

HONORING OUR ARMED FORCES

SERGEANT KYLE BRINLEE

Mr. INHOFE. Mr. President, I stand here today in memory of a courageous young American who gave his life for freedom. He gave his life for the people of Iraq, he gave it for his fellow Americans, and he gave it especially for those he loved. SGT Kyle Brinlee at the age of 21 gave up his life for the sake of others, and for his service and his sacrifice, I am proud to honor him on the Senate floor today.

SGT Kyle A. Brinlee of Pryor, OK, was deployed from Fort Sill and served as a masonry and carpentry specialist with the 120th Combat Engineering Battalion in Iraq. When he went to Iraq in February, he left the familiar comfort of Pryor, OK, for the unknown hostility of the Middle East. He left his family, friends, and neighbors, expecting to be home within 6 months or a year at the most. Only 3 months passed before these same people lined the streets of Pryor as his funeral procession passed.

On May 11, near Alasad, Iraq, an explosive device destroyed the vehicle in which Kyle Brinlee was riding. He died while securing the freedom of millions of Americans, while trying to secure a chance of that freedom for the Iraqi people.

Sergeant Brinlee, the first Oklahoma guardsman to give his life in Iraq, was eulogized in May in front of a crowd of 1,300 people at the Pryor High School auditorium. Kyle was remembered as an outstanding soldier, a morale builder who was always willing to be the first to volunteer, and as someone who all will miss. After his death, the National Guard awarded Kyle the Bronze Star and the Purple Heart. He has also earned my admiration and prayers and those of many other Americans. His choice was that of a true hero: He endangered his own life for the sake of something greater, and that courage to act for the good of all will mark his legacy forever.

Sergeant Brinlee stands as a true example of bravery. He knew of the dangers that awaited him. He knew he might never have another opportunity to see his family, but he also knew his mission. He knew that American freedom does not come from the complaints of the many but from the sacrifices of the few. SGT Kyle Brinlee was man enough to be counted amongst those noble few. Kyle Brinlee was a true American hero.

Mr. President, on each trip I take overseas as one of the members of the Senate Armed Services Committee, the message I get back from the troops in the field is always the same: Why is it that people in America do not understand what we are doing? I think the media has done a lousy job, distorting the true reality of the freedoms that are taking place in Iraq, of all the good things that are happening over there.

I hear from these brave young troops. They know what their mission is. They know America is in its most threat-

ened position today. They know they are risking their lives, yet they are willing to do it. Certainly SGT Kyle Brinlee is one of those, a very good, heroic example.

Mr. President, I yield the floor.

S. 2844, CONTINUITY IN REPRESENTATION ACT OF 2004

Mr. DODD. Mr. President, this evening the Senate is expected to consider H.R. 2844, the Continuity in Representation Act of 2004. While there are significant problems with this bill, I believe it is in the best interest of ensuring the continuity of government that the Senate pass the bill, as received from the House, without amendment, before we begin this extended recess.

The most troubling problem with this bill is that it may have the unintended consequence of disenfranchising overseas military voters who are serving this Nation in combat. So in taking this action tonight, let me suggest that our work will not be done. I strongly encourage my colleagues in the House to review this legislation in light of these concerns and to consider adopting technical corrections to this bill to address its unintentional consequences.

The bill before the Senate today is, at best, a stopgap measure which attempts to provide a way to reconstitute the House of Representatives in the event that in excess of 100 vacancies occur in its membership. Unlike vacancies in the Senate, which under the Seventeenth Amendment can be immediately filled, the House has no way to reconstitute itself short of holding elections. In essence, H.R. 2488 requires the States to hold expedited special elections to fill vacancies which occur under extraordinary circumstances.

The House-passed bill provides that upon the announcement by the Speaker of the House that more than 100 vacancies exist in the membership of the House, the States affected must hold a special election within 45 days of the announcement, unless there is a regularly scheduled general election scheduled within 75 days of the announcement. This overly optimistic time line all but ensures that overseas military voters and overseas voters will not have their ballots counted in such an election.

In an attempt to address the issue of overseas military voters and other overseas voters, the House adopted language which calls on the States, but does not require them, to issue absentee ballots or voting material to overseas military voters within 15 days of the Speaker's announcement. However, the bill then requires such States to accept and process such ballots for up to 45 days from the date that the State transmitted the ballot to the voter. On its face, those deadlines would require that an election be held no sooner than 60 days after an announcement by a Speaker of the House in order to ensure

that such absentee military ballots are counted.

However, the situation may be much worse. Because the House bill does not require States to transmit ballots to overseas military voters by any specific date, under certain State laws, such voters can receive absentee ballots up to literally the day before the election. In such a case, a State would be required to accept the overseas military ballot up to 45 days after that date, or 90 days after the Speaker's announcement.

The obvious result of these two provisions is to potentially extend the date of the election beyond the required 45 days after the Speaker's announcement—ranging from 46 days to 90 days. And therein lies the problem: are overseas military ballots that are received by the State from 1 to 90 days after the actual election date still counted, or are they ignored unless the election is close?

The unintended consequence of this bill is to tell our brave men and women in uniform, who are literally putting their lives on the line for this Nation in combat overseas, that while they may be able to cast a vote, there is no guarantee that their vote will be counted. That is simply an unacceptable result.

On the other hand, if the result is to hold an election open until all possible overseas ballots are received, then this bill does not provide for expedited elections at all. In fact, the result may be the inability of our Government to function for as long as 90 days after a catastrophe. That would be contrary to the stated purpose of the bill.

And that is why our work is not done. This bill may be a necessary interim measure, but to ensure that there is no lapse in the authority of the House, and the ability of Congress, to exercise its constitutional responsibilities, may require a constitutional amendment providing for an appointment to fill a vacancy. In the meantime, until an amendment to the Constitution can be adopted and ratified providing for the immediate reconstitution of the House, this measure provides some assurance that our representative form of government will continue.

Numerous organizations have called on the House to adopt a constitutional approach, not the least of which is the Continuity of Government Commission, chaired by our distinguished former colleague, Alan Simpson, and the respected Lloyd Cutler. While I respect the concerns of my House colleagues that we preserve the House as an elected body, the Framers did not intend that such a noble principle become the undoing of the people's representative branch of government.

We must find a rational and workable way to ensure that our Government continues to function despite the intent of terrorists and others who would render the people's House silent. But we must do it in a way that ensures

that all voters, and particularly those military voters who are serving overseas during a time of war, have an equal opportunity to not only cast a vote, but to have that vote counted.

ELECTIONS IN MONGOLIA

Mr. MCCONNELL. Mr. President, I am concerned by reports from Mongolia of alleged election irregularities following a July 17th revote at a certain polling station in the capital city of Ulaan Baatar.

According to observers on the ground, the revote occurred less than 12 hours after it was announced at 8 p.m. on July 16th. While I do not know the nocturnal habits of the Mongolian people, I doubt that voters in Ulaan Baatar—or anywhere else in Mongolia, for that matter—can be fully and adequately informed of the revote in such a short time.

Field reports seem to bear this out. According to the International Republican Institute, turnout at that polling station in the June 27th elections exceeded 70 percent; on the July 17th revote, it totaled some 46 percent. Nearly one-quarter of those who voted in June did not cast a ballot in July.

Further troubling are allegations of a systematic pattern of denying supporters of the Motherland Democracy Coalition, MDC, the right to vote, refusal to permit MDC observers inside the polling station, the use of Mongolian law enforcement officials to prohibit access to the polling station, and vote buying in favor of the ruling Mongolian People's Revolutionary Party, MPRP.

If proven true, these irregularities would mark a major departure from Mongolia's previous election experiences, where voting was generally orderly and according to applicable laws and regulations.

My colleagues might find it interesting that the seat in question was won in the first round of balloting by MDC candidate and businessman Otganbayer by a 222 vote margin. The revote found MPRP Defense Minister Gurragechaa winning the seat by 1,239 votes.

There is no question that reports of irregularities and chicanery must be fully and impartially investigated by the relevant election authorities, and that any and all violators of election laws and regulations be prosecuted and punished to the fullest extent of Mongolian law. It is my hope that this process is more transparent than the counting of ballots at that particular polling station. It is outrageous that MPRP officials prohibited independent election observers to witness the opening of ballot boxes and the counting of ballots—in violation, I understand, of Mongolian law.

Mongolia's leadership would be wise to consider that the country's reputation—and inclusion as an eligible recipient for increased foreign assistance under the Millennium Challenge Cor-

poration—is at stake. Any government that is formed that does not reflect the real will of the Mongolian people will lack credibility and the respect of the international community.

Ulaan Baatar should take note that Washington—and the world—is watching.

TRIBUTE TO SERGEANT MAJOR BEN TAYLOR

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to an outstanding Kentuckian, Ben "Buster" Taylor, a retired Special Forces sergeant major and former Letcher County Sheriff. Sergeant Major Taylor is not one to brag about his accomplishments, but he should be honored for his courageous and selfless acts during the two decades he spent serving this Nation in the U.S. military.

In 1950, inspired by the heroism of World War II veterans, Taylor joined the United States Army's 11th Airborne Division at Camp Campbell, KY, which is now known as Fort Campbell. As he worked his way through various divisions, the Army began organizing its Special Forces Branch, the Green Berets. Taylor enthusiastically joined the Green Berets and spent the better part of two decades serving with his comrades in Japan, Korea, Thailand, Taiwan, the Philippines, Burma, China, Laos, and Vietnam.

Taylor's missions exemplified his bravery and altruism. During his tours of duty, he was awarded 24 medals and 18 ribbons, among these four bronze stars. With each honor, a story revealing his heroism is told. He has notebooks full of citations and commendations that tell of the many times he risked his own life to save others. But of all these honors, the one most memorable to Taylor is the role he played in the funeral of President John F. Kennedy. Taylor was selected to represent the Green Berets at President Kennedy's funeral. He walked alongside the casket of the fallen Commander in Chief.

Today I ask my colleagues to join me in honoring and recognizing a true American hero, Sergeant Major Ben Taylor.

TRIBUTE TO DR. BOBBY RUSSELL HIMES

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a fellow Kentuckian and proud Republican, Dr. Bobby Russell Himes. Earlier this year, Dr. Himes was named Central Kentucky News-Journal's 2004 Man of the Year. The title is one that Dr. Himes has earned.

Dr. Himes has always strived to live life to its very fullest and give 110 percent. After serving 4 years in the U.S. Air Force, he completed his bachelor's degree at Kentucky Wesleyan College. He went on to finish his formal education by earning a masters degree from Appalachian State University and

a doctorate from Vanderbilt University. For 40 years, he was a professor of history and political science at Kentucky's Campbellsville University. He was an inspiring educator, mentor, and friend to students and colleagues. While he no longer teaches classes, he continues to support and encourage younger generations.

Beyond his role as an educator, Dr. Himes has been a businessman, a stalwart volunteer for the Republican Party, and an instrumental figure in creating the Central Kentucky Arts Series. Furthermore, he is a devoted husband, father, grandfather, and now a great-grandfather.

Dr. Himes is truly an inspiration. He persevered through a childhood during the Great Depression and a battle with cancer. If there is one thing to learn from Dr. Bobby Russell Himes, it is his philosophy for living. Dr. Himes believes that, "By setting goals—even if you don't achieve them—you're going to go further just because you set them."

May we please take this time to honor the man whom so many look up to, Dr. Bobby Russell Himes, Central Kentucky News-Journal's 2004 Man of the Year.

TRIBUTE TO R.J. CORMAN

Mr. MCCONNELL. Mr. President, I pay tribute to a fellow Kentuckian, Mr. R.J. Corman. Mr. Corman is a remarkable man who has overcome life's adversities and achieved great business success.

Mr. Corman got his start in the railroad business working a backhoe for L&N Railroad. Little did he know, but this initial exposure would lead to his lifetime work. He founded and continues to operate the R.J. Corman Railroad Group in his hometown of Nicholasville, Kentucky. His business has grown over the years and now operates in 19 States, has about 630 employees, and will have at least \$120 million in sales this year. The goal of the R.J. Corman Railroad Group is to please customers and perform their services better, faster, and more efficient than anyone else.

While Mr. Corman's companies are incredibly successful and expansive, it is his personal successes that I pay tribute to most. Three years ago, Mr. Corman was diagnosed with cancer and given 3 years to live. A man not used to sitting idly by, he successfully completed a stem-cell bone marrow transplant in November 2001 and today his cancer is in complete remission. In fact, Mr. Corman is doing so well that at the age of 48 he ran in the 108th annual Boston Marathon.

Mr. Corman came from humble beginnings, the son of a state highway worker and homemaker. But he hasn't forgotten where he came from or the lessons his grandfather taught him about hard work and honesty. His never give up attitude has led to business success and overcoming serious