

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the standing rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 86, the nomination of Priscilla R. Owen of Texas to be United States Circuit Judge for the Fifth Circuit.

Senators William Frist, Tom Hatch, Kay Bailey Hutchison, John Cornyn, Mitch McConnell, Jon Kyl, Wayne Allard, Sam Brownback, Jim Talent, Michael Crapo, Gordon Smith, Peter Fitzgerald, Jeff Sessions, Lindsey Graham, Lincoln Chafee, and Saxby Chambliss.

Mr. MCCONNELL. For the information of all Senators, this cloture vote will occur on Thursday of this week. I now ask unanimous consent the live quorum under rule XXII be waived.

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

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business.

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

HONORING OUR ARMED FORCES

Mrs. FEINSTEIN. Mr. President, with the dramatic and precipitous fall of many Iraqi cities, including Baghdad, the military conflict in Iraq is all but officially over.

Isolated pockets of resistance still exist and there is the looming threat of suicide bombings, as happened last Friday at an ammunition depot. But we can now proclaim that the barbarous regime of Saddam Hussein and his Ba'ath Party has finally come to an end.

As the military aspect subsides, the number of casualties—United States, coalition, and Iraqi—is also diminishing. And this, clearly, is wonderful news. Still, regrettably, there have been those over the last few weeks who have made the ultimate sacrifice, some of them with close ties to California. I would like to take a moment to honor these brave and selfless individuals.

Marine Cpl Jesus Medellin: On April 7, 21-year-old Jesus "Marty" Medellin was killed when an enemy artillery shell struck his vehicle. The second of four boys from a very close family from Fort Worth, TX, Medellin was remembered as a warm and relaxed family man who was active in local church.

As soon as he graduated from W.E. Boswell High School, in the year 2000, he went straight to Marine boot camp, having decided to do so when only 12 years old. "There's no prouder way of losing someone than through serving their country," said his father, Freddy Medellin, Sr., who was prevented from joining the military because of physical problems.

As part of the 3rd Assault Amphibian Battalion, First Marine Division, based in Camp Pendleton, CA, Cpl Jesus Medellin died doing what he had al-

ways dreamed of doing. Americans everywhere should be as proud of him as his family.

Marine Sgt Duane Rios: Remembered as a gentle giant, as a light-hearted person with an infectious laugh, 6-foot-3-inch Duane Rios was killed in combat on the outskirts of Baghdad, on Friday, April 4. He was a squad leader for the 1st Combat Engineer Battalion of the 1st Marine Division, from Camp Pendleton, CA.

Raised in Indiana by his grandmother, Rios graduated from Griffith High School in 1996. It was there that he met his future bride, Erica, who, upon hearing of her husband's death, told the San Diego Union Tribune that "there's no way he'd leave me behind knowing I couldn't take it. . . . He was a great guy, none better. . . . He did his job with pride because it was something that he felt was right."

She recalled how much they loved the view of the ocean at San Clemente, walking their dog on the beach, and watching the sunset. Her strength, along with her husband's sacrifice, should serve as an inspiration to us all.

Marine 1stSgt Edward C. Smith: A 38-year-old native of Chicago, Sgt Edward Smith had served in the U.S. Marine Corps for 20 years, and had served for 4 years as a reserve officer for the police department of Anaheim, CA. His hope was to retire from the Marines and become a full-time police officer. He died in Qatar, of combat injuries sustained in central Iraq, on April 5.

A veteran of Operations Desert Storm and Desert Shield, Sergeant Smith received many commendations, including the Navy Commendation Medal and two Navy Achievement Medals.

After graduating from the Palomar Police Academy with the "Top Cop" award, Sergeant Smith went on to receive such honors as the Rookie of the Year for the Anaheim Police Department and the Orange County Reserve Police Officer of the Year in 2001.

His coworkers in Anaheim remember Edward as a gentleman and a professional. He would send them e-mails and makeshift postcards made from empty MRE containers—one which promised that he would wear his SWAP cap into Baghdad.

Sergeant Smith leaves behind his wife Sandy and three young children, Nathan, Ryan, and Shelby. At a news conference held at the Anaheim police department, Ryan, an extraordinarily mature 10-year-old, talked about how their father was always there when they needed help.

"It made me feel so good," the boy said. "He was the best dad you could ever have. I miss him a lot."

Police Sgt. Rick Martinez, one of 100 colleagues who turned out to support the Smith family, noted that "we all fell in love with his children. Edward's got to be so proud right now."

And so America is so very proud of Sergeant Smith. Army Pvt. Devon D. Jones: Army Pvt. Devon Jones left for

boot camp just a few weeks after graduating from Lincoln High School, in San Diego, last June. He was just 19 years old.

It was only 3 years earlier that, after moving from one San Diego group home to another, the artillery specialist found a foster mother who he called mom.

"I'm honored to talk about him," his foster mother Evelyn Houston said. "He was a strong spirit. He was cool, but compassionate, and always concerned about everyone's well-being."

He joined the military in order to pay for his education—his goal was to be a writer and a teacher.

In a letter he sent to his family last month, Private Jones described his life in the desert. "Sometimes I just look into the sky at the stars and wonder what you all are doing, and smile.

"Hold on, be patient," he concluded, "and know there is a reason for everything."

GySgt. Jeffrey Bohr: 39-year-old Marine GySgt. Jeffrey Bohr, who was killed in downtown Baghdad during a 7-hour shootout outside a mosque, had been in the military his entire adult life. He joined the Army fresh of high school in Iowa, where he rode horses and played football, but switched to the Marine Corps 5 years later.

A large, broad-shouldered man known for his boundless energy—he could run all day with the younger Marines he commanded—Sergeant Bohr was also quiet and down-to-earth.

He lived with his wife Lori in San Clemente, CA, and loved reading history and John Grisham novels and taking his two boxers, Tank and Sea Czar, on 10-mile runs. He was also a diehard Oakland Raiders fan.

The last time Sergeant Bohr called Lori was a little over a month ago—he spoke of sandstorms and his belief that they would make good parents.

Lori's brother, Craig Clover, called Sergeant Bohr "a stand-up guy—do it by the rules. For a friend or family, he'd do anything . . . and he loved the military."

Marine LCpl Donald Cline Jr.: The same was true with 21 year-old LCpl Donald Cline, Jr., who was listed as missing in action just over 1 month ago, yet the Department of Defense confirmed last week that he had died in combat outside the city of Nasiriyah, in southern Iraq.

Born in Sierra Madre, CA, Corporal Cline moved to the town of La Crescenta, where he attended the public schools there until moving to Sparks, NV. It was there that he met his future wife Tina. They had two children together Dakota, 2, and Dylan, who is only 7 months old.

Sgt Troy Jenkins: On April 19, in an extraordinary act of heroic selflessness and sacrifice, 25-year-old Sgt Troy Jenkins threw himself on a cluster bomb just before it detonated. As a result, he saved the lives not only of several soldiers in his regiment—the 187th Infantry—but of a 7-year-old Iraqi girl.

Raised by his father in Evergreen, AL, Sergeant Jenkins loved roaming the woods, fishing, and music. He joined the Marines just before graduating from high school, in 1995, and later transferred to the Army. He also served in Afghanistan and was planning to leave the service this summer, with the hopes of joining the California Highway Patrol.

His reason for wanting to leave the military was so that his wife Amanda and their two children, ages 4 and 2, wouldn't be alone again. Amanda was not surprised by the circumstances of his death. "He didn't have a selfish bone in his body," she said. "He was always thinking of other people first."

That was demonstrated, well beyond the call of duty, when he willingly gave his own life to save those of his fellow soldiers and a little girl.

1LT Osbaldo Orozco: 1LT Osbaldo Orozco, just 26 years old, was killed in Tikrit, Iraq, when his Bradley tank, rushing to defend a checkpoint under fire, flipped over as it moved into a position to return fire.

Strong, tall and fast, Lieutenant Orozco was a star football player, both at Delano High School, in Delano, CA, and later at California Polytechnic State University, San Luis Obispo. At college, he was voted "Linebacker of the Year," was named as a Division II All-American, and racked up over 300 tackles. He gave up the opportunity to go pro by choosing to enter the Army.

He married his high school sweetheart Mayra in 2001. "He commanded four Bradleys and he loved it," she said. "He was ready to go and do his job. They all were."

Lieutenant Orozco is also survived by his parents, Jorge and Reyes Orozco, and five brothers, all over 6 feet tall. Together, they spoke with great pride of Osbaldo's many accomplishments—academic and athletic—and those special leadership qualities that so endeared him to the men he commanded.

SFC John W. Marshall: SFC John Winston Marshall was a 30-year veteran of the U.S. Army—a career soldier to the core. He grew up in Los Angeles and kept close family ties in the area. His parents, Odessa and Joseph, live in Sacramento.

It is worth noting that both his parents served in World War II, in many ways as trailblazers for African Americans in the armed services. His mother served as a nurse in England and his father as a quartermaster.

Because of his 30 years of distinguished service, Sergeant Marshall was eligible to leave the Armed Forces with full retirement benefits and had, in fact, planned to retire last year. Yet he decided to stay because of looming hostilities in Iraq. He was struck and mortally wounded by rocket-propelled grenade launched in an ambush by Iraqi troops.

Born in St. Louis, he moved with his family to Los Angeles when he was only 3. An accomplished flute player and a self-taught mechanic who made

motor scooters out of lawnmower engines, Sergeant Marshall graduated from Washington High School in 1972 and enlisted in the Army.

He went on to serve during the Vietnam war, in South Korea and Germany, and he was a veteran of Operation Desert Storm. At the time of his death, he was commanding a platoon of 40 men from the 3rd Infantry Division, based at Fort Stewart, GA.

According to his mother Odessa, "He wasn't there to pass the time; he was there to do a job."

His wife Denise told the Los Angeles Times: "He knew it was dangerous. He didn't run from anything."

And we should also remember that 50-year-old Sergeant Marshall was as devoted to his family as he was to his country. He leaves behind two sons and a daughter, ages 12, 13, and 14.

In one of the last e-mails he sent to his family, he noted: "I am not a politician or policy maker, just an old soldier."

Well, we politicians and policy-makers must not forget any of these heroes, regardless of their age, rank, religion, sex, or ethnic background. Together, they embody the diversity and consummate professionalism of America's Armed Forces.

We all hope and pray for the time when there will be no more casualty lists—when there will no longer be a need to recount stories of courageous men and women who willingly sacrificed their own lives, and irrevocably changed the lives of their families, their spouses, and children, in order to overthrow Saddam Hussein and liberate the people of Iraq.

Clearly, this conflict was a signal military success, and the casualties were kept relatively small. I could not be prouder of the stellar performance of our Armed Forces.

But we must never forget to honor every single loss, to pay our deepest respects and offer our deepest sympathies to those left behind, to those whose worlds have been so completely changed—and changed forever.

Mrs. BOXER. Mr. President, as we pray for all those who are in harm's way, I rise to pay tribute to seven additional young Americans who were killed in the Iraqi war.

I have made it a priority of mine to come to the Senate Chamber to read the names of the fallen military personnel who were from California or were based in my State. So far, 41 individuals have died who are connected in some way to California.

GySgt Jeffrey Edward Bohr, age 39, was killed on April 10 during a shoot-out in downtown Baghdad. He was assigned to the 1st Battalion, 5th Regiment, Alpha Company of Camp Pendleton, CA. He and his wife lived in San Clemente, CA. He was originally from northeast Iowa. He began his military career 20 years ago, serving in both the Army and the Marine Corps. During his career, he fought in Operation Desert Storm, and took part in operations in Panama, Somalia and Granada.

Cpl Jesus Gonzalez, age 22, was killed on April 12 in Baghdad. He was assigned to the 1st Tank Battalion, 1st Marine Division, Twentynine Palms, CA. He was born in Mexico and moved with his family to Indio, CA, 10 years ago. He was known as "Hugo" by his friends and family. He was a soft-spoken activist in his short life, marching in a Gulf War protest in 1992 and organizing a walk-out at his high school to support immigrant rights. However, when he was called to duty, he did not hesitate to fulfill his orders. He is survived by his wife, his 2-year-old daughter, and his parents.

SSgt Riayan A. Tejada, age 26, was killed on April 11 during combat operations in northeast Baghdad. He was assigned to the 3rd Battalion, 5th Marine Regiment, Camp Pendleton, CA. He was from New York City. He moved from the Dominican Republic to the United States in 1989. After graduating from high school, he enlisted in the Marines. He is survived by his parents and two children.

LCpl David Edward Owens, Jr., age 20, died from a chest wound inflicted during combat on April 12 in Baghdad. He was assigned to the 3rd Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, CA. He was from Winchester, VA. He graduated from James Wood High School in 2000. He loved hunting and athletics and was a wrestler and football player in high school. He joined the Marines with the long-term goal of a career in law enforcement. At his funeral service, he became the first person ever given an honorary appointment to the Virginia State Police. He is survived by his parents.

Cpl Jason David Mileo, age 20, was killed on April 14 in Iraq. He was assigned to the 3rd Battalion, 4th Marine Regiment, 1st Marine Division, Twentynine Palms, CA. He was from Centreville, MD. He was a 2000 graduate of Chesapeake High School in Pasadena, MD. He is survived by his parents.

Army SGT Troy David Jenkins, age 25, died on Friday, April 24, from injuries sustained during combat. He was from Ridgecrest, CA. He was assigned to the B Company, 3rd Battalion, 187th Infantry Regiment, Fort Campbell, KY.

Army 1LT Osbaldo Orozco, age 26, was killed in Iraq on April 25. He was from Delano, CA. He was assigned to C Company, 1st Battalion, 22nd Infantry Regiment, Fort Hood, TX. He was a star football player at Delano High School and later played football at Cal Poly San Luis Obispo, where he attended on a full athletic scholarship. He was a captain for the Mustangs in 1999 and was named the team's Most Inspirational Player. He was commissioned as an Army officer in 2001. He was the second oldest of five sons of Mexican immigrants and the first in his family to graduate from college.

Forty-one individuals who were from California or based in California have

died in the war. The people of California, as well as all Americans, mourn their loss.

May these beautiful young Americans rest in peace.

I continue to pray for those who have been injured in the war. I hope that they and the rest of our brave young men and women serving abroad will return home safely.

Mr. GRASSLEY. Mr. President, I rise today to pay tribute to a fellow Iowan and a great American. It is with a sense of sadness but also pride that I must call to the attention of the Senate the sacrifice of Marine GySgt. Jeff Bohr of Ossian, IA, who was killed April 10, 2003, while participating in the liberation of Baghdad. Jeff Bohr is the second Iowan to have died in Operation Iraqi Freedom, and hopefully the last. Jeff Bohr served his country in the military for 20 years and had no reservations about putting his life on the line to protect American freedom and to give freedom to the Iraqi people. His loss will be felt throughout Iowa, and particularly in his hometown of Ossian. My thoughts and prayers are with Jeff's wife Lori as well as his father Eddie and mother Jeanette, his brothers, and all his family and friends. As they mourn his loss, they can know that they are not alone. Many people in Iowa and across the country share their grief and reflect on the life of Jeff Bohr, whether they knew him or not. At the same time, Jeff's family can be very proud of his service to his country. Jeff Bohr's sense of patriotic duty is a source of inspiration to us all, and his sacrifice will not be forgotten. He paid the ultimate price for our freedom and security. Words can scarcely convey the debt of gratitude that we all owe Jeff Bohr, but I want to take this opportunity to express my deepest respect and admiration for Jeff and what he did for America. Although his loss is tragic, Jeff Bohr died fighting for his country and he died a true patriot.

#### THE ACCESSION OF CYPRUS TO THE EUROPEAN UNION

Mr. BIDEN. Mr. President, I rise today to commend the Republic of Cyprus on its April 16 signing of an accession agreement with the European Union, and also to bemoan the failure to reach an agreement to end the nearly three-decade-old division of the island.

The achievement of accession to the European Union marks the last phase of a 30-year enterprise by the Government and people of the Republic of Cyprus, which began with an Association Agreement in 1973 and will culminate in May 2004 with full membership.

Celebration of this historic success, however, is tempered by the absence of a settlement that would have allowed the island as a whole to join the EU. The failure of the parties to reach an agreement through the United Nations process was both regrettable and avoidable.

Although the Cyprus problem has been on the United Nations agenda for almost 40 years, it was the Clinton administration's decision in 1999 to make finding a solution in Cyprus a high priority that brought the two sides of the island back to proximity talks under the good offices of the United Nations Secretary General.

Since 1999, Secretary General Kofi Annan and his special representative Alvaro de Soto have engaged interested parties in an intensive peace effort with international support, including that of U.S. Special Coordinator for Cyprus Ambassador Tom Weston. They worked feverishly with leaders in Nicosia, Athens, Ankara, and Brussels to try to persuade the parties to agree to a draft plan prior to the European Union summit in Copenhagen last December, at which the EU invited Cyprus and nine other countries to join the Union. While that effort did not produce an equitable end to the tragic division of Cyprus, it did produce a realistic framework and concrete text on which to continue discussions to resolve the remaining issues.

After years of frustration and disappointment, the people of Cyprus saw a fragile but real possibility for settlement, and the overwhelming majority of the population in both communities embraced the process.

In the first months of 2003, with the clock running out to reach an agreement before the date for Cyprus to sign the EU accession agreement, the UN Secretary General asked Tassos Papadopoulos, the newly-elected President of the Republic of Cyprus, and Turkish Cypriot leader Rauf Denktash to submit the plan to a public referendum. On March 10, Mr. Papadopoulos in good faith conditionally agreed to do so. Mr. Denktash refused.

In response, tens of thousands of Turkish Cypriots took to the streets to express their support for the UN plan and to entreat Mr. Denktash to participate in the process. But Mr. Denktash did not respond to these calls from the citizens whom he nominally represents. In denying his own people a democratic vote, he bears the primary responsibility for quashing the peace talks.

Since then, Mr. Denktash has chosen to discredit the UN process through overheated rhetoric, calling the UN plan "full of tricks" and alleging that it did not take into account the non-negotiable requirements and "realities" of the Turkish Cypriot people. He did for the first time allow day-visits across the "Green Line" that divides the island, but this welcome conciliatory gesture appears to be more of a diversionary tactic than a return to the negotiating table.

The Turkish Cypriots do have genuine concerns about their status and security, and these concerns must be reflected in any settlement decision. The Greek Cypriots need to acknowledge that before 1974 there was a Cyprus Problem and that members of

both communities committed unpardonable violence and murder. Similarly, the Turkish Cypriots need to acknowledge that there has been a Cyprus Problem ever since the Turkish invasion of 1974, with mass human suffering. Both sides must recognize that this is 2003, not 1974 or 1964, and that only a reunited Cyprus as a member of the European Union would have ironclad, international security guarantees for all its citizens.

Yet Mr. Denktash seems incapable of seizing the moment by recognizing that a negotiated settlement requires compromise. As Secretary General Annan stated in his report to the UN Security Council, however, "except for a very few instances, Mr. Denktash by and large declined to engage in negotiation on the basis of give and take," thereby complicating efforts "to accommodate not only the legitimate concerns of principle, but also the concrete and practical interests of the Turkish Cypriots."

The window for achieving a settlement is not closed. Secretary General Annan's plan remains on the table as a basis for negotiation. The European Union has affirmed that there is a place in the EU for Turkish Cypriots. Upon the signing of the accession treaty, Cypriot President Papadopoulos restated his commitment to working toward a settlement. Greek Prime Minister and EU Council Term President Simitis invited Mr. Denktash and other Turkish Cypriot political leaders to Nicosia to continue discussions toward a settlement, an invitation which Mr. Denktash to date has rejected. Turkish Prime Minister Erdogan, with an eye toward his own country's future EU membership once Ankara has met the Copenhagen criteria, endorsed on April 17 the continuation of talks based on the UN plan. I hope that Prime Minister Erdogan, Foreign Minister Gul, and other distinguished leaders in Turkey will prevail on Mr. Denktash to do what is right for all in the region.

EU leaders at the April 16 accession ceremony in Athens declared that the expanded EU represents a "common determination to put an end to centuries of conflict and transcend former divisions." The people in northern Cyprus should not be barred from "the closer ties of neighborhood" described by European Commission President Prodi. Nor should they be excluded from the opportunity, now extended to their fellow-citizens in the south, to join the world's most powerful economic association.

A lasting settlement would allow the Turkish Cypriot people to emerge from their isolation and become fully a part of Europe. It would bring opportunities for economic growth, for expanded trade, for travel and for broader educational and cross-cultural exchanges. And it would end the second-class citizenship of the Turkish Cypriot people in which their standard of living is at best one-third that of the people in the south.