

vitality important to improving national security and healing the wounds of September 11, 2001.

However, one cannot dispute the fact that Representative GOSS has a great deal of experience both inside and outside the intelligence community. Early in his career he worked for the CIA both in covert operations during the Cold War and in analysis for the Directorate of Operations. This familiarity with the agency proved very valuable when, after his election to Congress in 1988, he joined the House of Representatives Permanent Select Committee on Intelligence, serving as its chairman for the past 7 years. By all accounts, Representative GOSS has worked diligently to perform the oversight functions invested in Congress and to improve the quality of intelligence operations.

Representative GOSS indicated in his testimony last week before the Senate Select Committee on Intelligence that he appreciates that the Director of Central Intelligence, DCI, does not have the same freedom as a Member of Congress to be partisan or provocative. The DCI is required by law to be non-partisan, and remain above the political fray. As we saw in the Iraq war, politicization of intelligence is one of the gravest threats to our national security. Representative GOSS acknowledged that "objective and precise intelligence is only possible if the intelligence community's leadership is itself objective, independent and clear in its commitment to these ideas."

Mr. GOSS has been quite forthright in criticizing the intelligence community for relying too heavily on national technical means and not investing in the more difficult area of human intelligence collection. This takes more time and commitment, but it is essential if we are to make headway against international terrorism.

The coming years will bring considerable reorganization and potential turmoil for the intelligence community. I believe changes must be made in a very careful, conscientious, and nonpartisan manner. Representative GOSS has said he understands that politics must stop at the DCI's office door. Based on his assurance that he understands the difference between being a Member of Congress and being in charge of the Nation's intelligence, I will support his confirmation. For the sake of the Nation, we all must hope that he is successful.

Mr. SANTORUM. Madam President, I regret that I was unable to vote yesterday afternoon on the nomination of PORTER GOSS to be Director of the Central Intelligence Agency. Yesterday, I was surveying the significant flood damage in Pennsylvania with President Bush. As my colleagues know, the remnants of Hurricane Ivan wreaked havoc in my home State. Parts of Allegheny County received eight inches of rain in a 24-hour period. A member of my Pittsburgh staff lost everything he owned in the flood. A total of 41 coun-

ties in Pennsylvania have now been declared Federal disaster areas. I was pleased that President Bush took the time to visit with my constituents and bring a message of hope and aid to Western Pennsylvania.

On the nomination of PORTER GOSS, I would like to add my voice to the others that have expressed confidence in his abilities to lead the CIA in these difficult times. Congressman GOSS' experience as a former Army intelligence officer and as a CIA field officer will serve him well as we undertake the awesome responsibility of guiding and improving the CIA.

The need for a coordinated and comprehensive intelligence system for this country is imperative. I am pleased that President Bush has nominated a capable candidate to take on the difficult challenge of improving not only our level of human intelligence, but also the ability of our intelligence community to provide our policy makers with better intelligence products.

I ask that the RECORD reflect that, had I been here, I would have voted in favor of the nomination of PORTER GOSS to be Director of the Central Intelligence Agency.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. NICKLES. Madam President, the District of Columbia appropriations bill for fiscal year 2005, S. 2666, as reported by the Senate Committee on Appropriations provides \$560 million in budget authority and \$540 million outlays in fiscal year 2005. There is no mandatory funding in this bill.

The bill provides total discretionary budget authority in fiscal year 2005, of \$560 million. This amount is equal to the President's request, it matches the 302(b) allocations adopted by the Senate Appropriations Committee, and is \$18 million more than fiscal year 2004 enacted levels excluding fiscal year 2004 supplemental appropriations.

I commend the distinguished chairman of the Appropriations Committee for bringing this legislation before the Senate, and I ask unanimous consent that a table displaying the Budget Committee scoring of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2826, 2005 DISTRICT OF COLUMBIA APPROPRIATIONS

(Spending Comparisons—Senate-reported bill (Fiscal Year 2005, \$ millions))

	General purpose	Manda- tory	Total
Senate-reported bill:			
Budget authority	560		560
Outlays	540		540
Senate Committee allocation:			
Budget authority	560		560
Outlays	554		554
2004 Enacted:			
Budget authority	542		542
Outlays	516		516
President's request:			
Budget authority	560		560
Outlays	534		534
House-passed bill:			
Budget authority	560		560
Outlays	538		538

S. 2826, 2005 DISTRICT OF COLUMBIA APPROPRIATIONS—Continued

(Spending Comparisons—Senate-reported bill (Fiscal Year 2005, \$ millions))

	General purpose	Manda- tory	Total
SENATE-REPORTED BILL COMPARED TO:			
Senate 302(b) allocation:			
Budget authority			
Outlays	-14		-14
2004 Enacted:			
Budget authority	18		18
Outlays	24		24
President's request:			
Budget authority			0
Outlays	-14		-14
House-passed bill:			
Budget authority			0
Outlays	2		2

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

STEM CELL RESEARCH

Mr. LEVIN. Madam President, I would like to discuss the issue of federally funded stem cell research. On August 9, 2001, President Bush outlined the policy of his administration regarding federally funded research using only existing stem cell lines. He indicated that he felt this would allow for Federal research dollars to be used on about 60 lines of stem cells. In actuality, over 3 years later, there are indications that Federal research has been done on only as many as 24 lines and as few as 5.

Yet, the administration continues to state this policy is appropriate. As recently as Monday, President Bush stated on a campaign stop in Derry, NH, that his stem cell policy "balanced good science with good ethics." I disagree. We must use modern medical technology to its fullest capability to use stem cells to develop cures for debilitating diseases such as Alzheimer's, Parkinson's, diabetes, cancer and ALS, commonly referred to as Lou Gehrig's disease. The Federal Government should not restrict our policy to only existing stem cells but expand the policy to include newly discovered stem cell lines as well as unused cells that would otherwise be discarded from in vitro clinics. This is the position of the majority of the American people and it is the position of former First Lady Nancy Reagan.

On a personal note, a dear friend of mine, William Kooistra, of Grand Rapids, MI, was recently diagnosed with ALS. Bill Kooistra founded Project in Rehabilitation in 1968, seeing the need for the medical community to become involved in treating the problems of drug addiction. Project Rehab is now one of the largest and longest running substance abuse programs in my home State. There is hope that stem cell research can one day cure diseases such as ALS. Although that cure may come too late for my friend Bill, I hope and I know that he hopes that a cure can be found one day so that the generations to come won't have to worry that they are genetically predisposed to contract ALS. I ask unanimous consent a September 12, 2004, letter from Bill Kooistra to the Grand Rapids Press on this subject be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Grand Rapids Press]
BUSH TOO RESTRICTIVE ON STEM-CELL
RESEARCH

Historian Arthur M. Schlesinger, Jr., recently wrote that President Harry Truman's famous sign—The Buck Stops Here—"tells only half the story. Citizens cannot escape the ultimate responsibility. It is in the voting booth, not on the presidential desk, that the buck finally stops."

Hopefully, all American voters will look at all the issues before casting their personal directive for good government.

One issue is new on the American political scene: the issue of how best to direct the use of embryonic stem cell research.

The science of healing was politicized by President George W. Bush in August, 2001, when he placed severe restrictive limits on embryonic stem cell research.

As a Christian, I believe that all disease is part of God's long-range plan. I also believe that all remedies and cures for disease are God-given and medical science is the means by which these remedies are achieved. Effective medical science cannot be restricted.

Within realistic financial boundaries, medical science must be free to explore all avenues, including dead-end routes, in order to achieve its miracles.

It is also important to recognize that the elderly person who currently has the disease is not the only beneficiary of medical research, but also that the person's children and grandchildren who have the genetic predisposition for that disease will benefit.

As an individual recently diagnosed with ALS (Lou Gehrig's disease), I have no clue as to whether embryonic stem cell research could provide a "medical miracle" for me or my descendants, but I resent it when a politician blocks God's plan for a medical remedy.

Fortunately, Bush's unwise decision can be overcome on Nov. 2 because his opponent, John Kerry, supports the unfettered use of embryonic stem cell research.

Obviously, humane guidelines will have to be established to lead this scientific quest, but the current political limits to find God-ordained remedies and cures to disease are totally unacceptable.

WILLIAM H. KOOSTRA,
East Grand Rapids.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Madam President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On April 12, 2000, Edgar Mora was sentenced to 2 years in prison for a hate crime in connection with the March 1998 murder of a gay man.

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

COMMEMORATING THE 249TH BIRTHDAY OF JOHN MARSHALL

Mr. ALLEN. Madam President, I rise today to honor the birth of one of Virginia's and America's true citizen soldiers, statesmen, and most importantly jurists, the former Chief Justice of the United States Supreme Court, John Marshall.

John Marshall's legacy as a Federalist is truly remarkable, but what many people fail to address is his true love for a young America and the desire to see our country succeed and persevere for generations to come.

A native Virginian, from Germantown, he grew up with his parents Thomas and Mary Randolph Keith. His devotion to our Nation was ever present when the Revolutionary War began with the firing of the historic shots at Lexington and Concord. Like so many of his great countrymen, Marshall did not waver in spirit or succumb to fear; Marshall picked up arms against the tyrannical oppressive British Crown and defended the freedom and liberty that he envisioned for Virginians and other colonies.

At the young age of 20, Marshall joined the Culpeper Minute Men. He was chosen a lieutenant. Marshall proceeded to nobly fight in the battle of Great Bridge. In fact, while enduring the cold winter at Valley Forge, Marshall was General George Washington's chief legal officer and by the end of his military service, John Marshall was a brigadier general for the Second Brigade in the Virginia Militia.

After his valiant war service, Marshall returned to Virginia to study law under George Wythe at the College of William and Mary. He was admitted to Phi Beta Kappa and the Virginia Bar. Marshall's desire to practice in the courts and the Court of Appeals led him to the great capital city of Richmond. It is in Richmond where Marshall's political and judicial life began to flourish.

John Marshall became one of the leading attorneys defending Virginians in the United States District Court of Virginia, and as a consequence, he was selected to be the lead counsel in arguing the landmark case, *Ware v. Hylton*, in the 1796 term of the United States Supreme Court. This case would be the only case that John Marshall would argue before the Nation's highest court. John Marshall lost this case when the Court held that a treaty between the United States and Great Britain terminating the war requiring Americans to pay the debts they owed to British creditors not in State currency, but in the equivalent of gold.

Like his legal career, Marshall saw success in politics. He held legislative office as a member of the Virginia House of Delegates, a member of the Governor's Council of State, and finally as a member of the United States House of Representatives. But one of his most important, but overlooked roles is his election to the Virginia convention that ratified the Federal

Constitution. Marshall rose and delivered a very poignant speech on the role of the judiciary. This speech dispelled many of the fears of a Federal court system and truly defined his views on the proper function of government.

However, John Marshall was not a boisterous individual. He refused many attempts by President Adams to appoint him to Federal office. But he accepted and served as a diplomatic envoy to France for President Adams as well as Adams' Secretary of State. It was with his dedicated service as Secretary of State that led President Adams to appoint Marshall to the United States Supreme Court, where his legacy would endure.

We all know the landmark cases that John Marshall decided. From *McCulloch v. Maryland* to *Gibbons v. Ogden*, Marshall's contribution to the American judiciary system is ever present. But the case that truly enshrines his legacy is his ruling in *Marbury v. Madison*. In fact, what made this more impressive was that *Marbury* was the first case that the Supreme Court and John Marshall heard after Marshall became Chief Justice of the United States.

Marshall's ruling in *Marbury v. Madison* has defined the role of the Supreme Court and its pivotal place in our system of checks and balances. Although the decision limited the power of the Supreme Court, it also served to establish the Court's authority to review the constitutionality of acts of Congress. The doctrine of judicial review became a fundamental principle of Constitutional law.

While I am a Jeffersonian who wishes to limit the reach and meddling of the Federal Government into the rights and prerogatives of the people and the States, I do believe these foundational Constitutional questions, debates, and decisions are noteworthy for the education of our present leaders and students. Such attention to historic figures such as John Marshall will help our young people better understand what it means to be an American.

It is with great honor that I stand here today and celebrate the birthday of one of our great citizen soldiers, statesmen, and Chief Justices. We should celebrate John Marshall's contribution to our country. His steadfast commitment to federalism helped define the role of the courts and may have ultimately preserved the delicate equilibrium of our Government. But what trumped his loyalty to the federalist way of life, was his love for his Nation and his desire to see America flourish into the great country that it is today.

I would like to take this opportunity to wish a happy 249th birthday to Chief Justice John Marshall, and I look forward to the festivities that are being planned to honor Chief Justice Marshall's 250th birthday next year.