the old belief system that the Middle East just can not handle democracy. Sadly, there are many in various government agencies who strongly cling to this view. We must make sure that those who hand out the funds to rebuild Iraq are on target with the President's vision. We will only get one chance to do this right. We must not revert back to the lobbying of dying regimes in the region. We must stay true to the bold vision that democracy in Iraq is coming.

I thank the Chair. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. FRIST. Mr. President, there has been an objection made to the Judiciary Committee meeting today. Thus, as the only way to allow that committee to continue its very important work for the people of the United States of America, I am forced to ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 12:06 p.m., recessed subject to the call of the Chair and reassembled at 3:05 p.m. when called to order by the Presiding Officer (Mr. CRAPO).

The PRESIDING OFFICER. The Senator from Utah.

#### UNANIMOUS CONSENT REQUEST—CONFERENCE REPORT TO ACCOMPANY S. 151

Mr. HATCH. Mr. President, I ask unanimous consent that at a time determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to the consideration of the conference report to accompany S. 151, the PROTECT Act, and it be considered as follows: There be 2 hours of debate equally divided in the usual form.

I further ask unanimous consent that following that debate time, the Senate

proceed to a vote on the adoption of the conference report, with no intervening action or debate.

Mr. REID. Objection.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. REID. Mr. President, if I could ask my friend to yield for a parliamentary inquiry.

Mr. HATCH. Without losing my right to the floor.

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

Mr. REID. I want to make sure my friend from Utah understands that we, of course, would have no objection to going to the conference report. Our problem is having the majority leader set a time for completing this legislation. We have a number of people on our side who wish to speak. We would be willing to go to the conference report but with no time constraints. I want to make sure my friend understands that.

Mr. HATCH. Could I ask the distinguished Senator how much time he would need?

Mr. REID. I don't really know how much time. I know the Senator from Massachusetts wishes to speak, and he may want to speak for a little while. I think the best thing to do would be to go to the conference report. We have been basically doing nothing for 3 hours today anyway. I am sure it wouldn't take very long. But I don't have any idea. If I could, through the Chair, inquire of the Senator from Massachusetts, does the Senator from Massachusetts have any estimate as to how long we should be on this important legislation?

Mr. HATCH. I yield without losing my right to the floor.

Mr. KENNEDY. I intend to speak about this for some time, and then at the appropriate time I will make a point of order in terms of the bill.

Mr. HATCH. I am sorry to see the objection on this matter because I believe this is one of the most important bills we will ever enact in the Senate, especially with regard to our children, but with regard to criminal law in general.

#### CLEAN DIAMOND TRADE ACT

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate immediately proceed to the consideration of H.R. 1584, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1584) to implement effective measures to stop trade in conflict diamonds, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GRASSLEY. Mr. President, I rise today in strong support of the Clean Diamond Trade Act. Clean Diamond legislation passed unanimously through the Finance Committee on April 2, by a voice vote. The bill we are

taking up today is nearly identical to the bill that passed the House of Representatives on April 8, 2003, by a vote of 419 to 2. Today, with the passage of this bill, the Senate is taking a step toward bringing our Nation into compliance with our responsibilities as a participating Nation in the Kimberly Process Certification Scheme.

Passage of this legislation is a true bipartisan success and a significant step forward in stopping trade in conflict diamonds. I would like to thank my colleagues for helping to develop the compromise legislation in this act. I would especially like to recognize the hard work of Senators GREGG, DEWINE, DURBIN, BINGAMAN, and FEINGOLD, whose devotion and dedication to stopping trade in conflict diamonds is unsurpassed.

The Clean Diamond Trade Act will implement the Kimberley Process Certification Scheme. This is an international agreement establishing minimal acceptable international standards for national certification schemes relating to cross-border trade in rough diamonds. It represents over 2 years of negotiations among more than 50 countries, human rights advocacy groups, the diamond industry and nongovernment organizations. The Kimberley Process Certification Scheme will help end the trade in conflict diamonds, which has been fueling conflicts in some African countries for many years, leading to human rights atrocities that are beyond anything we in America have ever experienced. I am pleased that we can help put an end to these atrocities with this legislation.

The next plenary session of the Kimberley Process is scheduled to convene in Johannesburg, South Africa, from April 28 to 30, 2003. The U.S. played a leadership role in crafting the Kimberley Process Certification Scheme, and it is critical that we implement the certification process before April 28 if we are to retain this leadership. We also need to do this to ensure that the flow of legitimate diamonds into and out of the United States will continue without interruption. Most important, we need to do everything we can to stop trade in conflict diamonds as soon as possible.

This is a trade issue, a consumer issue, and most of all, a human rights issue. Legitimate trade can elevate the standard of living for people all over. This bill sends a strong message that the benefits of trade in valuable natural resources like diamonds should accrue to the legitimate governments and their people in Africa.

I would like to take this opportunity to thank the members of my staff whose hard work helped to get us to this point. First and foremost, my Finance Committee staff led by Kolan Davis, my Chief Trade Counsel Everett Eissenstat, along with Carrie Clark, Zach Paulsen and Nova Daly. And I would like to acknowledge Senator BAUCUS's staff Tim Punke and Shara Aranoff for their help in getting this