

Pope none other than Pope John Paul II who helped dismantle Stalin's empire, not with divisions of armed soldiers, but legions of faithful followers who yearned to be free.

In another historic trip 22 years later, the Pontiff made a pilgrimage to the Holy Land. He visited Yad Vashem, the Holocaust memorial, where he prayed and met with survivors. On his last day in Jerusalem, he went to the Western Wall of the Temple. There, the Holy Father prayed silently before leaving a small written prayer stuffed into a crack in the wall, surrounded by the thousands of notes and prayers people leave there every day.

During his Papacy, while much of the world could not resist the temptation of moral compromise and material excess, Pope John Paul II remained steadfast in his morality and spirituality. He was a tower of integrity, a role model for everyone who sought to defend their values from the growing culture of moral relativism. In an age of materialism and genocide, he was the world's most consistent advocate of spiritual and humanitarian values.

While the Pope's values remained traditional, his ability to communicate was progressive and modern. He forever revolutionized how the church could spread its teachings. He masterfully used modern technology to bring the church to the world.

In each of the seven languages he spoke, he had a unique ability to touch each one in his presence as if they were the only one to whom he was speaking. The Pope was able to inspire those who came to hear his message to go forth and make the world a better place. On January 4, 2001, he called upon a group of hundreds of believers gathered in St. Peter's Square—including a Roman Catholic member of my own staff, Kenneth Dagliere—to make the most of their God-given potential. "If you are to be what you are meant to be, you will set the world ablaze," he told them. Those words are as autobiographical as they are inspirational.

Much as he did in life, Pope John Paul II provided a life-affirming example of dignity in his death. While we are saddened by his death, we take solace in knowing that he left us peacefully and surrounded by those closest to him in his Papal residence. Outside, in St. Peter's Square, hundreds of thousands of adorers held constant vigil, praying for a man who had touched their lives in a way few ever could. It was a spontaneous outpouring of love for a man who seemed to possess an eternal capacity to spread strength and love wherever he went.

Mr. President, Pope John Paul II leaves behind a lasting legacy of faith and leadership. He will be truly missed by hundreds of millions of God's children throughout the world. I thank the Almighty for giving us the gift of Pope John Paul II. And I thank Lolek, who became Pope John Paul II, for using those gifts to bringing us all closer to God.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### HONORING OUR ARMED FORCES

FIRST LIEUTENANT DAN THOMAS MALCOM, JR.

Mr. CHAMBLISS. Mr. President, I rise today to honor U.S. Army 1LT Dan Thomas Malcom, Jr., who was killed proudly fighting for his country in Fallujah, Iraq, on November 10, 2004. A marine and Citadel graduate from McDuffie and Miller County, GA, Dan was 24 years old.

First Lieutenant Dan Thomas Malcom, Jr., the son of Dan and Cherrie Malcom, was born April 4, 1979, in Augusta, GA. His father, Dan Senior, was a Marine Corps veteran of combat in Vietnam who tragically was killed in a construction accident just prior to Dan junior's birth. From the earliest age, Dan junior wanted to "be a Marine like my Daddy". Raised in McDuffie, then later Miller County, GA, Dan attended Miller County High School where he was a star student.

Dan graduated from the Citadel in Charleston, SC, in 2001 where he was Lima Company executive officer. Dan was well respected by his classmates and known for his attention to his academic and military duties.

Dan was commissioned into the Marine Corps upon graduation. Dan was serving his second tour in Iraq when, on November 10, 2004, he was killed by a sniper in Fallujah, a town infested with insurgents. The details of his death include the following: As the marines of 1st Battalion, 8th Infantry were clearing Fallujah of the insurgents, Dan's platoon was sent to a rooftop to provide supporting fire to marines maneuvering on the enemy. Dan's marines quickly found themselves under sniper attack from a nearby mosque. Dan left his safe position and led his entire platoon down a stair case to safety. As the last one to clear the rooftop, Dan was hit by a deflected bullet which bounced off his helmet. As Dan jumped down the stairwell, he was hit in the lower back by a second shot which killed him instantly.

Dan was buried at Arlington Cemetery on 23 November 2004, where he rested with our Nation's honored dead. Dan Thomas Malcom, Jr., was all that America stands for. By his short life and through his bravery at the end we are enriched. Dan is survived by his mother, Mrs. Cherrie Malcom, and sister, Mrs. Dana Killebrew. It is our hope that the memory of his life will serve as a beacon for others to honor and remember.

Dan Thomas Malcom, Jr., was a great American, a great marine, a

great leader, and an outstanding young man. He and his comrades in Iraq deserve our deepest gratitude and respect as they go about the extraordinarily challenging but extraordinarily important job of rebuilding a country which will result in freedom and prosperity for millions of Iraqis. I join with Dan's family, friends, and fellow soldiers in mourning his loss and want them to know that Dan's sacrifice will not be lost or forgotten, but will truly make a difference in the lives of the Iraqi people.

A MATTER OF PRIORITIES

Mr. LEVIN. Mr. President, I would like to bring an editorial from Monday's edition of the New York Times to the attention of my colleagues. The editorial, titled "Guns for Terrorists," is a logical commentary on several potentially dangerous shortfalls in our Nation's gun safety laws that not only potentially allow individuals on terrorist watch lists to buy guns but also require that records related to the sale be destroyed within 24 hours of the purchase.

Under current law, individuals included on Federal terrorist watch lists are not automatically prohibited from purchasing firearms. A report released by the General Accountability Office on March 8, 2005, found that from February 3, 2004, through June 30, 2004, a total of 44 attempts to purchase firearms were made by individuals designated by the Federal Government as known or suspected terrorists. In 35 cases, the transactions were authorized to proceed because federal authorities were unable to find any information in the national instant criminal background check system, NICS, that would prohibit the individual from lawfully receiving or possessing firearms. Current law also requires that records, even in these cases, where known or suspected terrorists successfully purchase firearms, be destroyed within 24 hours.

Learning about a suspected terrorist's purchase of a firearm could potentially be critical to counterterrorism investigators working to prevent a terrorist attack. Common sense tells us that the automatic destruction of documents related to the successful purchase of firearms by individuals on terrorist watch lists would significantly hamper these investigations. I have co-sponsored the Terrorist Apprehension RECORD Retention Act. The legislation would require that in cases where a known or suspected terrorist successfully purchased a firearm, records pertaining to the transaction be retained for 10 years. The bill also requires that all NICS information be shared with appropriate Federal and State counterterrorism officials anytime an individual on a terrorist watch list attempts to buy a firearm.

We should be working to pass legislation to close loopholes that allow potential terrorists to buy dangerous weapons like the AK-47 assault rifle, the .50 caliber sniper rifle, and the

Five-Seven armor-piercing handgun. We should be working to provide our law enforcement officials with the tools they need to protect our families and communities.

I ask unanimous consent that the April 4, 2005 New York Times editorial titled "Guns for Terrorists" be printed in the CONGRESSIONAL RECORD.

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

[From the New York Times, Apr. 4, 2005]

GUNS FOR TERRORISTS

If a background check shows that you are an undocumented immigrant, federal law bars you from buying a gun. If the same check shows that you have ties to Al Qaeda, you are free to buy an AK-47. That is the absurd state of the nation's gun laws, and a recent government report revealed that terrorist suspects are taking advantage of it. There are a few promising signs, however, that the federal government is considering injecting some sanity into policies on terror suspects and guns.

The Government Accountability Office examined F.B.I. and state background checks for gun sales during a five-month period last year. It found 44 checks in which the prospective buyer turned up on a government terrorist watch list. A few of these prospective buyers were denied guns for other disqualifying factors, like a felony conviction or illegal immigration status. But 35 of the 44 people on the watch lists were able to buy guns.

The encouraging news is that the G.A.O. report may be prodding Washington to act. The F.B.I. director, Robert Mueller III, has announced that he is forming a study group to review gun sales to terror suspects. In a letter to Senator Frank Lautenberg, the New Jersey Democrat, Mr. Mueller said that the new working group would review the national background check system in light of the report. We hope this group will take a strong stand in favor of changes in the law to deny guns to terror suspects.

In the meantime, Senator Lautenberg is pushing for important reforms. He has asked the Justice Department to consider making presence on a terrorist watch list a disqualifying factor for gun purchases. And he wants to force gun sellers to keep better records. Under a recent law, records of gun purchases must be destroyed after 24 hours, eliminating important information for law enforcement. Senator LAUTENBERG wants to require that these records be kept for at least 10 years for buyers on terrorist watch lists.

Keeping terror suspects from buying guns seems like an issue the entire nation can rally around. But the National Rifle Association is, as usual, fighting even the most reasonable regulation of gun purchases. After the G.A.O. report came out, Wayne LaPierre, the N.R.A.'s executive vice president, took to the airwaves to reiterate his group's commitment to ensuring that every citizen has access to guns, and to cast doubt on the reliability of terrorist watch lists.

Unfortunately, the N.R.A.—rather than the national interest—is too often the driving force on gun policy in Congress, particularly since last November's election. Even after the G.A.O.'s disturbing revelations, the Senate has continued its work on a dangerous bill to insulate manufacturers and sellers from liability when guns harm people. If it passes, as seems increasingly likely, it will remove any fear a seller might have of being held legally responsible if he provides a gun used in a terrorist attack.

OMNIBUS EMISSIONS REDUCTION ACT OF 2005

Ms. SNOWE. Mr. President, I rise today in support of S. 730, the Omnibus

Emissions Reduction Act of 2005, that has been introduced by Senator LEAHY of Vermont and myself. Our legislation is the only comprehensive legislation that aims to control mercury emissions for all major sources of mercury pollution and stop releases of this toxic pollutant into the environment.

Mercury is a liquid metal that damages the nervous system through ingestion or inhalation, and is a particularly damaging toxic pollutant in the case of pregnant women and children. This is an alarming problem and I am pleased to note that our bill offers much greater protections for the public's health than the recently released Environmental Protection Agency's mercury emissions rule that simply will not get the job done.

Our bill addresses the problem of how mercury pollution gets into our environment. Mercury, which is contained in coal and emitted up through smokestacks into the atmosphere as the coal is burned, is then transported through the air and carried downwind for hundreds and hundreds of miles where, unfortunately for Maine and every State along the way, it falls to Earth in snow and rain. The mercury ends up in our lakes, rivers, and streams where it is then ingested by fish, and in turn by humans when they eat the fish from these freshwater sources.

The legislation directs the Environmental Protection Agency to promulgate mercury emissions standards for unregulated sources on a much more aggressive timetable to reduce mercury emissions as soon as possible. Our bill stops pollution at its source by requiring a ninety percent reduction of mercury emissions from coal-fired powered plants by 2010, rather than by 22 percent by 2010 as the administration's recent rule calls for.

The Leahy-Snowe bill also addresses mercury releases from other sources as well, all the way from commercial and industrial boilers and chlor-alkali plants, to requiring labeling products containing mercury as simple as a mercury thermometer.

Mercury, as we have historically thought of it, brings to mind the ancient Roman messenger of the gods, or the symbol that made us all proud, that of a small Mercury capsule carrying a lone astronaut into space.

Mercury, as we are now coming to know it, is one of the most toxic substances in our environment, causing great neurologic damage if ingested by humans. There is growing concern around the country about mercury contamination, especially in the freshwater lakes in the northeast, and the risk it poses to those most vulnerable: young children, infants, and the unborn.

Mercury emissions are affecting our wildlife as well. In Maine, the beautiful common loon with its haunting call has been known as a symbol of conservation—and even appears on license plates, the cost of which funds conservation efforts. The haunting call is

now coming from biologists whose studies show that, besides the threats to humans, the loons and other birds, such as the bald eagle, may now be having trouble reproducing or fighting diseases because of mercury ingestion.

The Leahy-Snowe Act also aims to reduce transboundary atmospheric and surface mercury pollution by directing the EPA to work with Canada and Mexico to inventory the sources and pathways of mercury air and water pollution within North America. The bill dovetails nicely with the actions the State of Maine has taken and also the goals of the Mercury Action Plan of the Conference of Northeast Governors and Eastern Canadian Premiers.

This bill will go a long way towards developing a much needed solution to the problem of mercury emissions in the environment, and I look forward to the day when the fish advisories are lifted on all of our lakes in Maine so that its citizens can enjoy fuller use of their environment, and also reap greater economic benefits from its natural resources. This goal will not be easy to reach as our environment is already impacted with past and current mercury pollution.

However, the Maine Legislature has already taken a significant step toward this goal by establishing a state program to help Maine cities and towns keep mercury products out of the trash. Trash disposal, especially incineration, is one of the primary ways we introduce mercury to the Northeast's environment.

Under Maine law, some mercury products such as thermometers and thermostats had to be labeled beginning in 2002. Also by 2002, businesses were required to recycle the mercury in these products. Starting this year, a similar requirement applies to homeowners.

Maine has taken an excellent step forward to decrease regional mercury pollution, but realistically no one State or region can solve its mercury pollution problems. What is needed is a nationwide information system and controls for mercury releases starting with the largest polluters. We know that polluted air does not stop at State borders or even international boundaries. And, on the horizon is the fact that the burning coal continues to rapidly increase in developing nations around the globe.

I want to thank Senator LEAHY for his hard work in highlighting the problem of mercury emissions through the introduction of this legislation. This introduction will bring the problem before Congress and the public, to spark debate, and to begin a dialogue, especially with those industries that will be affected by any curbs in emissions and from those people most directly affected by the mercury emissions.

I look forward to working with Senator LEAHY and my Senate colleagues to come up with a fair solution and one that will truly protect the public's health from this pervasive toxic mercury pollution problem.