

(1) the President certifies to Congress that all countries that pledged financial assistance at the Madrid International Conference on Reconstruction in Iraq or in other fora since March 2003, for the relief and reconstruction of Iraq, including grant aid, credits, and in-kind contributions, have fulfilled their commitments; or

(2) the President—

(A) certifies to Congress that the President or his representatives have made credible and good faith efforts to persuade other countries that made pledges of financial assistance at the Madrid International Conference on Reconstruction in Iraq or in other fora to fulfill their commitments;

(B) determines that, notwithstanding the efforts by United States troops and taxpayers on behalf of the people of Iraq and the failure of other countries to fulfill their commitments, revenues generated from the sale of Iraqi oil or other sources of revenue under the control of the Government of Iraq may not be used to reimburse the Government of the United States for the obligation and expenditure of a significant portion of the remaining previously appropriated Iraqi reconstruction funds;

(C) determines that, notwithstanding the failure of other countries to fulfill their commitments as described in subparagraph (A) and that revenues generated from the sale of Iraqi oil or other sources of revenue under the control of the government of Iraq shall not be used to reimburse the United States government as described in subparagraph (B), the obligation and expenditure of remaining previously appropriated Iraqi reconstruction funds is in the national security interests of the United States; and

(D) submits to Congress a written notification of the determinations made under this paragraph, including a detailed justification for such determinations, and a description of the actions undertaken by the President or other official of the United States to convince other countries to fulfill their commitments described in subparagraph (A).

(c) This section may not be superseded, modified, or repealed except pursuant to a provision of law that makes specific reference to this section.

(d) In this section:

(1) The term “previously appropriated Iraqi reconstruction funds” means the aggregate amount appropriated or otherwise made available in chapter 2 of title II of Public Law 108-106 under the heading “IRAQ RELIEF AND RECONSTRUCTION FUND” or under title I of Public Law 108-11 under the heading “IRAQ RELIEF AND RECONSTRUCTION FUND”.

(2)(A) The term “Iraq reconstruction programs” means programs to address the infrastructure needs of Iraq, including infrastructure relating to electricity, oil production, public works, water resources, transportation and telecommunications, housing and construction, health care, and private sector development.

(B) The term does not include programs to fund military activities (including the establishment of national security forces or the Commanders’ Emergency Response Programs), public safety (including border enforcement, police, fire, and customs), and justice and civil society development.

AMENDMENT NO. 395

Mr. LEAHY. Mr. President, I rise in support of amendment 395. There are many Members on both sides of the aisle with strong objections to the REAL ID Act. Those of us who value our Nation’s historic commitment to asylum do not want to see severe restrictions placed on the ability of asylum seekers to obtain refuge here.

Those of us who value states rights side with the National Governors Association, the National Conference of State Legislatures, and the Council of State Governments in opposing the imposition of unworkable Federal mandates on State drivers license policies. Those of us who value the environment and the rule of law object to requiring the DHS Secretary to waive all laws, environmental or otherwise, that may get in the way of the construction of border fences, and forbidding judicial review of the Secretary’s actions.

To include the REAL ID Act in the conference report for this supplemental would also deprive the Judiciary Committee and the Senate as a whole of the opportunity to consider and review these wide-ranging provisions.

The majority leader has indicated in recent days that the Senate will be considering immigration reform this year. The provisions in the REAL ID Act should be considered at that time and in conjunction with a broader debate about immigration. They should not be forced upon the Senate by the leadership of the other body.

I urge my colleagues to vote in favor of this resolution, which I am proud to cosponsor with Senators FEINSTEIN, BROWBACK, ALEXANDER, and many others.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. FRIST. I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

BURMA

Mr. McCONNELL. Madam President, the United Nations Human Rights Commission adopted a resolution expressing concern with the “ongoing systematic violation of human rights” of the Burmese people. These violations include: extrajudicial killings, rape and other forms of violence persistently carried out by members of the armed forces, the continued use of torture, political arrests, forced and child labor, and systematic use of child soldiers.

While the Commission’s action is welcomed, it is not enough. The United Nations Security Council must discuss and debate the immediate regional threats that country poses to its neighbors—whether from illicit narcotics, HIV/AIDS, trafficked and internally displaced persons, or refugees.

I am dismayed that both China and India reportedly objected to an “unbalanced approach” in the Commission’s action against Burma.

In my view, India can—and should—play a catalytic role in fostering change in Burma. I would remind India that such objections serve only to tarnish its image as the world’s largest democracy, and send the wrong message to Daw Aung San Suu Kyi, Nobel Peace Laureate and recipient of India’s Jawaharlal Nehru Award for International Understanding. India should, as it did in the past, stand firmly with Burma’s democrats and work to foster reconciliation between the National League for Democracy, ethnic nationalities and the illegal military junta.

On a separate matter, I want to recognize Ms. Cindy Chang in the State Department’s Bureau of Legislative Affairs. Cindy works closely with the State/Foreign Operations Subcommittee, which I chair, and I want the Secretary of State to know how ably Cindy represents that Department’s—and the President’s—interests on the Hill. She is a star in that Bureau.

NATIONAL ASSOCIATED ALUMNAE AND ALUMNI OF THE SACRED HEART

Mr. DURBIN. Madam President, I rise today to recognize the National Associated Alumnae and Alumni of the Sacred Heart during their 35th biennial conference.

The theme of the conference is “St. Madeleine Sophie’s vision of service—living our legacy,” and a panel discussion will be hosted by Barat College. St. Madeleine Sophie Barat was the foundress of the Society of the Sacred Heart, and she still is a true inspiration to all who seek to follow the call of service.

The late Senator Paul Simon was my mentor when I began my political career in downstate Illinois. His wife, Jean Hurley Simon, graduated from Barat College in 1944. Since I first met Jean, I have had a special admiration for those educated in the Sacred Heart tradition.

The Associated Alumnae and Alumni of the Sacred Heart includes over 51,000 women and men educated in the Sacred Heart schools. Recently, Sacred Heart alumni have led efforts to provide relief for people in Indonesia effected by the devastating tsunami. Funds raised by Sacred Heart alumni have allowed for much-needed health and education programs in the region, including interfaith projects to house and lead activities for orphaned children.

Like Senator Simon before me, I have strongly supported higher education initiatives and access to professional development training for our elementary and secondary teachers. After all, teachers have the ability to influence, impact, and shape the citizens of tomorrow.

I know that my fellow Senators will join me in commending the Sacred

Heart alumni for their legacy of service. I am confident that this proud history and tradition will continue in the spirit of St. Madeleine Sophie for years to come.

PROTECT OUR COMMUNITIES, NOT
THE GUN INDUSTRY

Mr. LEVIN. Madam President, it has been reported that the Senate may consider the misnamed Protection of Lawful Commerce in Arms Act in the near future. I was pleased that this legislation was defeated during the 108th Congress, and I continue to oppose its passage.

This bill would rewrite well-accepted principles of liability law, providing the gun industry legal protections not enjoyed by other industries. It would grant broad immunity from liability even in cases where gross negligence or recklessness led to someone being injured or killed. Enactment of this special interest legislation for the gun industry would also lead to the termination of a wide range of pending and prospective civil cases, depriving gun violence victims with legitimate cases of their day in court.

It would be all the more irresponsible for the Senate to pass the gun industry immunity legislation while also continuing to ignore many gun safety issues that are critically important to the law enforcement community. Recent editorials in major newspapers around the country have highlighted Congress' inability to enact common sense gun safety legislation. An editorial from Monday's edition of the Los Angeles Times stated: Over the last four years, the president and his congressional allies have repudiated or quietly eviscerated key gun laws and regulations. Now they are poised to shield firearms makers and sellers from nearly all damage claims when their products kill or maim.

Thus far, Congress has failed to act to reauthorize the assault weapons ban that expired on September 13, 2004. This inaction allowed criminals and terrorists potential easy access to many of the most powerful and deadly firearms manufactured. In addition, Congress has failed to close a loophole that allows individuals on terrorist watch lists to buy these weapons and has failed to pass legislation that would, at the very least, require a background check for individuals attempting to buy the previously banned assault weapons at gun shows.

Rather than considering a bill to protect members of the gun industry from liability, we should help protect our families and communities by addressing the loopholes that potentially allow known and suspected terrorists to legally purchase military style firearms within our own borders. I again urge my colleagues to take up and pass common sense gun safety legislation that will address these loopholes and the threats they pose.

I ask unanimous consent that the April 11, 2005 Los Angeles Times edi-

torial titled "Remember Gun Control?" be printed in the CONGRESSIONAL RECORD.

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

[From the Los Angeles Times, Apr. 11, 2005]
REMEMBER GUN CONTROL?

After four years of George W. Bush, the notions that some people might be too dangerous or unstable to trust with a firearm or that assault weapons do not belong in civilized society are deader than a wild turkey in hunting season.

During Bush's first campaign, a National Rifle Assn. leader quipped, "If we win, we'll have a president where we work out of their office." How right he was.

Over the last four years, the president and his congressional allies have repudiated or quietly eviscerated key gun laws and regulations. Now they are poised to shield firearms makers and sellers from nearly all damage claims when their products kill or maim. Not only is this a gift no other industry enjoys, it's a truly bad idea that even gun owners have reason to oppose.

Last year, Republican congressional leaders simply ran out the clock on the 10-year-old federal assault gun ban, refusing to even call a vote on renewing it despite steady popular support for the law. Bush, who once claimed that he supported the ban, refused to make so much as a phone call to his House or Senate allies to keep it alive. With it died the ban on domestically made ammunition clips with more than 10 rounds, a boon for any disgruntled employee, terrorist or high school student who wants to mow down a crowd. The president also signed a bill that requires the destruction within 24 hours of all records from background checks of gun buyers. And Congress required the Bureau of Alcohol, Tobacco, Firearms and Explosives to keep secret the data that tracks weapons used in crimes.

Meanwhile, a Government Accountability Office study examining FBI and state background-check records found that 35 people whose names appeared on terrorism watch lists were able to buy a gun. Incredibly, a would-be buyer's presence on a watch list does not disqualify him or her from buying a firearm. Because background-check data now must be promptly destroyed, it is impossible to know how many more terrorism suspects might be lawfully armed.

The immunity bill, introduced by Sen. Larry E. Craig (R-Idaho) and Rep. Cliff Stearns (R-Fla.), would protect gun manufacturers and sellers from damage suits by victims of gun violence. It would even block injury suits from gun owners. That means gun owners can't sue if poorly made handguns explode in their hands or fire unintentionally. In many instances, the bill would shield gun dealers who allow criminals to buy a firearm, by severely weakening the ATF's ability to shut down unscrupulous dealers.

This reckless measure, long on the NRA's wish list, has come before Congress before, but enough lawmakers balked. This time, emboldened by last November's GOP victories, there looks to be less resistance. Senate Majority Leader Bill Frist (R-Tenn.) says he's ready to call for a floor vote any time. Unless voters speak up.

TRIBUTE TO DR. MAURICE
HILLEMAN

Mr. BAUCUS. Madam President, I rise today to memorialize the life and accomplishments of Dr. Maurice

Hilleman, a renowned microbiologist and native son of Montana.

Dr. Maurice R. Hilleman dedicated his life to developing vaccines for mumps, measles, chickenpox, pneumonia, meningitis and other diseases, saving tens of millions of lives. He died on Monday at a hospital in Philadelphia at the age of 85.

Raised on a farm in Montana, Dr. Hilleman credited much of his success to his boyhood work with chickens, whose eggs form the foundation of so many vaccines. Much of modern preventive medicine is based on Dr. Hilleman's work, though he never received the public recognition of Salk, Sabin or Pasteur. He is credited with having developed more human and animal vaccines than any other scientist, helping to extend human life expectancy and improving the economies of many countries.

According to two medical leaders, Dr. Anthony S. Fauci, director of the National Institute of Allergy and Infectious Diseases, and Dr. Paul A. Offit, chief of infectious diseases at Children's Hospital in Philadelphia, Dr. Hilleman probably saved more lives than any other scientist in the 20th century. "The scientific quality and quantity of what he did was amazing," Dr. Fauci is quoted as saying. "Just one of his accomplishments would be enough to have made for a great scientific career. One can say without hyperbole that Maurice changed the world with his extraordinary contributions in so many disciplines: virology, epidemiology, immunology, cancer research and vaccinology."

Dr. Hilleman developed 8 of the 14 vaccines routinely recommended: measles, mumps, hepatitis A, hepatitis B, chickenpox, meningitis, pneumonia and Haemophilus influenzae bacteria. He also developed the first generation of a vaccine against rubella, also known as German measles. The vaccines have virtually vanquished many of the once common childhood diseases in developed countries.

In addition, Dr. Hilleman overcame immunological obstacles to combine vaccines so that one shot could protect against several diseases, like the MMR vaccine for measles, mumps and rubella. He developed about 40 experimental and licensed animal and human vaccines, mostly with his team from Merck of Whitehouse Station, NJ. His role in their development included lab work as well as scientific and administrative leadership.

And as a sign of his humility, Dr. Hilleman routinely credited others for their roles in advances, according to his colleagues.

Vaccine development is complex, requiring an artistry to safely produce large amounts of weakened live or dead microorganisms. Dr. Offit once said, "Maurice was that artist: no one had the green thumb of mass production that he had." The hepatitis B vaccine, licensed in 1981, is credited as the first