

press on for nonjudicial nominations as well. There are approximately 60 nonjudicial nominations, including very critical Ambassadors, that remain pending on the calendar. I know there have been a lot of discussions back and forth about how best to proceed on these nominations. We must find a way to schedule consideration of these individuals. We need to continue to work to do that. There are 60 of them on the calendar. We need to proceed in good faith.

The fact that we made such good progress on the judicial nominations this week leaves the door open to a good way of addressing many of these nominations that are on the calendar. We need to allow the Senate to begin a process to confirm these people. When you look at the calendar itself, these nominations are page after page—14 pages of these nominations that are awaiting our action.

I look forward to bringing them to the floor at the appropriate time, with discussion with the Democratic leadership.

I yield the floor.

RECOGNITION OF THE ACTING MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic whip is recognized.

NOMINATIONS AND DOD

Mr. REID. Before the distinguished majority leader leaves, I would like to say a couple of things. We worked hard. You and Senator DASCHLE were able to work your way through an agreement on judges. I agree with the majority leader, I think it is fair. We will have processed within the next few weeks, I think, 198 judges. I think that is the number we will have processed.

I also say as far as the nominations for other posts that are on the calendar, we, of course, are waiting for you and Senator DASCHLE to work something out on those also. We need to move forward on some of the Democrats submitted by Senator DASCHLE to the President and which are either languishing down there or haven't moved for other reasons. We hope that can be done before we move too much further in this legislative session, when things get jammed up.

I also say while the distinguished chairman of the committee is on the floor, and the majority leader, we believe we can work through these amendments on the Defense authorization bill. Between both Democrats and Republicans at this stage there are about 100 amendments, a fairly equal number on each side we have been given at this stage. A lot of these amendments, as always happens, are not going to be offered. A lot can be accepted by the two managers of the bill.

I would say this. I think yesterday we could have made more progress than we did. We made an offer that, on

the Graham amendment, we would like that put over until after the recess. That is what has happened, anyway.

If that had been the case, Senator CANTWELL and Senator HOLLINGS would agree to a 2-hour time limit to dispose of those two amendments.

We have a number of amendments. Senator DASCHLE wants to offer his TRICARE amendment, Senator KENNEDY wants to offer an amendment that has already been seen by the majority, by the managers. It may take a little bit of time. There are some reporting requirements. But my point is we can move through this.

I know there is tremendous pressure on the majority leader to move to class action. My personal feeling is it would be more of a class act to finish the Defense authorization bill first. I think even now we have some amendments the two managers are going to clear, 12 or 15 amendments this morning.

We will work here today to lay down amendments on our side and have the pending amendments, including the Graham amendment.

We want to indicate that we are fully cooperative, and we want to move this bill. We understand the importance of it.

Mr. FRIST. Mr. President, I know the chairman is here and will respond in terms of particulars of the underlying bill. We made good progress. It is an important bill and a bill which we will finish.

My intentions are to in all likelihood move to the class action bill the week we return and address that. Then if we can come up with a reasonable way of finishing this bill—which I am confident we can—I think ultimately when people sit down and say what is important to have on this bill, we will be able to put together amendments on our side and the other side and pull those together and have an orderly way of dealing with those.

I will say that in the big picture the last 2 weeks have been very positive weeks in terms of governing in very difficult times, many of which have been overseen by the chairman of this particular bill, Senator WARNER. It is very tough oversight in terms of what is going on both in Iraq and indeed around the world in the war on terror. At the same time that has been conducted in a very professional way. This institution can be quite proud; we have done some very good things in terms of national security. Three days ago, we passed bioshield legislation. That is a national security issue, one we have worked on for 14 months. A few days ago, we passed the important education bill, the Individuals With Disabilities Education Act, which affects 6.5 million children with disabilities.

If you look at the field on jobs and taxation, 2 weeks ago we passed a bill that will impact hundreds of thousands of manufacturing workers called the JOBS bill, a Euro tax that is placed on this country which we have in the Senate effectively eliminated once the

House acts. And 2 weeks ago, we passed an international tax relief bill to make sure broadband knowledge can proliferate in this country. All of that is part of governing which has taken place in 2 weeks of very difficult times. I have been very pleased over the last 2 weeks. It shows we can work together and govern—plus the judges on top of that. I think we will see that on this bill and we will see it on the class action bill. I am very optimistic about where we are going.

I am also pleased about what we have done in the last couple of weeks.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2400, which the clerk will report.

The bill clerk read as follows:

A bill (S. 2400) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for each fiscal year for the Armed Forces, and for other purposes.

Pending:

Graham (SC) Amendment No. 3170, to provide for the treatment by the Department of Energy of waste material.

Crapo Amendment No. 3226 (to Amendment No. 3170), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, my distinguished colleague, the senior Senator from Michigan, and I will momentarily address some of the pending amendments which have been cleared on both sides. I do, however, note the presence on the floor of two other colleagues. I would suggest to my ranking member that perhaps we could accommodate them, since he and I will be here throughout much of the morning.

Mr. LEVIN. I would be happy to do that, of course.

Mr. REID. Mr. President, while the two managers are on the floor, could I ask a question before I depart?

Mr. WARNER. Of course,

Mr. REID. We have a number of amendments we would like to lay down today and not have those amendments take precedence over the pending amendment, which is the Graham amendment. We want to be able to show the managers of the bill and leadership on the majority side that we want to move this bill. My personal feeling, as I expressed to the majority leader while he was here, is I think it is not the right thing to do to move off this bill and go to something else. I think with some determination we

could start on Tuesday—which is going to be a very short day—work Wednesday, Thursday, and Friday, and I think we could finish this bill. If we work some long days, I think we could finish it. If we go to class action legislation, that is going to take up a lot of time. Cloture motions need to be filed. I do not know that. I assume so.

My point is if there is anything the two managers of the bill can do to exert their significant influence on the majority to see if we can finish this bill, I think everyone would be well served. The House passed the bill last night by a wide bipartisan margin. I hope we can whittle down some amendments. We could do it, if we work some long days. But I predict if we go off this bill we will never finish it.

Mr. WARNER. Mr. President, I hear very clearly the spoken words of my good friend and colleague. I think of years past when Senator LEVIN and I have greatly benefited by the individual leadership of the Senator from Nevada on the floor when our defense bills have sort of gotten into a rut here and there.

But I encourage my distinguished colleague from Nevada, who heard the words of the majority leader moments ago. Those are decisions that have to rest with the majority and minority leaders. Consequently, I entrust them with those decisions. I hope that pattern of sequencing legislation on the floor will be done in such a way as to meet the requirements of all Senators and proceed. I am confident it will be done. We must, because there is no alternative but to get a bill. This Nation is at war. The men and women of the Armed Forces are deserving of further recognition, which this bill has, together with their families. We send a strong signal throughout the world of America's resolve in its war on terrorism—joined by many other nations—and its resolve to keep our military strong.

I am hopeful the honest difference of views can be reconciled, but it is a matter that is left to the distinguished majority leader in consultation with the distinguished minority leader.

Mr. REID. If I could, Mr. President, I think the distinguished chairman of the committee has made the argument about why we shouldn't get off this bill.

I want everyone to understand the distinguished senior Senator from South Dakota, the Democratic leader, has had nothing to do with moving off this bill. He wants to finish this bill. He feels that is most appropriate.

This class action bill is important legislation, but it pales in comparison to the needs we authorize for these programs for our fighting men and women around the world.

The House bill includes a number of provisions. The \$25 billion requested by the administration, as I understand, also legislates the number of troops we would have. If we don't authorize that along with the House, it won't happen.

We will wind up going through the appropriations process and appropriating money that has not been authorized in the past.

We need this bill. I repeat, as important as the class action is, it is insignificant compared to what we are doing here. I say to everyone within the sound of my voice, we should do everything we can to finish this bill; otherwise, I think we will not have a Defense authorization bill this year.

Mr. WARNER. Mr. President, I readily acknowledge that yesterday the distinguished Senator from South Dakota was right where I am standing until the closing minutes of yesterday's deliberation. He was trying to move certain matters. But I bring to the attention of the Senator that the distinguished Senator from South Carolina had an amendment and was on the floor. I will leave it to the record. But other Senators said no way; we are going to sit here through the night and debate and debate and debate.

Therefore, I think leadership—myself, Senator LEVIN, and the majority leader—felt there was no purpose in trying to press on. I think we have pretty well covered it. I think we understand our positions.

Unless the Senator has further observations—

Mr. REID. If I could say one more thing—and I will say no more—as I said in my remarks this morning through the Chair, to the distinguished Senator from Tennessee, the majority leader, we felt the best thing to do yesterday was to move off the bill, and Senator HOLLINGS and Senator CANTWELL said when we got back we would finish this phase of the legislation within 2 hours. We agreed to do that.

For reasons that are in the minds of the managers of the bill, there was a decision not to accept it. We want to move forward. I think the Lindsey Graham amendment has been a hiccup here in the process but slowed us down all day yesterday. We think it can be completed very quickly when we get back.

Mr. LEVIN. Mr. President, I wonder if the Senator from—the committee chairman would yield for one minute.

I was kind of surprised when I walked in a few minutes late on the floor to hear we are going off this bill. I don't quite understand the logic. I missed the majority leader's statement and I apologize for that. But we have to pick up this bill at some point. I don't know why it is assumed we are going to have any more or less trouble when we get back on this bill than we do right now continuing this bill. We are going to have to resolve the Graham issue and we will. It can be done in a few hours. To just set this bill aside, I am not sure I understand what the reasoning is. It is unusual in the middle of the Defense bill to set it aside for some other less important bill. I missed the explanation of the majority leader. I am surprised.

We have troops in the field. There are many important issues. The chairman

knows better than any Member in the Senate. He is the chairman, an incredibly effective chairman of this committee, and he knows what the provisions of this bill are. They include provisions not just on all of the quality of life issues, pay issues, and family issues, but they also include a very important issue on troop strength and the signal we send on that matter. At this moment it seems to me it is one of the most important issues to resolve. We are going to resolve that issue. We will figure out a way to resolve it. The chairman is fully on board with the direction in which this Congress is going. He is certainly aware and understands the importance of dealing with this.

I am really surprised. I will express that surprise. This means we are derailed for at least a week. I cannot imagine the urgency of the bill on class action suits.

I will ask our deputy minority leader as to what the estimate is for that bill. It will take, I assume, the whole week, will it not?

Mr. REID. I doubt very seriously we can finish the class action bill the week we get back. It would be a rare occasion in the annals of legislation that we could finish this very contentious bill. It may pass, but it will pass by a slim margin. I am sure there will have to be a cloture vote on it at some time. It is a bill that need not be done now.

If class action law does not change this whole year, it will be uncomfortable for some people, but it is not a life- or-death matter, as is this bill of the two managers. This class action is a convenience for businesses and lawyers.

Mr. WARNER. I thank my colleague for our colloquy this morning.

I see members of our committee on either side. I suggest, following the distinguished Senator from Colorado, the distinguished Senator from Hawaii be recognized. I make that not as a unanimous consent but as a courtesy, and the Senator from Michigan and I can proceed.

Mr. LEVIN. I wonder if the Senator from Hawaii wishes to speak this morning and whether it would be all right if we sequenced Senator AKAKA immediately after Senator ALLARD, and we will put that in the RECORD. I suggest we make that a unanimous consent.

Mr. WARNER. I make that in the form of a unanimous consent.

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

The Senator from Colorado.

Mr. ALLARD. Mr. President, I thank both the chairman and the ranking member on the Armed Services Committee for their courtesy this morning.

I will take a few moments to clear up some of the debate last evening. I would very much have liked to have had a vote on the Lindsey amendment, but I understand how those things happen. I hope we can move forward.

I will address three main issues we left hanging last night. No. 1 is the

proper classification of the wastesites in Hanford in Washington, the Idaho site, and also Savannah River in South Carolina. This program that has been put in place is a waste and incidental reprocessing commonly referred to as WIR in this debate.

First of all, I compliment Jesse Roberson with the Department of Energy. She was instrumental in getting Rocky Flats cleared up ahead of time. We are a little bit ahead of schedule. We are under budget. We have a huge savings in Rocky Flats because of a plan she put in place to accelerate cleanup, as much as \$10 billion savings over time because of her plan she helped put in place, consulting with a lot of people in Rocky Flats. She had the capability of working with local elected officials, the employees, and with the congressional delegation to get things like that to happen.

Obviously, everyone—the employees, the local leaders from those communities around Rocky Flats—played a role, but she was the focal point that made all that come together. She is the one who has been working on this issue to enhance and speed up cleanup on these particular nuclear sites. They create some very special problems, very difficult problems. I commend her for being willing to think outside the box and for the tremendous leadership she has shown in that regard.

I will talk a little bit about the classification of waste, then about the fact that we did have hearings, then also about how we have reached out. The proper disposal plan is to leave things in place there at Hanford and Idaho, for example.

Here is the issue as I see it, regarding proper classification. We can get all tied up in terminology, but the point is, what happens to the level of radiation? All these wastes are based on the amount of nuclear radiation. The fact is the Nuclear Regulatory Commission rating is as low-level waste. This is based on good, scientific evidence.

DOE is relying on three key points in classifying the residue as low-level waste. The first point is DOE has removed the vast bulk of the mobile radionuclides that were originally in the tanks; No. 2, that it has solidified and stabilized the remaining radionuclides by using a grout that chemically binds them so as to further limit their mobility; and No. 3, that the stabilized residues meet performance standards specified by the Nuclear Regulatory Commission for disposal of low-level waste.

DOE performance assessment shows the residue will produce an annual dose of radioactivity below the Environmental Protection Agency drinking water standard and well below what a person gets from a standard X-ray machine when you go into the doctor's office and get an X-ray, and that the radioactive dose to an inadvertent intruder will be minimal. Therefore, the residues meet the NRC's low-level waste standards.

None of this relies on dilution of the residues but, rather, it relies on classifying the stabilized residues in accordance with the risks they present in a manner consistent with the NRC performance standards which the NRC has specifically identified as the key consideration in classifying this waste.

The Department of Energy has been very responsible in what they have been doing. I am very disappointed the court decision has upset this. Prior to the court decision, it has been my understanding, the State of Washington, the State of Idaho, and the State of North Carolina all agreed on a plan with the DOE for the waste and incidental reprocessing plan. The court case gets filed, they file a friend-of-the-court brief, and everything begins to fall apart.

Initially, the State of Washington, the State of Idaho, under RCRA, were working with the Department of Energy, and nationally under the Clean Water Act, the State of South Carolina was working with DOE. Now the State of South Carolina is ready to move forward. The other two States feel they cannot move forward on this issue. I think it is terrible we would tie up their plans because of problems we have in the other two States. We have to work out something that is fair. We do need to work out something that is fair to all the States.

The Senator from Washington wants to completely demolish these tanks and move them out. What she did not talk about is the risk of going down into those tanks and cleaning them out before you demolish them. As a worker, I am not sure I want to go down there. I think that is a safety hazard beyond comprehension. I do not think anybody is thinking about these aspects of it.

I think what the Department of Energy has come out with, with the grout, is going to immediately seal the leaking tanks so we are not going to have any more pollution. If things don't continue, they are going to continue to pour into the Columbia River in Washington. So I think they have come up with a commonsense solution.

We have had two public hearings in the committee. I have the transcript here. We had one public hearing on February, 25, 2004, and we had the other public hearing on March 23, 2004. We talked about the WIR issue and how to best resolve it.

I would also point out for my colleagues, there has been built at Hanford a low-level waste disposal area. So this is not new, leaving low-level waste in Hanford. I think we need to move forward in a very practical way.

I will have more to say about this when we get back into debate on the armed services bill and we have the Lindsey Graham amendment before us again. These are a few things I wanted to begin to address this morning.

Mr. President, I yield floor.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I ask unanimous consent to speak as in morning business for 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. AKAKA and Mr. DURBIN pertaining to the introduction of S. 2475 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

DEDICATION OF WORLD WAR II MEMORIAL

Mr. WARNER. Mr. President, before my distinguished colleague departs, a little later this morning I am going to talk about the agenda of the forthcoming ceremonies regarding the dedication of the World War II Memorial. The distinguished Senator from Hawaii, both Senators in fact, served in our military during World War II. My recollection is one Senator went to the European theater; that is, Senator INOUYE, and this distinguished Senator went to the Pacific theater. I thank him for his participation in this memorial. It was first legislated in the Congress and then through the years, when Senator Dole and others were involved in raising non-Federal funds, close to \$100 million, to erect the magnificent memorial which will be dedicated a week from tomorrow. I wanted to thank him first for his service on the Armed Services Committee, his enormous interest in the men and women in the Armed Forces, and in our national security.

I have great recollections of when he and I went down with Senator Dole the other day to the memorial.

Mr. AKAKA. Mr. President, I thank the Senator from Virginia. He has been a great leader in our country for our Armed Forces. He has served our country well. He has been a Secretary of the Navy, now chairman of the Armed Services Committee. I tell him, as one member of that committee, that I respect what he is doing. He is doing a great job for the country. He has been up with the sensitive issues that our country faces and has called these hearings that have been very important in clarifying what is happening with our armed services in Iraq and around the world. I commend him highly for what he is doing. I thank him for all of that.

Mr. WARNER. I thank my colleague. The hearings, yes, they were important. We had 100-percent attendance at the three hearings; perhaps one Senator here and there for a while had to depart. It showed bipartisan, tremendous interest, assuming responsibility on behalf of the institution of the United States, our committee developing the facts. It is extremely important because it displayed to the world, particularly the Muslim and Arab world, how America works openly to address its problems to hold those responsible accountable. It is a process that has been begun by the Department of Defense, specifically the Department of the Army. I thank Senator AKAKA for his participation in those hearings.

I rose primarily to say that a week from Saturday will be an important day to both of us. My service in World War II was very modest compared to those of the others. I was simply in a training command, ready to go into the Pacific theater where the Senator from Hawaii was already present. Who knows, I might have been his replacement so he could come on home. Fortunately, the war ended for both of us. I thank the Senator.

My distinguished colleague from Michigan is on other matters. Therefore, until he joins me, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. ALLARD pertaining to the introduction of S. 2474 are printed in today's RECORD under "Statements on Introduced bills and Joint Resolutions.")

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

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

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WARNER. Mr. President, my distinguished colleague and I will now propound a series of cleared amendments to the Senate.

AMENDMENT NO. 3240

Mr. WARNER. Mr. President, I offer a technical amendment that would delete a provision from the bill that would modify a portion of the Internal Revenue Code and has raised jurisdictional concerns.

The amendment has been cleared on the other side.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia (Mr. WARNER), for himself and Mr. LEVIN, proposes an amendment numbered 3240.

The amendment is as follows:

AMENDMENT NO. 3240

(Purpose: To strike an amendment to the Internal Revenue Code of 1986)

Beginning on page 105, strike line 21 and all that follows through page 106, line 2.

Mr. LEVIN. The amendment has been cleared on this side.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The amendment (No. 3240) was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3227

Mr. WARNER. Mr. President, on behalf of Senator GRAHAM, I offer an amendment that would clarify the Reserve officers on voluntary extended active duty are not prohibited from accepting payment of any part of salary or wages that a private employer paid to the Reserve officer before his or her call or order to active duty.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. GRAHAM of South Carolina, proposes an amendment numbered 3227.

The amendment is as follows:

AMENDMENT NO. 3227

(Purpose: To except from criminal offense the receipt of pay from an employer by a Reservist on active duty in connection with a contingency operation)

On page 280, after line 22, insert the following:

SEC. 1068. RECEIPT OF PAY BY RESERVES FROM CIVILIAN EMPLOYERS WHILE ON ACTIVE DUTY IN CONNECTION WITH A CONTINGENCY OPERATION.

Section 209 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(h) This section does not prohibit a member of the reserve components of the armed forces on active duty pursuant to a call or order to active duty under a provision of law referred to in section 101(a)(13) of title 10 from receiving from any person that employed such member before the call or order to active duty any payment of any part of the salary or wages that such person would have paid the member if the member's employment had not been interrupted by such call or order to active duty."

Mr. LEVIN. The amendment has been cleared on this side, Mr. President.

Mr. WARNER. I urge adoption of the amendment.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The amendment (No. 3227) was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3171

Mr. LEVIN. Mr. President, on behalf of Senator LANDRIEU, I offer an amendment that would authorize the veterans service organizations to participate in pre-separation counseling provided to service members and to brief members of Reserve units after release from active service regarding VA benefits.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Ms. LANDRIEU, proposes an amendment numbered 3171.

The amendment is as follows:

AMENDMENT NO. 3171

(Purpose: To authorize representatives of veterans service organizations to appear at pre-separation counseling provided by the Department of Defense)

At the end of subtitle H of title V, insert the following:

SEC. 574. APPEARANCE OF VETERANS SERVICE ORGANIZATIONS AT PRESEPARATION COUNSELING PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) APPEARANCE TO COUNSELING FOR DISCHARGE OR RELEASE FROM ACTIVE DUTY.—Section 1142 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) APPEARANCE BY VETERANS SERVICE ORGANIZATIONS.—(1) The Secretary concerned may permit a representative of a veterans service organization to appear at and participate in any pre-separation counseling provided to a member of the armed forces under this section.

"(2) For purposes of this subsection, a veterans service organization is any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38."

(b) MEETING WITH RESERVES RELEASED FROM ACTIVE DUTY FOR FURTHER SERVICE IN THE RESERVES.—(1) A unit of a reserve component on active duty in the Armed Forces may, upon release from active duty in the Armed Forces for further service in the reserve components, meet with a veterans service organization for information and assistance relating to such release if the commander of the unit authorizes the meeting.

(2) The time of a meeting for a unit under paragraph (1) may be scheduled by the commander of the unit for such time after the release of the unit as described in that paragraph as the commander of the unit determines appropriate to maximize the benefit of the meeting to the members of the unit.

(3) For purposes of this subsection, a veterans service organization is any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

Mr. WARNER. Mr. President, the amendment has been cleared on this side, and I ask to be made a cosponsor of this very important amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Without objection, the amendment is agreed to.

The amendment (No. 3171) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3228, AS MODIFIED

Mr. WARNER. Mr. President, on behalf of Senator GRAHAM of South Carolina, I offer an amendment which adds \$3 million for critical infrastructure system security engineering.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. GRAHAM of South Carolina, proposes an amendment numbered 3228, as modified.

The amendment is as follows:

AMENDMENT NO. 3228, AS MODIFIED

(Purpose: To increase by \$3,000,000 the amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy and make the increase available for infrastructure system security engineering development, and to provide an offset)

At the end of subtitle B of title II, add the following:

SEC. 217. INFRASTRUCTURE SYSTEM SECURITY ENGINEERING DEVELOPMENT FOR THE NAVY.

(a) INCREASE IN AMOUNT FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY.—The amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation, Navy, is hereby increased by \$3,000,000.

(b) AVAILABILITY OF AMOUNT FOR INFRASTRUCTURE SYSTEM SECURITY ENGINEERING DEVELOPMENT.—Of the amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation, Navy, as increased by subsection (a), \$3,000,000 may be available for infrastructure system security engineering development.

(c) OFFSET.—(1) The amount authorized to be appropriated by section 101(5) for other procurement, Army, is hereby reduced by \$1,000,000, with the amount of the reduction to be allocated to Buffalo Landmine Vehicles.

(2) The amount authorized to be appropriated by section 102(b) for procurement for the Marine Corps is hereby reduced by \$500,000, with the amount of the reduction to be allocated to Combat Casualty Care.

(3) The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation, Army, is hereby reduced by \$1,000,000, with the amount of the reduction to be allocated to Active Coating Technology.

(4) The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide activities, is hereby reduced by \$500,000, with the amount of the reduction to be allocated to Radiation Hardened Complementary Metal Oxide Semi-Conductors.

Mr. LEVIN. The amendment has been cleared on this side, Mr. President.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The amendment (No. 3228), as modified, was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3241

Mr. LEVIN. Mr. President, on behalf of Senator BEN NELSON of Nebraska, I offer an amendment which would increase funding for neurotoxin research.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. NELSON of Nebraska, proposes an amendment numbered 3241.

The amendment is as follows:

AMENDMENT NO. 3241

(Purpose: To increase by \$2,000,000 the amount authorized to be appropriated for research, development, test, and evaluation, Defense-wide activities, and make the increase available for neurotoxin mitigation research, and to provide an offset)

At the end of subtitle B of title II, add the following:

SEC. 217. NEUROTOXIN MITIGATION RESEARCH.

(a) INCREASE IN AMOUNT FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE.—The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide activities, is hereby increased by \$2,000,000.

(b) AVAILABILITY FOR NEUROTOXIN MITIGATION RESEARCH.—Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide activities, as increased by subsection (a), \$2,000,000 may be available in Program Element PE 62384BP for neurotoxin mitigation research.

(c) OFFSET.—The amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army is hereby reduced by \$2,000,000, with the amount of the reduction to be allocated to Satellite Communications Language training activity (SCOLA) at the Army Defense Language Institute.

Mr. WARNER. Mr. President, the amendment has been cleared on this side.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The amendment (No. 3241) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3242

Mr. WARNER. Mr. President, on behalf of Senator GRASSLEY of Iowa, I offer an amendment that improves the ability of Army industrial facilities to enter into public-private partnerships.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. GRASSLEY, for himself, Mr. FITZGERALD, and Mr. SESSIONS, proposes an amendment numbered 3242.

The amendment is as follows:

AMENDMENT NO. 3242

On page 58, after line 24, insert the following:

SEC. 364. CONSOLIDATION AND IMPROVEMENT OF AUTHORITIES FOR ARMY WORKING-CAPITAL FUNDED FACILITIES TO ENGAGE IN PUBLIC-PRIVATE PARTNERSHIPS.

(a) PUBLIC-PRIVATE PARTNERSHIPS AUTHORIZED.—Chapter 433 of title 10, United States Code, is amended by adding at the end the following new section:

“§4544. Army industrial facilities: public-private partnerships

“(a) PUBLIC-PRIVATE PARTNERSHIPS AUTHORIZED.—A working-capital funded Army industrial facility may enter into cooperative arrangements with non-Army entities to carry out military or commercial projects

with the non-Army entities. A cooperative arrangement under this section shall be known as a ‘public-private partnership’.

“(b) AUTHORIZED PARTNERSHIP ACTIVITIES.—A public-private partnership entered into by an Army industrial facility may provide for any of the following activities:

“(1) The sale of articles manufactured by the facility or services performed by the facility to persons outside the Department of Defense.

“(2) The performance of—

“(A) work by a non-Army entity at the facility; or

“(B) work for a non-Army entity by the facility.

“(3) The sharing of work by the facility and one or more non-Army entities.

“(4) The leasing, or use under a facilities use contract or otherwise, of the facility (including excess capacity) or equipment (including excess equipment) of the facility by a non-Army entity.

“(5) The preparation and submission of joint offers by the facility and one or more non-Army entities for competitive procurements entered into with a department or agency of the United States.

“(c) CONDITIONS FOR PUBLIC-PRIVATE PARTNERSHIPS.—An activity described in subsection (b) may be carried out as a public-private partnership at an Army industrial facility only under the following conditions:

“(1) In the case of an article to be manufactured or services to be performed by the facility, the articles can be substantially manufactured, or the services can be substantially performed, by the facility without subcontracting for more than incidental performance.

“(2) The activity does not interfere with performance of—

“(A) work by the facility for the Department of Defense; or

“(B) a military mission of the facility.

“(3) The activity meets one of the following objectives:

“(A) Maximize utilization of the capacity of the facility.

“(B) Reduction or elimination of the cost of ownership of the facility.

“(C) Reduction in the cost of manufacturing or maintaining Department of Defense products at the facility.

“(D) Preservation of skills or equipment related to a core competency of the facility.

“(4) The non-Army entity partner or purchaser agrees to hold harmless and indemnify the United States from any liability or claim for damages or injury to any person or property arising out of the activity, including any damages or injury arising out of a decision by the Secretary of the Army or the Secretary of Defense to suspend or terminate an activity, or any portion thereof, during a war or national emergency or to require the facility to perform other work or provide other services on a priority basis, except—

“(A) in any case of willful misconduct or gross negligence; and

“(B) in the case of a claim by a purchaser of articles or services under this section that damages or injury arose from the failure of the Government to comply with quality, schedule, or cost performance requirements in the contract to carry out the activity.

“(d) METHODS OF PUBLIC-PRIVATE PARTNERSHIPS.—To conduct an activity of a public-private partnership under this section, the approval authority described in subsection (f) for an Army industrial facility may, in the exercise of good business judgment—

“(1) enter into a firm, fixed-price contract (or, if agreed to by the purchaser, a cost reimbursement contract) for a sale of articles or services or use of equipment or facilities;

“(2) enter into a multiyear partnership contract for a period not to exceed five

years, unless a longer period is specifically authorized by law;

“(3) charge a partner the amounts necessary to recover the full costs of the articles or services provided, including capital improvement costs, and equipment depreciation costs associated with providing the articles, services, equipment, or facilities;

“(4) authorize a partner to use incremental funding to pay for the articles, services, or use of equipment or facilities; and

“(5) accept payment-in-kind.

“(e) DEPOSIT OF PROCEEDS.—(1) The proceeds of sales of articles and services received in connection with the use of an Army industrial facility under this section shall be credited to the appropriation or working-capital fund that incurs the variable costs of manufacturing the articles or performing the services. Notwithstanding section 3302(b) of title 31, the amount so credited with respect to an Army industrial facility shall be available, without further appropriation, as follows:

“(A) Amounts equal to the amounts of the variable costs so incurred shall be available for the same purposes as the appropriation or working-capital fund to which credited.

“(B) Amounts in excess of the amounts of the variable costs so incurred shall be available for operations, maintenance, and environmental restoration at that Army industrial facility.

“(2) Amounts credited to a working-capital fund under paragraph (1) shall remain available until expended. Amounts credited to an appropriation under paragraph (1) shall remain available for the same period as the appropriation to which credited.

“(f) APPROVAL OF SALES.—The authority of an Army industrial facility to conduct a public-private partnership under this section shall be exercised at the level of the commander of the major subordinate command of the Army that has responsibility for the facility. The commander may approve such partnership on a case basis or a class basis.

“(g) COMMERCIAL SALES.—Except in the case of work performed for the Department of Defense, for a contract of the Department of Defense, for foreign military sales, or for authorized foreign direct commercial sales (defense articles or defense services sold to a foreign government or international organization under export controls), a sale of articles or services may be made under this section only if the approval authority described in subsection (f) determines that the articles or services are not available from a commercial source located in the United States in the required quantity or quality, or within the time required.

“(h) EXCLUSION FROM DEPOT-LEVEL MAINTENANCE AND REPAIR PERCENTAGE LIMITATION.—Amounts expended for depot-level maintenance and repair workload by non-Federal personnel at an Army industrial facility shall not be counted for purposes of applying the percentage limitation in section 2466(a) of this title if the personnel are provided by a non-Army entity pursuant to a public-private partnership established under this section.

“(i) RELATIONSHIP TO OTHER LAWS.—Nothing in this section shall be construed to affect the application of—

“(1) foreign military sales and the export controls provided for in sections 30 and 38 of the Arms Export Control Act (22 U.S.C. 2770 and 2778) to activities of a public-private partnership under this section; and

“(2) section 2667 of this title to leases of non-excess property in the administration of a public-private partnership under this section.

“(j) DEFINITIONS.—In this section:

“(1) The term ‘Army industrial facility’ includes an ammunition plant, an arsenal, a depot, and a manufacturing plant.

“(2) The term ‘non-Army entity’ includes the following:

“(A) An executive agency.

“(B) An entity in industry or commercial sales.

“(C) A State or political subdivision of a State.

“(D) An institution of higher education or vocational training institution.

“(3) The term ‘incremental funding’ means a series of partial payments that—

“(A) are made as the work on manufacture or articles is being performed or services are being performed or equipment or facilities are used, as the case may be; and

“(B) result in full payment being completed as the required work is being completed.

“(4) The term ‘full costs’, with respect to articles or services provided under this section, means the variable costs and the fixed costs that are directly related to the production of the articles or the provision of the services.

“(5) The term ‘variable costs’ means the costs that are expected to fluctuate directly with the volume of sales or services provided or the use of equipment or facilities.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“4544. Army industrial facilities: public-private partnerships.”.

Mr. WARNER. Mr. President, I believe the amendment has been cleared.

Mr. LEVIN. I thank my friend. The amendment has been cleared on this side.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The amendment (No. 3242) was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3243

Mr. LEVIN. Mr. President, on behalf of Senator FEINSTEIN, I offer an amendment which would authorize the Air Force to convey a parcel of property at March Air Force Base to the local redevelopment authority at fair market value.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mrs. FEINSTEIN, proposes an amendment numbered 3243.

The amendment is as follows:

AMENDMENT NO. 3243

(Purpose: To provide for the conveyance of land at March Air Force Base, California)

On page 365, between lines 18 and 19, insert the following:

SEC. 2830. LAND CONVEYANCE, MARCH AIR FORCE BASE, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey to the March Joint Powers Authority (in this section referred to as the “MJPA”) all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 15 acres located in Riverside

County, California, and containing the former Defense Reutilization and Marketing Office facility for March Air Force Base, which is also known as Parcel A-6, for the purpose of economic development and revitalization.

(b) CONSIDERATION.—(1) As consideration for the conveyance of property under subsection (a), the MJPA shall pay the United States an amount equal to the fair market value, as determined by the Secretary, of the property to be conveyed under such subsection.

(2) The consideration received under this subsection shall be deposited in the special account in the Treasury established under section 572(b) of title 40, United States Code, and available in accordance with the provisions of paragraph (5)(B)(ii).

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the MJPA.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Mr. WARNER. Mr. President, the amendment has been cleared on this side.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The amendment (No. 3243) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3166, AS MODIFIED

Mr. WARNER. Mr. President, on behalf of Senator SANTORUM, I offer an amendment which requires a report on the maturity and effectiveness of the global information grid network.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. SANTORUM, proposes an amendment numbered 3166, as modified.

The amendment is as follows:

AMENDMENT NO. 3166, AS MODIFIED

(Purpose: To require a report on the maturity and effectiveness of the Global Information Grid-Bandwidth Expansion (GIG-BE) network)

On page 25, between lines 15 and 16, insert the following:

SEC. 142. REPORT ON MATURITY AND EFFECTIVENESS OF THE GLOBAL INFORMATION GRID BANDWIDTH EXPANSION (GIG-BE) NETWORK.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on a test program to demonstrate the maturity and effectiveness of the Global Information Grid-Bandwidth Expansion (GIG-BE) network architecture.

(b) CONTENTS OF REPORT.—The report under subsection (a) shall—

(1) determine whether the results of the test program described in subsection (a) demonstrate compliance of the GIG-BE architecture with the overall goals of the GIG-BE program;

(2) identify—

(A) the extent to which the GIG-BE architecture does not meet the overall goals of the program; and

(B) the components that are not yet sufficiently developed to achieve the overall goals of the program;

(3) include a plan and cost estimates for achieving compliance; and

(4) document the equipment and network configuration used to demonstrate real-world scenarios within the continental United States.

Mr. LEVIN. The amendment has been cleared on this side, Mr. President.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The amendment (No. 3166), as modified, was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

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

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALLARD. I ask to speak as in morning business for the purpose of my remarks only and then return to regular business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUPPORTING THE BUSH ADMINISTRATION

Mr. ALLARD. Mr. President, I rise this morning to talk about the remarkable record of leadership and achievement we have seen from this administration over the past 3 years in keeping America prosperous, safe, and secure. During this time our Nation and our President have confronted a series of crises and challenges that I believe are unmatched during any administration in recent history. Whether the challenge has been to our economic, social, or national security, President Bush has demonstrated courage, vision, and decisiveness in addressing these threats and challenges.

At the outset of his term in office the President faced a significant threat to our economic security requiring immediate action. On January 20, 2001, the day President Bush was sworn into office, our economy was several months into a recession, what I call the "Clinton recession." Later, over the next few months, America faced extraordinary adversity from the terrorist attacks of 9/11. This devastating event, combined with the unprecedented crises in corporate governance and ac-

countability, demanded action on numerous levels. The President acted swiftly and decisively by securing from the Congress a series of tax cuts to stimulate business investment, preserve consumer confidence, and expand today's economic recovery into lasting prosperity for all Americans.

The President's actions averted disaster. We experienced one of the shortest and shallowest recessions of modern American history. By all accounts, the economy is on very solid footing now because of the President's actions.

For example, today we see 10 consecutive quarters of strong economic growth relative to gross domestic product. In fact, our economy averaged an annualized 5.5 percent growth over the last 3 quarters, the strongest three-quarter performance in 20 years. Manufacturing activity is rebounding. Since this time last year, the United States has led all major economies of the world with the highest manufacturing output expansion. This is in addition to our service economy, which also continues to outperform every other service economy around the globe. Recent corporate earnings reports are bullish, and investor confidence is rebounding, reflected by the 35 to 50 percent gains in major market indices since the fall of 2002. This includes a \$4 trillion increase in the total market capitalization of the New York Stock Exchange. Inflation remains low by historical standards, at or below a very manageable 3 percent annual rate. Business investment is rising steadily, fueled largely by double-digit growth in equipment and software spending, and by growing inventory investment. Consumer spending growth is accelerating due to real gains in wages, salaries, and in disposable personal income, boosted largely by lower taxes. And, residential construction spending remains strong, and as of March 2004, both existing and new home sales accelerated to record levels. This translates into the highest national homeownership rate in our Nation's history, a record 69 percent.

Moreover, looking at the lagging indicator of job creation, recent data from the Bureau of Labor Statistics now confirm the recovery. The payroll survey shows over a million jobs created over the past 8 months.

More importantly, the household survey, which is not often cited in the public media, shows that over 2 million new jobs have been created since November 2001, when the "Clinton" recession was finally reversed. Just in the last 2 months, more than 600,000 new jobs have been created.

The President now faces new economic challenges, this time from many Members on the other side of the aisle who believe we need to undo President Bush's tax cuts. As we move closer to the November Presidential election, the political rhetoric from the other side is trying to convince us that the economy is much worse off than the facts demonstrate. Reversing the Bush tax cuts, as the Democrats propose,

will only serve to reverse the economic growth we are now experiencing and that we project through the decade. We must all support the President in fending off increased "tax-and-spend" proposals.

This President has also recognized and acted decisively to turn back significant threats to our families and our values. I believe the previous administration neglected several major challenges to the security of our seniors, our families, and our children. President Bush, on the other hand, is moving aggressively and decisively to defeat these challenges and make our families more secure.

Our senior citizens are threatened by increasing health care costs and limited access to affordable medicines they need. The President developed and enacted historic Medicare modernization and prescription drug reforms. These initiatives enable seniors to get the medicines they need at discounted prices, and expand freedom for Americans to choose among healthcare providers and plans based on their individual needs. Further, the President's action makes sure low-income seniors receive additional financial assistance so they will not have to pay more to receive better benefits than they currently do under Medicare.

Our families, more specifically the parents, are under assault by activist courts around the country undermining the sanctity of marriage. Not only are these courts overstepping their constitutional authority, but also they are trampling fundamental values and institutions held dear by the vast majority of Americans. The President stepped forward and joined several of us from the Congress to put down this assault decisively. While I do not take the amending of the constitution lightly, the proposed Constitutional amendment is our only recourse in preserving marriage in the United States as the union of only a man and a woman.

Dumbed-down educational standards and sub-par learning institutions threaten the well-being and development of our children. The President brought forward another major reform with his No Child Left Behind initiative to instill higher, modern standards for performance in reading and math. The President has increased education spending nearly 25 percent over his predecessor—an \$11 billion increase. This includes an increase of more than 30 percent for disadvantaged student programs, as well as tripling resources for effective reading programs for our youth.

Moreover, the President's leadership restores to local officials the power and resources to establish programs and practices that work in their respective communities.

Again, another example of extraordinary leadership backed by resources, compassion, and commitment. The President has been nothing but visionary and steadfast in protecting our families and our way of life.

Today, the President is leading our Nation through another major crisis in the fight against Muslim extremists seeking to destroy our people, our livelihoods, and our liberties at home and abroad. We are a Nation at war—a global war on terror. This is not a war we started, but a war we will finish.

Unlike his predecessor, President Bush has demonstrated to this Nation, indeed to the world, that he has the vision, the courage, and the fortitude to lead a global coalition to fight this enemy whenever and wherever is needed. The President will not shirk his duties to guarantee the safety and security of Americans or freedom-loving peoples around the globe.

The enemy in this war did not mysteriously appear for the first time on September 11, 2001. Rather, this enemy has been consistently attacking the United States for over two decades. Unfortunately, over this period of time, our country's response to this growing threat was entirely inadequate, inconsistent, and inexcusable. Let me describe for you the evolution of our enemy in this global war on terror.

In 1979, a band of Islamic fundamentalists, led by the Ayatollah Khomeini, successfully overthrew the Shah's government of Iran as America stood by and watched. Nearly a year later, these fundamentalists stormed the U.S. Embassy and took the American staff hostage for 444 days. President Carter's response at the time: cancel Iranian travel visas and seek UN diplomatic assistance.

In 1982, Muslim extremists bombed our Embassy in Beirut. The U.S. did not respond against the extremists. Six months later, the extremists bombed the U.S. marines' barracks and 241 U.S. servicemen were killed and another 80 were seriously wounded. This time, the U.S. response came from the Democratic-controlled Congress in the form of a resolution to withdraw all troops from the area. Unfortunately, as the 1983 presidential election drew near, President Reagan acquiesced. There was, and remains, an important lesson to be learned here for all Members of this body: our enemy perceives vulnerability during U.S. presidential election years. During this time we must redouble our vigilance and resist the internal sniping for mere political expediency.

In 1985, Muslim extremists hijacked an Italian cruise ship, the *Achille Lauro*. In a specific act of defiance toward the United States, the terrorists murdered 69-year-old Leon Klinghoffer, tossing his dead body and wheelchair overboard into the sea. The terrorists were offered a deal by "our allies" for safe passage by ending the hijacking. When the hijackers were traveling to their new destination, President Reagan launched our military fighters to intercept and redirect their airliner to Sicily, Italy. After a few years in prison, the Italians set them free. The Muslim extremists then took up sanctuary with Saddam Hussein in Iraq.

In 1986, Muslim extremists affiliated with Libya's Colonel Qadhafi bombed a

West Berlin nightclub frequented by American servicemen. Two American soldiers were killed. Ten days later, President Reagan authorized an air strike in Tripoli and Benghazi, Libya, from bases in England. The mission was somewhat complicated by the French denying us use of their airspace during the mission.

In 1988, Muslim extremists, again sanctioned by the Libyan government, destroyed Pan Am flight 103 over Lockerbie, Scotland. No direct action was taken by either the U.S. or British governments.

In 1990, Saddam Hussein invaded oil-rich Kuwait. President George Herbert Walker Bush moved U.S. forces quickly to block further Iraqi advances while mobilizing a large international coalition force that ultimately expelled a decimated Iraqi military from Kuwait. Most Democrats in Congress voted against this use of force. Now, many of the same are saying that we did not go far enough at that time.

One of our key allies during the 1991 Gulf War was the Kingdom of Saudi Arabia. Following hostilities, the U.S. and Saudi Arabia forged closer military, economic, and political relations. One wealthy Saudi extremist took exception to this relationship and vowed to "wage war against the American crusaders." This Saudi's name was Osama bin Laden.

From that point forward, we have been victimized by a string of direct attacks by bin Laden's al-Qaida network—both at home and abroad.

In 1993, al-Qaida exploded bombs in the garage of the World Trade Center towers, killing 5 Americans and injuring hundreds. President Clinton, at this time being advised by national security staff official Richard Clarke, did nothing in response.

Later in 1993, 18 American soldiers were killed in Somalia, and the body of one soldier was dragged through the streets of Mogadishu before a cheering band of Somalis and al-Qaida. President Clinton's immediate response was the withdrawal of all troops from Somalia. No action was taken against those responsible. ABC News reported Osama bin Laden saying that al-Qaida soldiers:

realized more than before that the American soldier was a paper tiger and after a few blows ran in shame and disgrace.

In 1995, in Saudi Arabia, al-Qaida killed 5 and injured 30 Americans in a homicide bomb attack. A few months later, homicide car-bombers attacked U.S. military facilities at the Khobar Towers, killing 19 and injuring nearly 500 Americans. The perpetrators of these cowardly attacks all escaped. The U.S. did not respond.

In 1998, al-Qaida bombed the U.S. Embassies in Kenya and Tanzania, killing 224 people, including 12 Americans, and injuring over 5,400 in all. The U.S. did not respond.

In 2000, al-Qaida bombed the USS *Cole*, killing 17 and wounding another couple dozen of American sailors. The U.S. did not respond.

Over the course of these 7 years, al-Qaida carried out multiple attacks

against the United States. As the current National Security Advisor recently testified, it was clear that "the enemy was at war with the United States." However, President Clinton, and his top counter-terrorist advisor Richard Clarke, did not go to war with the enemy.

It is reasonable to conclude that our failed history to deal promptly and decisively with al-Qaida, at any point during this period, only served to embolden Bin Laden and his criminal band of extremists.

Perhaps our failure emboldened others in the same way. During the latter part of the 1990s, Saddam Hussein began a campaign of actions increasingly more defiant of U.S. and UN imposed sanctions.

In 1996, Saddam unleashed his forces on the Kurdish city of Erbil destroying U.S.-sponsored resistance organizations and executing U.S.-backed resistance fighters. In 1997, Hussein bullied UN inspectors, preventing them from performing their mission. He also threatened to shoot down American surveillance planes aiding the inspection program.

In 1998, President Clinton threatened to bomb Iraq, but he did not follow through after the United Nations urged restraint. Later that year, Hussein kicked the UN inspectors out of Iraq all together. Over the next several years, Iraqi air defense units repeatedly shot at our military aircraft enforcing the UN sanctioned "no fly" zones.

On more than one occasion, President Clinton launched limited, and arguably ineffective, aircraft and cruise missile strikes in Iraq to no avail.

By the time President Bush took office in 2001, the determination and sophistication of our enemies were already well established. Unfortunately, our reputation of standing up to these criminal terror organizations and despots had decayed to a dangerous level.

President Bush immediately set forth new policy and strategies, scrapping the "containment" policy in favor of a more comprehensive and decisive course of action to eliminate the al-Qaida enemy completely. The horrendous events of 9/11, barely seven months into his administration, demanded urgent and unambiguous action from the President. Without hesitation, President Bush directed his cabinet to prepare a decisive response against the murderous al-Qaida organization, including terrorist affiliates, and those foreign governments that sponsor and shelter the terrorists.

As I said earlier, we didn't start this war—the global war on terror but we are going to finish it. Under President Bush's leadership over the past two-plus years, the United States has dealt a crippling blow to world terror organizations. Secretary of Defense Rumsfeld summarized it best for us earlier this year when he reported that our armed forces have overthrown two terrorist regimes, rescued two nations, and liberated some 50 million people; captured

or killed close to two-thirds of known senior al-Qaida operatives; captured or killed 45 of the 55 most wanted in Iraq, including Iraq's deposed dictator, Saddam Hussein; hunted down thousands of terrorists and regime remnants in Afghanistan and Iraq; disrupted terrorist cells on most continents; and likely prevented a number of planned attacks. This is an astounding record of accomplishment for our commander-in-chief, his national security staff, and the phenomenal men and women of our military services.

I believe we are already seeing huge dividends from our actions in Operation Iraqi Freedom. We have demonstrated to the Middle East region, and indeed to the world, that the U.S. is willing to go to war over weapons of mass destruction, even at the risk of significant loss of life. This action sent an extraordinarily powerful message to all—there will be significant consequences of possessing, or attempting to acquire, weapons of mass destruction and ballistic missiles. This increased risk perception among potential adversaries, or threat of U.S. action, is now opening the door to diplomatic action to roll back illicit weapons and ballistic missile development programs.

This is evident in Libya, where Colonel Qadhafi is now voluntarily turning over his weapons and secrets to the United Kingdom and United States intelligence officers. It turns out that Egypt was a major supplier to Libya, so now Egypt is getting out of the ballistic missile trade as well. This is evident in Syria, which is now engaged with U.S. Defense and State Department officials in divesting its ballistic missile enhancement programs while secretly trying to relocate their ballistic missile inventory in neighboring countries. Further, this is evident in Iran, which has now "come clean" in reporting its military nuclear programs and is opening up to more stringent inspections.

We are seeing encouraging results with the decline of trans-national terrorism as well. Recently, the U.S. State Department released its annual report on Patterns of Global Terrorism, prepared by the Office of the Coordinator for Counter-Terrorism. The findings and conclusions are promising and further evidence that President Bush's vision and decisiveness are bringing about positive change.

For example, in 2001, during the President's first year in office, there were 346 terrorist attacks world-wide. In 2003, that number was down to 190—a 45% reduction in just two years. In 2001, there were 219 anti-U.S. attacks worldwide. In 2003, there were 82—a 62% reduction in just two years.

I believe these dramatic results are a direct result of George Bush's decision to declare war—not declare a police action or declare a negotiating strategy—but a global war against terrorists and those who harbor them. U.S.-led efforts are successfully attacking terrorists'

training facilities, hideouts, weapons centers, financial institutions, and travel and logistics routes. Of course, this is in addition to our recent destruction of the two largest terrorist-sponsoring regimes in Afghanistan and Iraq.

However, we cannot rest on our laurels. The war continues. We must capture or destroy Osama bin Laden and his comrades-in-hiding. We must defeat the terror and criminal elements that continue to kill indiscriminately in Iraq. We must finish the reconstruction of the political and municipal infrastructure for both the Afghani and Iraqi people. We are on the verge of seeing new democracies take root, offering the promise of lasting peace and stability for this region that has grown accustomed to tyranny after decades of oppression and terror.

Equally important, we must continue the offensive against other Muslim extremist organizations around the globe, denying these potential killers the opportunity to plan, prepare, or execute further acts of terror. President Bush is the visionary, the proven leader, and the commander-in-chief who will see this through and keep America safe and secure.

The facts are in. The results are conclusive. We are winning the war against terror with persistence and will. We are keeping America prosperous with pro-growth tax and business policies. We are enriching our families with commonsense social and educational reforms. I believe most Americans recognize this record of extraordinary accomplishment. And I believe that Americans are extremely proud of the leadership, courage, commitment, and results of President George W. Bush.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. DOLE). The clerk will call the roll.

The assistant journal clerk proceeded to call the roll.

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

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

Mr. WARNER. Madam President, the pending business is the Defense bill, but to accommodate Senators for matters that are not directly related, Senator LEVIN and I are perfectly willing to have other speakers.

I see my distinguished colleague, the Senator from North Dakota. How much time does the Senator desire?

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, let me request 10 minutes in morning business. If I see the Senator from Virginia desiring the floor, I certainly will not continue.

Mr. WARNER. Go right ahead for 10 minutes.

Whatever flexibility the Senator may desire, Senator LEVIN and I are pleased to accommodate the Senator.

The PRESIDING OFFICER. The Senator from North Dakota.

GAS PRICES

Mr. DORGAN. Madam President, this week the Congress and the White House have spent a fair amount of time talking about the subject of gasoline prices. Gas prices are now averaging over \$2 a gallon across the country. It is a serious problem for American families, for American businesses, and for industries such as the airlines. I will talk a bit about that.

Elbows and wrists and hands are nearly out of joint from every side of the political spectrum pointing fingers during the last week about who is responsible for this or that or the other thing, who is responsible for high oil prices. That is counterproductive.

However, we cannot, all of us, decide that this is not happening on our watch. It is. We cannot decide that it is not of consequence. It certainly is of great consequence to our country, to our economy, and to American families.

I pulled up behind an old Chevrolet one day at a 40A stop in North Dakota some while ago. This 15- or 20-year-old Chevrolet had a bumper sticker on the back bumper, half of which was sort of tilted downward from previous beatings. The bumper sticker said "I fought the gas war and gas won."

I thought to myself, that is a prophetic bumper sticker. It is hard to fight a gas war and win when we have all of these events conspired against us. We have OPEC countries that control a substantial amount of product which have formed a cartel and they decide what they are pumping and what they will send to the oil pipelines around the world.

In addition to that, the oil companies themselves have gotten bigger and bigger and bigger, behemoth companies that control substantial amounts of product.

Then we have the consumer at the end of the line. They take the gas hose out of the socket at the gas station, they put it in the gas tank and start pumping, and there is not a thing they can do except pay the price, whatever the price is.

Why is this important, especially for rural States? I come from a rural State in this country. In rural States, we drive a lot more. We use a lot more fuel. I come from a State that is 10 times the size of Massachusetts in landmass. North Dakota is 10 Massachusetts in landmass. Yet we have 642,000 people spread out in that big old landmass. It is not much of anything to drive 50 miles or 100 miles or 200 miles to do a piece of business or to see relatives. Do that on the east coast, and they want to pack a tent in case they have trouble driving 50 miles.

But in our State we drive a lot, and we have a farming industry that uses a lot of fuel. So in the State of North Dakota, for example, per capita, we use twice as much gasoline as they would in New York per capita. That means

the burden of these increased gas prices is double in a rural State such as ours what it is on other drivers in some of the more populous States where they use less and drive less.

I am not saying all Americans are not having problems pulling up to the gas pump and paying \$2 a gallon, but I am saying this especially hurts rural States whose consumers per person pay a much higher amount of the gas tax because they use more gasoline.

So what do we do about all this? Well, we can do as we have done for the last week or two, and keep pointing back and forth, or we can decide to take some action. A couple obvious things we ought to do are: One, we are putting nearly 150,000 barrels of oil a day underground in Louisiana in the Strategic Petroleum Reserve that is 96-percent full. I support what is called SPR, the Strategic Petroleum Reserve. We ought to have that in case of an international problem, a national emergency. That is why we are putting that oil away. But in times of tight supplies, when the price of gasoline has gone to \$2 a gallon, it makes no sense to take 150,000 barrels off the supply and put it underground in Louisiana.

Step one, I think the President ought to immediately—right now, today—stop that. That will add to supply, take some of the pressure off increasing prices. That ought to happen now—right now.

Second, there is a meeting this week in Amsterdam. The Secretary of Energy is going to Amsterdam. We need to jawbone—really jawbone—the OPEC countries and say to them: You need to increase production during this intermittent period. During this summer period, you need to increase production, get more oil into that pipeline.

The Saudis have called for that. But I must say, the Saudis have also been part of the problem in the past. When you have the amount of oil that is controlled by a few countries, which control a substantial amount of the oil in this world, and they make decisions about supply, it can have a profound impact on this country.

We ought to have, immediately, the President jawboning these OPEC countries. The Secretary of Energy ought to apply diplomatic pressure to these countries to say we need additional oil in that pipeline now.

Let me also say this. This is about the tenth wake-up call we have had on this issue of being held hostage to the OPEC countries. We get much of our oil to fuel the American economy from very troubled parts of the world. God forbid some morning we wake up and terrorists have severed the oil pipelines that send a substantial amount of oil to our country and our economy becomes flat on its back.

We need to understand this cannot work. Sixty percent of the oil we need to run this country's economy comes from off our shores, and much of it from very troubled parts of the world.

We need a project—I don't care; I call it an "Apollo" project, some call it a

"Manhattan" project—we need a project that says: In the coming years we need to find a way to stop running gasoline through American carburetors. We have been driving cars for 100 years, and 100 years ago, you pulled up to a gas pump and put gasoline in your car the same way you do with a 2004 Ford or a 2002 Chevy. Nothing has changed. New cars are fueled the same way old cars were fueled. Nothing has changed in a century.

Everything about us has changed except we are still dependent, we still have this addiction to oil that comes from the OPEC countries. Why? Because we need to run it through a carburetor someplace in order to make our car go.

Well, look, hydrogen fuel cells are in our future. Do you know what you put out the tailpipe of a hydrogen fuel-cell car? Water vapor. You don't pollute the air. You put water vapor out the tailpipe. You have twice the effective power going to the wheels with hydrogen fuel cells. Why aren't we doing it? Because this country has not ratcheted up the energy and the decision to say, on a "Manhattan" project basis or an "Apollo" project basis: We are going to do this.

This ought to be equivalent to saying we are going to send a person to the moon. But somehow we are not there. So we need to take short-term steps and longer term steps, but we need to understand this is urgent, this is an emergency.

There are few things as important to this country as an energy policy that works, one that incentivizes production, one that provides for conservation, one that provides for renewable forms of energy, greater efficiency of all the things we use in our daily lives.

While I do not want to point the finger here today, I do want to say that which I have heard all week is a little disturbing. The White House spokesman comes out every day and says: Well, the problem is down there. They did not pass an energy bill. Well, everyone knows why we did not pass an energy bill. It failed by 2 votes in the Senate. We did not pass an energy bill because of a pernicious provision put in that bill, put in by the majority leader of the House, which he knew would derail that bill in the Senate, providing a retroactive waiver of liability for MTBE.

That provision was put in in a manner that he knew would cause the Energy bill to fail in the Senate. So that yoke of responsibility ought to lay where it is appropriate, in my judgment.

PARTISANSHIP

Madam President, I have been talking about gasoline and gasoline prices. We have a lot of challenges in our lives at the moment. We have a war in Iraq. We have a continuing war in Afghanistan. We have a range of both domestic and international issues that require our attention.

I was distressed yesterday to read in a newspaper a little piece that kind of

describes the dilemma we have. We have this problem, and the problem is an incessant amount of partisanship around here. We have people who come to this town and say: We are going to bring people together. I see no evidence of it. The suggestion is the only way we can do business is to have one party do it, and exclude the other party.

We made some progress this week. It is interesting, the highway bill is a very important piece of legislation for our country. It should have been done last year. It was not. It is going to be done this year, I hope. Only yesterday we appointed conferees.

I want to show you what bothered me yesterday about all of that. Quoting the article, it says:

... conservative leaders said the White House and the Senate leadership committed a tactical error by compromising with Daschle, which they say has undermined what had been their strategy on judges. . . .

The spokesperson, Connie Mackey, is the vice president of government affairs at the Family Research Council.

"We don't see the point," said Mackey, who declined to discuss the specifics of the meeting. "The strategy all along has been to show the obstructionist tactics of the Democrats. [Now] we've lost that tactic."

What are we going to do? Our goal has been to be able to call somebody obstructionist, but all of a sudden we have this cooperation going on, and we have lost this ability. What are we going to do?

This describes the rancid partisanship that exists around here, and I hope it will stop.

My colleague, Senator WARNER from Virginia—I don't know that I have ever heard anyone ever call him partisan. He and my colleague from Michigan, who bring this bill to the floor of the Senate to manage, are models of what we ought to do in this Congress, in this Senate.

The Senate is almost evenly divided. So is the House. This President won by a whisker in 2000. So we have a divided Government, almost right down the middle. And those who suggest that what we ought to do, in terms of the way we run things around here, is to have the majority party decide what happens, and then say to the minority party, you do not count, you are excluded, get lost—which is what happened all of last year, by the way, in these conferences; we appoint conferees, and then we are told the Democrats are not welcome to participate in the conferences, despite the fact they were a conferee—the fact is, we need to do better than that. This country deserves the best of what all of us have to offer, the best of what both parties can offer, instead of the worst of what each will offer.

There is a lot to be gained, it seems to me, by bipartisanship, by working together, by deciding that good ideas are not the exclusive property of whatever party is in the majority at the moment. There is a lot to be gained by that. My hope is what happened yesterday is the first step of a long trail of

bipartisanship and the first step in developing consensus on issues, in which we all understand we are serving the same interests.

We want what is best for our country. But there are some—there are some—who have no interest in trying to find ways to work together. They want open, partisan warfare.

I brought to the floor last week a couple of charts that showed the origin of that, charts an organization put together that said: Oh, by the way, here is the way you do this. If you have an opponent, here is what you should say about your opponent because we have tested these words. This organization, called GOPAC, said: Use words like “liar,” “sick,” “pathetic,” “traitor,” “treason,” “antichild,” “antifamily,” “antiflag,” when you describe your opponent. Be sure and use those words because we have tested them, and they work. That was the kind of rancid partisan ignorance that represented the foundation of what has been built for too long.

My hope is that perhaps we can reject all of that. Understanding that when a country is at war, when a country has energy problems, when a country has fiscal policy problems, that it makes good sense to get the best of what Republicans have to offer and the best of what Democrats have to offer and form a consensus to govern and achieve the goals that all of us aspire to. That is what the American people expect. I don't think aggressive debate at all hinders or hurts this country. In fact, I think it strengthens us. But aggressive partisanship, having as a goal not just winning but making sure the other side is destined to lose, that does hurt this country.

My hope is that yesterday, as we created a conference for a highway bill which is very important—it is important in the context of jobs and progress for the economy—I hope that was the first step in moving towards this consensus. Senator DASCHLE, Senator REID, so many others want to play a constructive role in good public policy. That has always been our goal. I believe this country deserves better than we have seen in recent months, especially in the last several years. I hope what happened yesterday might put us on that road.

I will come back at another time and talk about the specific bill we are considering, the Defense authorization bill. It is very important. We tried this week, Senator LOTT and myself, to alter some of the base-closing provisions so that we could force a responsible result in what we are going to do with overseas bases first and then make a judgment about domestic bases. We came up two votes short on that. But while we were two votes short, there were four votes missing that we expect would have voted for us. So I think there is a majority in the Senate who actually support that position.

There are some provisions in this bill that we must have an aggressive and

full debate on. They have to do with the authorization of the spending of money to begin producing a new category of nuclear weapons, low-yield, bunker-buster, earth-penetrator nuclear weapons. A series of discussions need to be held, aggressive discussions around that subject. Should we begin developing new nuclear weapons with the understanding that they are just like other weapons and perfectly usable tactically? I don't believe that is the case, but some in this Chamber do believe that we just ought to have nuclear weapons available so we can drop one of them on a cave someplace, and if Osama bin Laden is holed up in the cave, we can deal with him with a nuclear weapon.

Our goal as a nuclear power needs to be to try to make certain that never again is a nuclear weapon used in anger, and our job as a leader is to stop the spread of nuclear weapons to other countries that don't now have them and try to find a way to reduce the number of nuclear weapons that exist. Some 30,000 nuclear weapons now exist. The absence of one of them, the stealing of one nuclear weapon or the access to one nuclear weapon by a terrorist would make 9/11 seem small by comparison in terms of what a nuclear weapon could do in the hands of a terrorist.

This is a provision about which I speak more. It is an important provision, one I would like to see removed in support of an amendment to be offered by one of my colleagues.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant journal clerk proceeded to call the roll.

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

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

Mr. COLEMAN. Are we in morning business?

The PRESIDING OFFICER. We are not. We are on the bill.

Mr. COLEMAN. I ask unanimous consent to speak as in morning business.

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

MEMORIAL DAY

Mr. COLEMAN. Madam President, as we approach Memorial Day, it touches us all as an important moment. This is the first Memorial Day for hundreds of American families who have recently lost loved ones in the Middle East. For others, it is the first such day for families of veterans of World War II and other conflicts who have passed away during the last year.

My father-in-law Bob Casserly passed away a few weeks ago. He was one of four brothers. They all signed up, served in World War II, four boys. Bob was the youngest. They all made it home. He is the first of that family and that generation to pass away. How deeply significant and necessary it is

for us to pause here and honor their precious gift of sacrifice for the lives we get to enjoy and they don't.

One of the poet's wrote that “God gave us memory that we might have roses in December.” We remember the brave and strong young lives that were lost to give strength and courage to our own lives.

As all of my colleagues do, I travel back and forth by air from this city to my home State. I see the same sight on both ends of my trip. Arlington National Cemetery spreads out across many acres on the Potomac River near the airport. In the Twin Cities, Fort Snelling Cemetery sits near the bank of the Minnesota River. You can see it as you fly into the Minneapolis-St. Paul airport.

They are both beautiful places, but they carry a staggering message. We have paid an enormous price for liberty around the world. Each cross or monument is a person and a family and a home town. And there are thousands upon thousands of them.

I have never been there, but I am told that there is a pilgrim graveyard near Plymouth Rock in Massachusetts, where the remains of the first colonists lie. Somewhere in that cemetery there is a small sign which reads, “That which our forefathers at such a great price secured, let us not idly slip away.”

That is the message of this Memorial Day to me. Freedom is precious and constantly endangered. The world is such that, as Edmund Burke said, “the only thing necessary for the triumph of evil is for good men to do nothing.”

What is mind-boggling is the constant supply of good men and women willing to step forward to do something.

Addicted as most of us are to security and convenience, it is astonishing that regular folks in great numbers step forward to enter into a hostile environment and risk their lives. For fame? No. For riches? No. For vengeance? No. They do it for their country and what America stands for.

As has been said many times, America will remain the “land of the free” only so long as it is the “home of the brave.”

A hundred and forty one years ago this November, Abraham Lincoln dedicated the cemetery at Gettysburg, PA. A large number of soldiers from the Minnesota First Volunteer Infantry Division, who had played a decisive role in the battle, were buried there.

Lincoln spoke the heart of the whole country, and speaks our heart today, when he concluded:

It is for us, the living, to be dedicated here to the unfinished business which they who fought here have thus so nobly advanced. It is rather for us to be dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion: that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom; and that government

of the people, by the people and for the people shall not perish from the earth.

We in Minnesota especially grieve with the families who have lost young men in the conflict in Iraq. They join a long, brave column of patriots who laid down their lives. We can never repay the debt we owe them. But we dare not forget them, or fail to recognize their extraordinary service.

Chief Warrant Officer Patrick Dorff of Elk River, on the banks of the Mississippi. He died in Iraq on January 25, 2003. He was 32 years old. He died trying to rescue a fellow soldier from a patrol boat that had capsized in the Tigris River.

He left behind a wife, a daughter, his parents and siblings in Elk River.

From an early age, he always wanted to fly. He brought his passion to his military service. He called himself a "sky cop" over Iraq. Who knows how many lives he saved by providing air support.

He was a great man. Now he is a great hero.

SSG Brian Hellerman was from Freeport, MN, home of Charlie's Café. He was 35 when he died on August 6, 2003, in Baghdad. He lost his own dad as a teenager and joined the military to honor his memory. He left behind a wife and two kids, who have also lost their dad. He wrote in an e-mail, "I am still in because I want to provide freedom for those I love and care about." He was a great man. Now he is a great hero.

PFC Edward Herrgott, age 20, was from Shakopee, MN on the Minnesota River. He died the day before Independence Day last year. He was killed by a sniper as he guarded the Iraqi National Museum from looters. He joined the military to prepare for a career in law enforcement. He was dedicated to a keeping others safe, even if it meant putting himself in danger. He was a great man. Now he is a great hero.

SSG Dale Panchot, 26, was from Northome, in Minnesota's north woods. He died on November 17, 2003 north of Baghdad in a grenade attack. He wanted to be a soldier as far back as his parents could remember. He idolized his World War II veteran grandfather, and joined the Minnesota National Guard in high school. At his funeral, the whole town came together to honor his faithful service. He was a great man. Now he is a great hero.

LCpl Levi Angell, age 20, was from Cloquet of Minnesota's Northland near Duluth. He was killed on April 8, 2004, in a rocket-propelled grenade attack. He joined the Marines after graduating from high school. He completed a tour in Kuwait and then volunteered to be redeployed to the region. He leaves behind his parents and eight brothers and sisters. He was a great man. Now he is a great hero.

Cpl Tyler Fey, aged 22, was from Eden Prairie in the Southwest area of the Twin Cities. He died on April 4, 2004, in Anbar Province, west of Baghdad. He was a combat engineer and a

proud soldier who served 2 tours in Iraq. He was remembered as a kind and loveable person by his friends at Holy Angels High School in Richfield, MN. He was a great man. Now he is a great hero.

PFC Moises Langhorst, 19, of Moose Lake, died April 5 in Iraq. Moy, as he was called, aspired to a military career from a young age, wearing camo clothing and even driving a truck with a camouflage pattern. A few weeks before he died, he wrote to his church, "Between my good training and my faith in God, I have nothing to worry about." He joined the Marines right out of high school with his buddy Matthew Milczark of Kettle River, just down the road. He was a great man. Now he is a great American hero.

PFC Milczark, 18, died in Kuwait on March 8, six weeks before his friend. He was the Moose Lake Homecoming King 2 years ago this month. His grandfather and three uncles have also served in the U.S. military. He was a great man. Now he is a great American hero.

SP James Holmes, of East Grand Forks, died in Germany on May 8 from injuries he sustained in Iraq. He had suffered shrapnel wounds after an improvised explosive device detonated near his military vehicle while he was on patrol in Baghdad. Holmes was 28. He grew up in Arizona. He had been living in East Grand Forks, MN, and worked for Valley Petroleum across the border in Grand Forks, ND. His best friend, Howard McDonald recalled, "He felt he had a bigger part to play and answered the call to duty without hesitation. He was doing exactly what he wanted to do, and he died with honor." He was a great man. Now he is a great American hero.

Those are 9 young men. Nine families. Nine home towns. How incredibly sad it is that the promise of their lives was snuffed out. But we take comfort in the knowledge that they were doing what they wanted to do, many of them from an early age.

"Greater love has no man than this," the Scriptures tell us, "than to lay down his life for his friends." Though we never knew them, they laid down their lives for us. They laid down their lives for a free Iraq and generations who will live free because of their sacrifice.

As we remember them and pray for them, together we hope for a new birth of freedom and a time of peace in the Middle East. Thank God for the memory of these and all our veterans. Thank God we live in a Nation of great American heroes such as these.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Madam President, it is my understanding that we are in morning business at this time.

The PRESIDING OFFICER. The Senate is considering the bill, S. 2400.

MORNING BUSINESS

Mr. WARNER. Madam President, I ask unanimous consent that the Senate go into a period of morning business for a short time to consider two resolutions, and that we then return to the bill.

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

DEDICATION OF THE NATIONAL WORLD WAR II MEMORIAL ON MAY 29, 2004—S. RES. 362

RECOGNIZING THE VETERANS WHO SERVED DURING WORLD WAR II—H. CON. RES. 409

Mr. WARNER. Madam President, on behalf of the Senate leadership—both the majority and minority—I am privileged to ask the Senate to act on resolutions relating to the World War II Memorial. It is coincidental that the Presiding Officer at this time is the distinguished Senator from North Carolina, whose husband has had an instrumental role in the preparation and planning of the memorial, which will be dedicated a week from tomorrow, on May 29.

At this time, I ask that the Senate proceed to the immediate consideration of S. Res. 362 and H. Con. Res. 409, en bloc.

The PRESIDING OFFICER. The clerk will state the resolutions by title.

The assistant journal clerk read as follows:

A resolution (S. Res. 362) expressing the sense of the Senate on the dedication of the National World War II Memorial on May 29, 2004, in recognition of the duty, sacrifices, and valor of the members of the Armed Forces of the United States who served in World War II.

A resolution (H. Con. Res. 409) recognizing with humble gratitude the more than 16,000,000 veterans who served in the United States Armed Forces during World War II and the Americans who supported the war effort on the home front and celebrating the completion of the National World War II Memorial on the National Mall in the District of Columbia.

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

Mr. WARNER. Madam President, I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table, en bloc, and that any statements relating to the resolutions be printed in the RECORD.

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

The resolutions (S. Res. 362 and H. Con. Res. 409) were agreed to.

The preambles were agreed to.

The resolution (S. Res. 362), with its preamble, reads as follows:

S. RES. 362

Whereas the National World War II Memorial is being dedicated on Saturday, May 29, 2004, on the National Mall in Washington, District of Columbia;

Whereas the National World War II Memorial, a monument of granite and bronze, has