

under rule XXII, the Chair directs the clerk to read the motion.

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. 21, the nomination of Miguel A. Estrada to be United States Circuit Judge for the District of Columbia Circuit.

Bill Frist, Orrin Hatch, Judd Gregg, Norm Coleman, John E. Sununu, John Cornyn, Larry E. Craig, Saxby Chambliss, Lisa Murkowski, Jim Talent, Olympia Snowe, Mike DeWine, Michael B. Enzi, Lindsey Graham, Jeff Sessions, Wayne Allard, Mike Crapo.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the live quorum provided for in rule XXII be waived.

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

NOMINATION OF PRISCILLA RICHMAN OWEN, OF TEXAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 86, the nomination of Priscilla Owen to be United States Circuit Judge for the Fifth Circuit.

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

The assistant legislative clerk read the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit.

CLOTURE MOTION

Mr. McCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant 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.

Bill Frist, Orrin Hatch, John Cornyn, Michael B. Enzi, Jim Talent, Judd Gregg, Jeff Sessions, Wayne Allard, Mike Crapo, Thad Cochran, Mitch McConnell, Susan Collins, Don Nickles, George Allen, Kay Bailey Hutchison, Gordon H. Smith, John Warner.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the live quorum provided for under rule XXII be waived.

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

Mr. McCONNELL. Mr. President, the cloture motions I just filed will ripen on Thursday. This will be the sixth cloture vote on the Estrada nomination and the second on the Owen nomination. I am compelled to file these mo-

tions because we have been unable to reach a time certain for an up-or-down vote on these two highly qualified nominees.

The record will reflect the many times we have asked unanimous consent for a debate limit on the Estrada and Owen nominations, only to have an objection from the other side of the aisle.

As has been said previously, we will not give up hope that the Senate will be able to work its will on these judicial nominees. Senators can vote for them, Senators can vote against them, but these people deserve a vote.

Stalling and not allowing an up-or-down vote is an indication that the system is broken. I commend Senator CORNYN and others in their efforts to begin a dialog regarding the ramifications for the Senate of these judicial filibusters.

I will notify all Members as to the exact timing of the cloture votes on Thursday.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business.

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

NATIONAL TEACHER DAY

Mr. KENNEDY. Mr. President, in 1953, Congress first proclaimed May 6 as National Teacher Day. Our Nation has changed in many ways over the past 50 years; however some things have remained the same. Teachers have always been mentors and role models to students and have made lasting contributions to so many students' lives.

Today teachers face greater demands and more diverse student bodies. Too often, they also face inadequate pay and unacceptable teaching environments. In a time of fiscal uncertainty, when budgets are shrinking and teachers have to rely on fewer resources, they still do the best they can to help their students succeed.

Little relief is in sight. Communities across the country will need to hire an additional two million teachers over the next 10 years to deal with rising student enrollments and teacher retirements. Congress must do more to help communities recruit promising teacher candidates. We can provide new teachers with trained mentors who will help them not only to survive but to thrive in the classroom. We can do more to see that all teachers and principals have the on-going training they need in order to keep up with modern technology and modern research.

In addition, we must find better ways to increase their pay and improve their working environments. It is imperative that we treat all teachers with the re-

spect that they deserve. Teachers have one of the most important jobs of all, and we must support them every step of the way.

On this special day, we thank the 3 million public school teachers across the country who work so hard each and every day to do their job. They truly are our community heroes and our national heroes. They have one of the most difficult jobs of all educating the young men and woman who are our Nation's future.

HONORING OUR ARMED FORCES

Mr. LUGAR. Mr. President, now that President Bush has declared an end to combat operations in Iraq, it is important that we take a moment to pay tribute to those who made the ultimate sacrifice for their country. As we celebrate the swift and stunning victory in Iraq achieved by our men and women in uniform, we must be careful not to forget the pain and loss of those families whose loved ones fell on the field of battle.

In my home State of Indiana, seven families have suffered the devastating loss of a loved one during this relatively brief military campaign. Seven truly fine young men will not be coming home to victory parades and joyful reunions. This Nation takes rightful pride in the extraordinary accomplishments of our Armed Forces, and we rejoice that the war has come to such a quick end. But we must always temper these feelings with the knowledge that this victory did not come cheaply.

Today, I would like to pay tribute to those from Indiana who made the ultimate sacrifice in this war.

Indiana National Guard Specialist Brian Clemens of Kokomo, was the State's first casualty of this war. Specialist Clemens, who was 19, died in Kuwait on February 6—six weeks before the ground attack into Kuwait got under way. He was riding in a Humvee which overturned. He was serving with the 1st Battalion, 293d Infantry, one of two Indiana National Guard units mobilized to provide a robust force protection presence in the Persian Gulf. The units' 1,320 soldiers are guarding U.S. military installations and supply lines in Iraq, Kuwait and Qatar.

Specialist Clemens was an Eagle Scout and a graduate of Maconaquah High School, where he was a dedicated member of the wrestling team. Before being called to active duty, he was working at Wal-Mart and saving money to enroll in college. He is survived by his mother and stepfather, Cathy and Terry McCreay of Kokomo, and his father, Robert Clemens of Dayton, OH. Many of Brian's friends are still in the Persian Gulf region, and they have memorialized his death by wearing black wristbands.

Brian Clemens will be missed.

Marine Lance Corporal David Fribley, who grew up in Warsaw, IN, was killed on March 23. He was riding in an armored vehicle that encountered

a group of Iraqi soldiers waiving a white flag. The Iraqis moved close and then suddenly opened fire. A rocket-propelled grenade exploded against his vehicle and he was killed. Eight other Marines in his unit were also killed in that encounter.

Lance Corporal Fribley was 26 years old when he died. He had been a Marine for not quite a year. The middle child of Gary and Linda Fribley, he decided to enlist after 9/11 because he wanted to do something for his country. He didn't have to go. His decision came just months after he graduated from Indiana State University, and he had a good job as a recreation director in a retirement home complex.

But Lance Corporal Fribley felt he had a duty to serve his country. In high school, he had lettered in football and track all four years. One of his football coaches describes him as the poster boy for Marine Corps commercials—tall, strong and unrelenting in his work ethic.

Warsaw, IN, is a small and tightly-knit community of tree-lined streets and well-kept homes. Lance Corporal Fribley's funeral was held in the high school gym because a large crowd was expected. Every seat was filled. Many of the town's military veterans put on their old uniforms and medals and lined the streets to render a salute to David's flag-draped coffin as it passed by.

David Fribley will be missed.

Army Specialist Gregory Sanders, of Hobart, IN, was killed by a sniper's bullet on March 24. He was a tank crewman assigned to the Third Infantry Division. Greg was 19 when he died. Specialist Sanders joined the Army shortly after graduating from Hobart High School, where he had been captain of the cross-country team. He had always wanted to be in the military, just like his dad, Richard, who died of a heart attack when Specialist Sanders was 15.

His mother, Leslie Sanders, told the local newspaper her earliest memory of her son was watching him play in a backyard sandbox with plastic toy soldiers. Dig a little and you can still find some of his soldiers. It was only 12 years ago. When residents of the town of Hobart learned of his death, they conducted a special candlelight service in his memory in front of the Doughboy Statue in the center of town. They laid flowers, candles, ribbons and wreaths all around the statue, creating an impromptu monument to the town's fallen soldier.

Specialist Sanders leaves behind a wife, Ruthann, and a 14-month-old daughter, Gwendolyn. He was buried in Calumet Park Cemetery near Merrillville next to his father.

Greg Sanders will be missed.

Specialist William A. Jeffries of the Indiana National Guard died March 31 after falling ill in Kuwait, where his unit was guarding U.S. military bases. He was 39 years old. Doctors told his family he died in a Navy hospital in

Spain of a pulmonary embolism and acute pancreatitis.

Specialist Jeffries lived in Evansville, IN, with his wife, B.J. Unusually tall at 6-foot-5, he was known for his gentle nature. He had graduated from Reitz High School in 1982 and then served 10 years on active duty in the Air Force. Many of Indiana's National Guard members have prior service. Not only do they continue serving their country in uniform, but they find a camaraderie that just does not exist in civilian life.

Indiana is very proud of the contribution its National Guard units are making to Operation Iraqi Freedom. Specialist Jeffries' unit was one of two Indiana National Guard infantry battalions mobilized to provide a robust force protection presence in the Persian Gulf. The units' 1,320 soldiers are guarding U.S. military installations and supply lines in Iraq, Kuwait and Qatar.

Just before his battalion departed for Kuwait, Specialist Jeffries was given emergency leave to attend the funeral of his father, Kenneth. Although it was a sad occasion, it brought him together with his mother, Marie, and five older brothers for the first time in many years.

William Jeffries will be missed.

Marine Sergeant Duane Rios of Griffith, IN, was killed on April 4 during a firefight on the outskirts of Baghdad. He was 25 years old and the leader of a squad of combat engineers trained to do such things as build roads and bridges, clear minefields and handle explosives.

Sergeant Rios joined the Marines after graduating from Griffith High School in 1996, and he thrived on the experience. He and his wife, Erica, who had been his high school sweetheart, were making a good life together in San Clemente, CA, close to Camp Pendleton where he was stationed.

During his high school years in Griffith, Sergeant Rios lived with his late grandmother. He was a popular student remembered by his teachers as having an infectious smile. He last spoke to Erica by telephone the day after Valentine's Day. He told her he loved her and missed her and that the only other thing he needed was a hot shower.

On the day of his funeral in Griffith, some 500 mourners gathered at St. Mary Roman Catholic Church. Many had to stand outside. The Griffith and Highland fire departments unfurled a giant American Flag across Broad Street, and police from departments all across northwest Indiana took part in the funeral procession.

Duane Rios will be missed.

Army Private First Class Jason M. Meyer, whose father, Loren Meyer, lives in South Bend, died on April 8 from wounds suffered during the fighting at Baghdad International Airport. Army investigators believe he was struck by an errant round fired from an Abrams tank. The round struck a building and ricocheted into his vehicle.

PFC Meyer, 23, died one week after he and his wife, Melissa, had marked their first wedding anniversary. He was a combat engineer with Bravo Company, 11th Engineers, 3rd Infantry Division, and drove an armored personnel carrier during the division's now famous lightning drive from Kuwait to Baghdad.

In 1999, PFC Meyer graduated from high school in Howell, MI, where he lived with his mother, Kathleen Worthington, and joined the Army two years later. He met his wife at a Halloween corn maze three years ago. She told a local newspaper that she will remember her husband for his ever-present sense of humor, which always kept her laughing. The last time she talked to him was by telephone was in late February while his unit was in Kuwait. He reported that he and his buddies had adopted a three-foot lizard as their pet, and that they were feeding it Meals Ready to Eat.

Jason was buried at Arlington National Cemetery with full military honors. During the ceremony Melissa was presented with her husband's Purple Heart and Bronze Star medals.

Jason Meyer will be missed.

Army Reserve Specialist Roy Buckley of Portage died on April 22 from injuries suffered in a motor vehicle accident in Baghdad. A fuel truck driver, he was less than a month away from his 25th birthday when he died.

He was a member of the 685th Transportation Company of Hobart, IN, whose 170 members, mostly heavy truck drivers, were mobilized to provide support for the 3rd Infantry Division. In civilian life, he worked at Midwest Steel, and his goal was to become a police officer.

Specialist Buckley was engaged to another member of his Army Reserve unit, Jenina Bellina, and they planned to marry soon after they returned from the Persian Gulf.

He had called his mother, Janie Espinoza, on Easter Sunday and speculated that he might even be home to see her by Mother's Day. In addition to his mother, he is survived by two brothers, a sister and a 6-year-old daughter.

Roy Buckley will be missed.

Our hearts go out to all of these families. We shall all mourn for the loss of these seven fine young men. It is my hope that these families will take comfort in knowing that their young men gave their lives to a noble and worthy cause—freeing the Iraqi people from a brutal dictator and making the world a safer place for all Americans.

Mr. THOMAS. Mr. President, I rise today to express our nation's thanks and gratitude to a young man and his family from Rock Springs, WY. On April 14, Private First Class Joseph Mayek was killed while serving in Iraq. PFC Mayek was critically wounded by an armor piercing round that appears to have been discharged from an M2 Bradley fighting vehicle. While the circumstances of this incident are still

under investigation, I hope the final report will provide information that can help us understand how this happened.

PFC Mayek was a vibrant young man who loved being outdoors and enjoyed sports. During his senior year at Rock Springs High School, Joseph played split end and cornerback for high school football team. Soon after graduating in 2001, he joined the United States Army. Upon completion of basic training he was assigned to C Company, 2nd Battalion, 6th Infantry Regiment in Germany.

President Bush recently addressed the Nation to declare victory in the Battle for Iraq. This was a monumental task accomplished by the dedicated people and their families who serve in our Armed Forces. America's men and women who answer the call of service and wear our Nation's uniform deserve respect and recognition for the load that they alone must bear. Our people put everything on the line everyday, and because of these folks, our nation is more secure and remains strong in the face of danger.

We say goodbye to a son, a soldier and an American. Our Nation pays its deepest respect to Private First Class Mayek for his courage, his love of country and his sacrifice, so that we may remain free.

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#### HUMAN RIGHTS VIOLATIONS IN BURMA

Mr. KOHL. Mr. President, I rise today to call attention to the gross violations of human and religious rights in Burma. Dr. Salai Tun Than, a University of Wisconsin alumni, who was released over the weekend in Burma, initiated a hunger strike protesting the human and religious rights violations at the prison where he was held. Dr. Tun Than had been serving a 7-year prison sentence in Burma for handing out copies of a petition demanding political reforms.

Dr. Tun Than, 75, has severe health problems that required medical treatment, which he was not granted. The conditions that he and other prisoners endured were violations of international human rights laws. Restrictions on communications between prisoners, unsanitary prison conditions and forced "hooding" as prisoners were transported outside are examples of the violations. As a Christian, Dr. Tun Than also was protesting violations in religious freedom which included not being allowed a Bible or to receive Communion.

During my Senate career I have been an advocate for human rights and religious freedoms for every individual across the globe. I am saddened by the conditions in which Dr. Tun Than and other prisoners in Burma have had to live. It is my hope that the Burmese Government will recognize religious and human rights, not only to their prisoners, but to their general populace as well.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. In the last Congress Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred October 27, 1992, in Sasebo, Japan. Terry M. Helvey, an airman apprentice in the U.S. Navy, and Amn Charles E. Vins beat PO Allen Schindler to death in a public restroom. After spotting Schindler, who was known to be gay, outside a bar, Helvey and Vins followed him into a public restroom so that they could "beat him up," according to Vins. The two brutally kicked and punched Schindler to death on the restroom floor. Helvey and Vins beat Schindler so badly that a Navy pathologist described his injuries as "more consistent with a high-speed automobile accident or low-speed airplane crash."

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

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#### DEVELOPMENTS IN BURUNDI

Mr. FEINGOLD. Mr. President, I rise today to call my colleagues' attention to the situation in the Central African country of Burundi, where a remarkable step has been taken to end that country's brutal civil war. Last week, President Pierre Buyoya voluntarily ceded power to Domitien Ndayizeye, who will now lead the country through the second half of a 3-year transitional power-sharing government. This orderly transfer of power, conducted in compliance with the Arusha Accords signed in 2000, is an important symbol of ethnic reconciliation, as a Tutsi President with a Hutu Vice President gives way to a Hutu head of state with a Tutsi Vice President. An African Union force is slated to help provide stability during this transitional period. This is a development to be celebrated, and the United Nations Security Council was right to praise this milestone achievement.

But much more needs to be done. Rather than being satisfied with President Ndayizeye's inauguration, the people of Burundi and the international community should seize on this moment as a catalyst for more energetic and focused efforts to bring Burundi out of crisis. A comprehensive cease-fire among all parties to the conflict is still not in place. Little progress has been made to date toward comprehensively reforming the secu-

rity services to reflect a multiethnic society. Burundi's future will also depend upon increasing respect for basic human rights, ending the climate of impunity in which these rights have been violated, and establishing viable mechanisms for holding those responsible for abuses accountable for their actions. The international community must maintain an engaged policy that both supports these reforms and pressures those who resist them.

Most importantly, the international community and the Burundian leadership must take this opportunity to establish a firm relationship between positive developments in the political sphere and the conditions of the Burundian people, who languish, sometimes in grave and consistent insecurity, and often in desperate humanitarian crisis. Abject poverty, a dramatic decline in primary school enrollment, soaring infant mortality rates, and displacement on a massive scale characterize the situation of Burundian society. If we allow paper agreements and political milestones to remain disconnected from concrete improvements for the people of Burundi, we are only empowering the spoilers in this process, and only encouraging the kind of hideous violence that has become all too common in Central Africa.

Nine years ago Burundi's neighbor erupted in genocide. Ongoing conflict in the Democratic Republic of the Congo has cost the lives of millions. Crises spill across borders, poisoning the prospects for progress throughout the region, and creating lucrative opportunities for international criminals. Burundi may be small, but its suffering is great, and its capacity to help or hinder efforts to stabilize a vast swathe of Africa should not be underestimated. We know what the consequences of indifference are; we have seen them in the millions dead, displaced, mourning and grieving. For a brief moment, Burundi has captured global attention. We should not look away again; the stakes are too high.

I yield the floor.

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#### PROTECT ACT

Mr. KENNEDY. Mr. President, this child-abduction legislation is important and needed. According to the Justice Department, 2,200 children are reported missing each day. There are approximately 114,600 attempted abductions by strangers every year, and between 3,000 and 5,000 of these attempts are successful.

Each child abduction is a tragedy. Last year, I met with two of my constituents, John and Magi Bish. On June 27, 2000, their daughter Molly Ann Bish, a 16-year-old lifeguard, disappeared from her life-guarding post at Comins Pond in Walden, MA. Molly's family and friends continue to search for her. The Bish family is also working to raise awareness about this important issue. They started the first Missing Children's Day in Massachusetts. They