

“(ii) the number of phonorecords or copies to which counterfeit labels, illicit authentication features, or counterfeit documentation or packaging were affixed or embedded, or designed to be affixed or embedded, unless such calculation would underestimate the actual harm suffered by the copyright owner.

“(C) DEFINITION.—For purposes of this paragraph, the term ‘value of the phonorecord or copy’ means—

“(i) the retail value of an authorized phonorecord of a copyrighted sound recording;

“(ii) the retail value of an authorized copy of a copyrighted computer program; or

“(iii) the retail value of a copy of a copyrighted motion picture or other audiovisual work.

“(4) STATUTORY DAMAGES.—The injured party may elect, at any time before final judgment is rendered, to recover, instead of actual damages and profits, an award of statutory damages for each violation of this section in a sum of not less than \$2,500 or more than \$25,000, as the court considers appropriate.

“(5) SUBSEQUENT VIOLATION.—The court may increase an award of damages under this subsection by 3 times the amount that would otherwise be awarded, as the court considers appropriate, if the court finds that a person has subsequently violated this section within 3 years after a final judgment was entered against that person for a violation of this section.

“(6) LIMITATION ON ACTIONS.—A civil action may not be commenced under this section unless it is commenced within 3 years after the date on which the claimant discovers the violation.

“(g) OTHER RIGHTS NOT AFFECTED.—Nothing in this section shall enlarge, diminish, or otherwise affect liability under section 1201 or 1202 of title 17.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The item relating to section 2318 in the table of sections at the beginning of chapter 113 of title 18, United States Code, is amended by inserting “or illicit authentication features” after “counterfeit labels”.

The bill (H.R. 3632) was read the third time and passed.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND ENHANCEMENT ACT OF 2004

Mr. FRIST. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of H.R. 2121, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2121) to amend the Eisenhower Exchange Fellowship Act of 1990 to authorize additional appropriations for the Eisenhower Exchange Fellowship Program Trust Fund, and for other purposes.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the Roberts amendment be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and any statement relating to the bill be printed in the RECORD.

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

The amendment (No. 4088) was agreed to, as follows:

(Purpose: To remove a fiscal year limitation from an authorization of appropriations)

On page 4, on lines 5 and 6, strike “for fiscal year 2004”.

The bill (H.R. 2121), as amended, was read the third time and passed.

AMENDING THE INTERNAL REVENUE CODE OF 1986

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5394, which is at the desk. The PRESIDING OFFICER (Mr. BURNS). The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5394) to amend the Internal Revenue Code of 1986 to modify the taxation of arrow components.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 5394) was read the third time and passed.

AMENDING THE PUBLIC HEALTH SERVICE ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5204 received from the House.

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

The legislative clerk read as follows:

A bill (H.R. 5204) to amend section 340E of the Public Health Service Act (relating to children's hospitals) to modify provisions regarding the determination of the amount of payments for indirect expenses associated with operating approved graduate medical residency training programs.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, and that any statement relating to the bill be printed in the RECORD as if read, with no intervening action.

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

The bill (H.R. 5204) was read the third time and passed.

AUTHORIZING THE SECRETARY OF COMMERCE TO MAKE AVAILABLE CERTAIN PROPERTY

Mr. FRIST. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of H.R. 4027 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4027) to authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 4027) was read the third time and passed.

COMMERCIAL SPACE LAUNCH AMENDMENTS ACT OF 2004

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 5382, which is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 5382) to promote the development of the emerging commercial human space flight industry, and for other purposes.

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

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 5382) was read the third time and passed.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. 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

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 10:27 p.m., recessed subject to the call of the Chair, and reassembled at 10:45 p.m. when called to order by the Presiding Officer (Mr. BURNS).

The PRESIDING OFFICER. The Senator from Tennessee.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a

period for morning business with Senators permitted to speak for up to 10 minutes each.

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

FISCAL YEAR 2005 OMNIBUS APPROPRIATIONS ACT

Mr. STEVENS. Mr. President, I am pleased to report that the House just passed the joint House-Senate Conference Report on the Foreign Operations Appropriations bill for fiscal year 2005. That Omnibus appropriations bill included the Agriculture Appropriations bill; the Commerce, Justice, State Appropriations bill; the Energy and Water Appropriations bill; the Foreign Operations Appropriations bill; the Interior Appropriations bill; the Labor, Health, and Human Services bill; the Legislative Branch Appropriations bill; the Transportation Appropriations bill; and the VA-HUD Appropriations bill.

I would like to take this opportunity to clarify a few points in the bill to provide guidance to those who will implement it.

Denali Commission: The conferees provided \$67,000,000 for the Denali Commission. In addition to the allocations outlined in the bill itself, there are a number of other projects to which the Denali Commission should give priority consideration: \$2,000,000 for the Tok/Chistochina Intertie project; \$500,000 for the Fire Island extension; \$146,000 for Chenega Bay Utilities; \$1,000,000 for Bristol Bay power generation; \$2,000,000 for a Low Rank Fuel Demonstration project, and \$1,500,000 for Cape Fox corporation for economic development. The commission is also encouraged to give the following projects priority consideration: the Petersburg Diesel Power Generation Facility project, the Valdez Electric project and funding for elder housing in Manliq.

Corps of Engineers: Given tough budgetary constraints, Congress was unable to fund the full amount necessary to address the impending disaster that Hubbard Glacier poses to the community of Yakutat, AK. It is my expectation that the Army Corps of Engineers, the Forest Service, the Natural Resource Conservation Service, and the Federal Emergency Management Agency will, through available funds, provide the resources necessary to immediately address this situation. The conferees have included authorization for the Secretary of Army to undertake this task.

Energy projects: This year, the omnibus bill includes \$5,000,000 to be used to support a solicitation for solid oxide fuel cell research to look at the application of solid oxide electrochemical technology for the co-production of hydrogen and electricity. The research will also focus on the storage of electricity through closed and open system regenerative fuel cells. This funding is intended to create a pilot project in Alaska to develop solid oxide fuel cell technology. The conferees are dis-

appointed that the funds previously provided for this purpose were diverted by the Office of Energy Efficiency and Renewable Energy.

There are a couple of matters I want to clarify to provide guidance to the agencies who will administer the bill.

Food Safety: The conferees have provided funds for a National Animal Identification System to monitor cattle to prevent mad cow disease, but did not specify the technology or means to accomplish that end. It has come to my attention that a chain traceable model could track cattle through private sector mechanisms at very little cost to the Government. I hope the new Secretary of Agriculture will look at a range of means to prevent mad cow disease from infiltrating into our food supply including market driven solutions.

In addition, it is my understanding that a new technology has been developed that can detect food borne pathogens like salmonella. A film covering food, similar to plastic wrap, turns color if the food has become contaminated. This technology offers exciting opportunities for the seafood industry in particular, and I urge the new Secretary to take whatever steps possible to bring this new technology to market.

The conferees expect USDA to pursue efforts to expeditiously reopen the border between Alaska and Canada. This border closure has devastated farmers in Alaska. USDA currently has a proposal to accomplish this task and they are urged to carefully evaluate its merits.

Rural Development Administration: Within the funds that are provided to the Rural Development Administration, the Alaska Region should give priority consideration to a grant for the Ketchikan Arts facility. I visited with the developers of that project and believe it would be an excellent community facility.

Likewise, last month after we had already marked up the bill, I was able to meet with leaders in Homer, AK concerning the need for a new library. That, too, is a meritorious project and the Alaska Region should give priority consideration to a grant application for that project.

Lastly, peat is a major commodity in the lower 48 States, especially organic peat which can be sold for huge profits. But, in Alaska peat is often considered a nuisance, since it has to be dug out before construction can go forward in many areas of the State. One way to offset that costly excavation while creating new economic opportunity is to develop peat as a saleable commodity. The conferees urge the Alaska Region to consider a grant to develop peat fields in Alaska as an emerging new industry.

High Cost Energy Program: The bill provides \$28,000,000 for the high cost energy program to reduce the cost of energy for consumers paying about 20 cents a kilowatt hour or more. The un-

derlying authorization allows most of those funds to flow to the Denali Commission in Alaska which serves the largest segment of high cost energy users in the country. Energy costs in rural Alaska are the highest in the Nation. To reduce those costs, within the funds provide to the High Cost Energy program, the conferees expect that \$2,000,000 be provided to the Arctic Energy Office for research into energy and electric issues in remote and rural communities. These funds are critical to identifying ways of reducing costs in rural Alaska communities and Native villages.

City of Marshall water hook-ups: The measure includes \$26,000,000 for rural water and sewer program in rural Alaska. The conferees note that Marshall, AK has Indian housing built through HUD, but no money to link the houses to water and sewer. Within the funds provided in this account, the Committee expects the Alaska Village Safe Water Program to fund the Marshall water hook-ups.

Pribilof Island clean-up: The conferees agree to provide \$7,000,000 which may be used by NOAA for both clean-up of the Pribilof Islands and economic development activities. In consulting with the people of St. Paul and St. George, it is their preference that \$6,500,000 of the funds be available for economic development and \$500,000 be used to continue NOAA's clean-up activities. Congress passed the Pribilof Islands Transition Act, which among other things authorized funding for economic development on the islands. During the drafting of that legislation, it was agreed the funds would be split between the various entities according to specific ratios, which were then used in the Act to allocate the authorizations stated at 16 USC §1166(c)(1). The conferees support that allocation, and I have consulted with Congressman Young, the author of those bills, who agrees as well. The agency is urged to comply with the islanders' wishes.

Alaska Ocean Observing System: Due to a clerical error in the bill, Alaska Ocean Observing System is titled, "Alaska Gulf Ecosystem Monitoring." It is the intent of the conferees that the \$2,000,000 provided for this project shall be for the Alaska Ocean Observing System and not the Alaska Gulf Ecosystem Monitoring.

Economic Development Administration: The bill also provides funds for the Economic Development Administration, \$15,000,000 of which is to assist coastal communities in Alaska pursuant to an agreement the Alaska delegation made with Secretary Evans when the Trade Act was considered. Within these funds, EDA should make \$1,500,000 available to Cape Fox Corporation for economic development activities.

Office of Arctic Energy: Within the amounts provided for the Arctic Energy Office, it is the conferees expectation that \$2,000,000 will be made available for shallow gas exploration and development in Ft. Yukon, AL, to assist

that community and address its energy needs; and \$3,000,000 will be made available for work on the gas pipeline spur to Cook Inlet.

Fish and Wildlife Service: As part of the fiscal year 2005 Consolidated Appropriations Conference Report, Section 126 of Division E requires a comprehensive program for mass marking of hatchery produced salmon stocks originating from the Pacific Northwest. The State of Alaska currently conducts an extensive salmon stock identification program based on visual identification of fin clipped hatchery salmon that have been implanted with coded wire tags.

The additional requirements imposed by Section 126, which provides for the implementation of "a system of mass marking of salmonid stocks, intended for harvest, that are released from Federally operated or Federally financed hatcheries . . ." could have significant financial implications on both the State of Alaska and on the Alaska commercial fishing industry. The Alaska Department of Fish and Game has serious concerns about the impact of mass marking requirements of this section on its ongoing salmon stock sampling program.

The Alaska Department of Fish and Game determined that if far-north-migrating chinook salmon are mass marked by clipping the adipose fin, the State will have two options: 1, continue with visual identification of marked fish, or, 2, convert to electronic sampling. Either option will cause the State's salmon stock sampling program to be far more costly. The conferees recommend that if mass marking is implemented, it should be done for Puget Sound and Columbia River Tule Chinook and not implemented for Columbia Upriver Bright or Washington Coastal Chinook salmon. These stocks of salmon represent a significant portion of the Alaska salmon fisheries and mass marking of these stocks will incur a high cost on the Alaskan fishing industry and the state's fisheries management program.

Further, the conferees recommend that mass marking of chinook salmon should not be implemented without the concurrence of state and federal agencies on an effective means of stock identification that will support the implementation of the Pacific Salmon Treaty and other state and federal laws and regulations. In addition, the conferees recommend that the U.S. Fish and Wildlife Service work with the State of Alaska and the United States Section of the Pacific Salmon Commission to ensure that the system of mass marking does not interfere significantly with data collection, salmon management programs, or the implementation of abundance-based management under the treaty. The conferees direct the U.S. Fish and Wildlife Service to ensure that changes in fishery and stock assessment programs needed to maintain the reliability of those programs are identified and that fund-

ing is secured for implementation of the changes made by this section.

Kenai Fjords National Park: The conferees have included bill language requiring the National Park Service to acquire land to construct a multi-agency visitor center that has been under discussion for nearly a decade notwithstanding any other provision of law. That means the Service will acquire the land at a negotiated price notwithstanding any other issues or obstacles. No more delays. It is time to get this project done. The conferees urge the service to expedite construction of the project as well. It should consider utilizing Section 1307 of the Alaska National Interest Lands Conservation Act for the project if it will speed up the process. It should also consider a build-lease option which it used to acquire a new Alaska Region headquarters in Anchorage. The conferees note that this project has already been delayed and as a result missed Seward's centennial celebration. The authority we have provided will ensure that the project can now be completed with dispatch.

Lake Clark National Park: I am aware that the National Park Service and Cook Inlet Region Inc. are currently discussing options for the disposition of the Silver Salmon Camp. Until these issues are resolved, it is the expectation of the conferees that the National Park Service will issue a long term recreational permit to Cook Inlet Region Inc. or a related non-profit for the continued operation of the camp.

Denali Commission: The committee has provided \$40,000,000 for the Denali Commission for health and social service construction projects. Within the funds made available for clinics, the conferees expect the Commission to provide the necessary funds for a joint clinic-library-community center in Girdwood, AK. It may use health funds for the clinic portion of the project and its general funds provided through the Energy and Water bill for the community center and library.

Special Education: The conferees have agreed to over \$11,000,000,000 for special education. The Department of Education should consider making funds available to conduct a pilot program in Anchorage, AK to treat children suffering from attention deficit or hyperactivity disorder or FAS/FAE through biofeedback to determine whether this might be a useful alternative to drug therapy.

Section 115: The conferees have agreed to a provision to correct a drafting error that caused the earmarks provided to Alaska in the Fiscal Year 2004 Transportation bill to come out of the State of Alaska's mandatory formula funds under the highway bill instead of discretionary funds. This amendment clarifies that Alaska's earmarks are to be allocated out of discretionary funds and have no impact on highway funds Alaska receives through the formula.

Rural Air Service Improvement Act of 2004: Title J includes another provi-

sion called the Rural Air Service Improvement Act of 2004. This is an amendment worked on by the House Transportation Committee chairman, Don Young, and I. The State of Alaska has a very limited system of roads to connect communities. Most communities can only be reached by air. In order to connect the communities within the State, the Inter-Alaska bypass mail system was created to support affordable, safe air travel and establish a system where the Postal Service can meet its obligation to deliver mail to every house. The provisions within the appropriations bill refine the Inter-Alaska bypass mail system by eliminating unnecessary flights flown by mainline air carriers, by reducing the requirement to two scheduled flights per week. The section also grants the United States Postal Service the discretion to increase the number of scheduled flights to a maximum of three in instances where there are not three consecutive scheduled flights in a week. This will allow the Postal Service to meet their service requirements to the communities within Alaska, while decreasing the unnecessary expenses associated with excessive scheduled flights.

The language included within the appropriations bill will give flexibility to the carriers and the Postal Service by allowing existing mainline carriers to temporarily subcontract mail shipments to another existing mainline carrier when additional or substitute aircraft are needed to meet the service needs of the Postal Service or the carrier's operating requirements. However, the providing carrier will still remain responsible for the mail from the origin to the destination.

Clarification of the definition of Existing Mainline Carrier is also provided in order to close a loophole that may have allowed carriers who are not qualified as existing mainline carriers to become one because they operated under a codeshare with an existing mainline carrier. Air Carriers who were not, on January 1, 2001, a Part 121 carrier qualified to provide mainline non-priority bypass mail service and actually engaged in the carriage of non-priority bypass mail tendered to it under its own designator code should not be defined as an existing mainline carrier.

Finally, the provision specifically exempts non-bypass mail from the dispatch requirements of the non-priority bypass mail system. It is intended to give the Postal Service the ability to dispatch postal products, other than non-priority bypass mail, as their service needs require.

Alaska Trails: The bill includes \$4 million for the State of Alaska to develop statewide trails initiative. The funds are available to issue grants, on a competitive basis, for the development and reconstruction of trails within Alaska. The State of Alaska should take no more than one percent of the funds to cover any overhead costs. The eligible trails include: Arctic Valley

trails, Chugach Forest Russian River, Girdwood trails, Hatcher Pass trails, Iditarod trail, Juneau Nordic trails, Juneau Thunder Trail, Ketchikan Lewis Reef Road, Kodiak trails, Matanuska Susitna Gorsuch trails, Perseverance trail repairs, Russian River access road, Sitka Trailworks, Sitka World War II causeway, State of Alaska wildlife trails, Wrangell St. Elias Trails.

Transportation and Community and System Preservation Pilot Program: The conferees have agreed to provide \$6,000,000 to the Matanuska Susitna Borough. Within the amounts made available to the Matanuska Susitna Borough, the conferees expect that \$2,000,000 will be made available to Matanuska Susitna Gorsuch trails.

Denali Docks: I am pleased the Transportation/Treasury subsection of the omnibus bill authorizes and appropriates \$10 million to a new program for the Denali Commission which focuses on docks and the development of waterfront projects. There is no Federal Government program which funds docks for communities without roads. Through the newly authorized program within the Denali Commission, the rural communities of Alaska will be able to create, replace or repair the damaged docks within the following locations: Homer, Ugashik, Hoonah, Bristol Bay Borough, Old Harbor, Sitka, Coffman Cove, Perryville, Iliamna Lake, Auk Bay, Seldovia, Whittier, Cordova, Gustavus, and Kenai Peninsula Borough.

General Service Administration: I am pleased the conferees once again included money for the University of Alaska to continue planning for the State's 50th anniversary celebration including preserving pioneer papers throughout the state.

On another matter, the conferees urge the Service to work with the Alaska Railroad to effect a land transfer that will be mutually beneficial to both parties, and hope the national office will make the resources available for that purpose.

National Science Foundation: The conferees agreed to retain report language urging the administration to request funds to replace the Alpha Helix, one of its premier research vessels that has seen better days. But this is not the first year such language has been included. Some believe the Service has no intention of ever seeking the necessary funds. As I assume the role as chairman of the Senate Commerce Committee overseeing NSF, I want to put the agency on notice that Congress expects the administration to begin seeking the necessary funds to replace the vessel. If funds are provided and the vessel is built, it should be homeported in Seward, AK, its current home. But if the administration fails to request the necessary funds when the fiscal year 2006 budget is submitted, Congress expects the agency to develop an interim solution by leasing a research vessel that can operate out of Seward to conduct research in Alaska.

TAPS Quality Bank: As part of the fiscal year 2005 Consolidated Appropriations conference report I included legislative language that expresses Congress' concerns over a long standing regulatory and judicial dispute concerning the Trans Alaska Pipeline, TAPS. This report language is intended to provide guidance to the Federal Energy Regulatory Commission as it evaluates the August 31, 2004 Initial Decision by the Administrative Law Judge, ALJ. This language does not have any effect on agreements reached between the parties. It is solely intended to address those issues still in dispute. Nor does this language have any effect on any other regulatory or judicial proceeding currently pending before the ALJ or the Commission, and should not be considered in evaluating any future rate cases.

Congress expects the Commission to carefully consider the specific equities of this case to prevent special hardship, inequity, or an unfair distribution of burdens to any party, evaluate all of the administrative law judge's decisions regarding the retroactive application of the modified Resid valuation, and to assess the equity of assigning retroactivity. The issue of retroactivity and its application in this case is problematic given the lack of clear Congressional action on the subject and the negative impacts an eleven year retroactive period will have on domestic refiners in the State of Alaska.

In addition, it is the expectation of Congress that this matter will be resolved in a fair and equitable manner which is necessary to limit business uncertainty associated with the use of the Trans Alaska Pipeline System, and to ensure continued domestic refinery activity in order to protect national fuel supplies. Ultimately, it is my hope that the parties in this case will be able to reach a settlement and finally end 15 years of litigation, and we appeal to the parties to work towards this end.

HONORING OUR ARMED FORCES

CORPORAL LANCE M. THOMPSON AND LANCE
CORPORAL JAMES ERIC SWAIN

Mr. LUGAR. Mr. President, as a nation, we must always keep in mind that our military successes come at a high cost in the loss of promising young human lives. I rise today to pay tribute to two Hoosier marines who made the ultimate sacrifice for their country.

Cpl Lance M. Thompson, 21, of Upland, IN, was killed in action while conducting combat operations in Al Anbar Province, Iraq. Corporal Thompson graduated from Eastbrook High School in 2001 and married Dawn Case, of Van Buren, Indiana, in 2002. He was on his second tour of duty in Iraq. Corporal Thompson was an outstanding marine. He will be missed.

LCpl James Eric Swain, 20, of Kokomo, IN, was killed in action while conducting combat operations in Al Anbar Province, Iraq. Lance Corporal Swain, a member of the National Honor Soci-

ety, graduated from Kokomo High School in 2002. He was involved in numerous church and community projects in Kokomo. Lance Corporal Swain was an outstanding marine. He will be missed.

My thoughts and prayers are with both of these families as they remember and celebrate the lives and dedicated service of these marines.

MICHIGAN'S FALLEN HEROES

Ms. STABENOW. Mr. President, I rise today to pay tribute to the brave men and women of the U.S. armed forces who have given their lives during the military operations in Iraq. Of the over 1,270 casualties to date in Operation Iraqi Freedom, 42 of these fallen heroes are from or have family in my home state of Michigan. My heartfelt sympathies go out to the families and friends of these great Americans. On behalf of the State of Michigan, I offer my deepest gratitude for the service, sacrifice, and commitment of these men and women in upholding the ideals of this Nation.

These men and women represent the finest of our citizens. They have revealed their unyielding courage, sense of duty, and patriotism. For this, their service to this Nation will never be forgotten.

I would like to honor the following men and women of the U.S. Armed Forces that have Michigan ties and have bravely made the ultimate sacrifice while serving in Iraq:

Army PVT Brandon Sloan, 19, of Bedford Heights, OH, was killed when his unit, the 507th Maintenance Co., was ambushed near Nasiriyah on March 23, 2003. Sloan's mother, Kimberly, lives in Fraser.

Marine MAJ Kevin Nave, 36, formerly of Oakland County's White Lake Township, was killed when he was run over by a military vehicle on March 26, 2003. Nave was a veteran of the 1991 Persian Gulf War and lived in Oceanside, CA. He is survived by his wife and two children.

Army SGT Todd James Robbins, 33, formerly of Pentwater, died after the Bradley fighting vehicle he manned with eight other soldiers was bombed on April 2, 2003, possibly by friendly fire. Robbins, a veteran of the first gulf war, was stationed at Fort Sill, OK. He is survived by a wife and a 13-year-old son.

Army SGT Michael Pedersen, 26, formerly of Flint, was one of six soldiers killed in the crash of an Army Black Hawk helicopter on April 2, 2003, during a fire fight in Iraq. He served as a helicopter crew chief with the Army's 3rd Infantry Division based in Fort Stewart, GA.

Army PFC Jason Meyer, 23, was killed on April 7, 2003, when his personnel carrier came under fire. He graduated from Howell High School in 1999 and joined the Army in 2001. Meyer was based in Fort Stewart, GA, and had celebrated his first wedding anniversary 2 weeks before his death.