

(17) An assessment of the progress of the National Assembly of Iraq in drafting and ratifying the permanent constitution of Iraq, and the performance of the new Iraqi Government in its protection of the rights of minorities and individual human rights, and its adherence to common democratic practices.

(18) The estimated number of United States military forces who will be needed in Iraq 6, 12, and 18 months from the date of the report.

Mr. COCHRAN. Mr. President, I know of no requests for debate on the amendment as modified.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment, as modified.

The amendment (No. 427), as modified, was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 399

Mr. COCHRAN. I call up amendment numbered 399, on behalf of Mr. DORGAN, regarding the independent counsel investigation of Henry Cisneros.

I know of no requests for debate on the amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 399) was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 560

Mr. COCHRAN. I send to the desk an amendment on behalf of Mr. SHELBY, regarding judicial security enhancements.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi, [Mr. COCHRAN], for Mr. SHELBY, for Mr. KENNEDY, for himself, Mr. DURBIN and Mr. OBAMA, proposes an amendment numbered 560.

Mr. COCHRAN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To clarify funding for judicial security enhancements)

On page 184, line 16, after “\$11,935,000,”, insert “for increased judicial security outside of courthouse facilities, including priority consideration of home intrusion detection systems in the homes of federal judges.”.

Mr. COCHRAN. I know of no requests for debate on the amendment

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 560) was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 561

Mr. COCHRAN. I send to the desk an amendment on behalf of Mr. REID of Nevada—technical in nature—and ask it be reported.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi, [Mr. COCHRAN], for Mr. REID of Nevada, proposes an amendment numbered 561.

Mr. COCHRAN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To modify the provision relating to agricultural and natural resource conservation activities in the Walker River Basin, Nevada)

In section 6017(b)(1)(A), insert “appurtenant to the land” after “water”.

Mr. COCHRAN. Mr. President, I know of no requests for debate.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 561) was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 562

Mr. COCHRAN. My final request is to send to the desk another amendment on behalf of Mr. REID of Nevada that is technical in nature. I ask that it be reported.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. REID of Nevada, proposes an amendment numbered 562.

Mr. COCHRAN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To modify the provision relating to the water lease and purchase program for the Walker River Paiute Tribe)

In section 6017(c)(2), strike subparagraphs (A) and (B) and insert the following:

- (A) acquired only from willing sellers;
- (B) designed to maximize water conveyances to Walker Lake; and
- (C) located only within the Walker River Paiute Indian Reservation.

Mr. COCHRAN. Mr. President, I know of no requests for debate.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 562) was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

THE PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator, my friend from Vermont. He is a valuable member of the Appropriations Committee.

Mr. President, I am pleased with the progress we have been able to make on this supplemental appropriations bill today. The Senate is working hard to ensure we consider requests that have merit which should be included in this bill.

The focus of the bill, as everyone realizes, though, is on assisting and providing for our troops, the Department of Defense facilities that are located in Iraq, trying to help ensure we protect the forces we have there, giving them what they need to bring these operations to a successful conclusion. We have made tremendous progress there, as well as in Afghanistan, bringing an opportunity for peace and freedom to the people of both of those countries. It is quite amazing to see the success that has been achieved in that direction, as those nations continue to work to build the infrastructure for democracy and a growing economy.

Our troops still need additional assistance, and that is why it is important for us to respond in a positive way to the requests of the administration to fund those needs and provide that assistance which will play such a critical role in their success.

The funds appropriated in this bill will provide support, pay in allowances. It will provide additional equipment, more modern and more effective equipment, so that the chances of success will be enhanced.

We do not want to drag out this supplemental unnecessarily. We need to complete action on the bill so we can go to conference with our counterpart committee, the Appropriations Committee in the House, and work out differences between the two bodies on this bill.

We do not want to delay this supplemental. We do not want to endanger our troops and our national interests in those areas of the world and here at home by unnecessary delay.

We appreciate the cooperation of all Senators. I thank everyone who has played a part today in our success in moving forward with this legislation.

Mr. President, 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. STEVENS. 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. STEVENS. Mr. President, I ask unanimous consent that there now be a

period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each day I have come to the floor to highlight a separate hate crime that has occurred in our country.

Last March, 29-year-old Jason Gage, who is gay, was beaten and stabbed in his home. According to police reports, his attacker acknowledged striking Gage twice with a bottle in the head and stabbing him with a piece of glass. There have been reports that the victim was targeted solely because of his sexual orientation.

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.

HONORING OUR ARMED FORCES

SPECIALIST SASCHA STRUBLE

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Hanna. SPC Struble, twenty years old, died on April 6 in a military helicopter crash near Ghazni city, 80 miles southwest of Kabul. With his entire life before him, Sascha risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Two years out of high school, Sascha had joined the Army in the hopes of getting the education he needed to become a paralegal, even working in the Army Judge Advocate General unit while stationed in Afghanistan. A former teacher recounted that Sascha was "a terrific kid . . . Sascha made us all want to be a better person." Described as a father figure to his younger siblings, Sascha never liked conflict and was often the family peacekeeper. His younger sister described Sascha to a local television station as "always a happy person, always making us laugh. I can't think of a time that he wasn't smiling."

Sascha was killed while serving his country in Operation Enduring Freedom. He served in the 1st Battalion, 173rd Airborne Brigade, 508 Infantry.

Today, I join Sascha's family and friends in mourning his death. While

we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Sascha, a memory that will burn brightly during these continuing days of conflict and grief.

Sascha was known for his dedication to his family and his love of country. Today and always, Sascha will be remembered by family members, friends and fellow Hoosiers as a true American hero and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Sascha's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Sascha's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Specialist Sascha Struble in the Official Record of the United States Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Sascha's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Sascha.

FAMILY ENTERTAINMENT AND COPYRIGHT ACT OF 2005

Mr. LEAHY. Mr. President, I am pleased that today the House has voted to pass the Family Entertainment and Copyright Act of 2005, clearing the way for the President to sign this important bill into law. That signature will mark the completion of our unfinished intellectual property business from last year. As we work to enact an equally ambitious intellectual property agenda in this new Congress, we have started off on the right foot.

The Family Entertainment and Copyright Act will help protect the rights of our innovators and support efforts at preserving America's cultural heritage. Title I of the bill, the "Artists' Rights and Theft Prevention Act," will criminalize a growing scourge: the use of camcorders to surreptitiously swipe movies from the big screen. Theft of intellectual property does not

involve stealing something tangible, but the economic impact is very real. According to the Motion Picture Association of America, our film industries lose \$3 billion annually due to piracy. We already know of high profile examples of movies showing up in other parts of the world on DVD while still in theaters in the United States. Theft of intellectual property is a global problem, and we need to ensure that our own IP house is in order even as we continue efforts at stronger international enforcement.

I have long been an enthusiastic proponent of the Library of Congress's efforts at protecting and promoting our nation's rich and diverse film heritage. Thus, I am particularly pleased that the bill passed today also contains the National Film Preservation Act, legislation that I sponsored in the last Congress to continue support for this extraordinary project. It reauthorizes a Library of Congress program dedicated to preserving precisely those types of films most in need of archival preservation: "orphaned" works that do not enjoy the protection of the major studios. The movies saved include culturally significant silent-era films, ethnic films, newsreels, and avant-garde works. The Act will allow the Library of Congress to continue its important work, and to provide assistance to libraries, museums, and archives in preserving films and in making these works available to researchers and the public. We know that more than 50 percent of the works made before 1950 have disintegrated and that only 10 percent of films made before 1929 still exist. Once these works are gone, they are lost to history forever. The Librarian of Congress, James Billington, has referred to our film heritage as "America's living past." The National Film Preservation Act will help ensure that this past is accessible in order to entertain and enlighten future generations.

I am also glad that a small but significant component of the bill is the Preservation of Orphan Works Act, which corrects a drafting error in the Sonny Bono Copyright Term Extension Act. Correction of this error will allow libraries to create copies of orphan works, copyrighted materials that are in the last 20 years of their copyright term, are no longer commercially exploited, and are not available at a reasonable price. The last provision in the bill is the Family Movie Act, which ensures that in-home viewing of movies can be done as families see fit.

I noted when this bill was introduced that while I might well have drafted specific components of this package differently, the Family Entertainment and Copyright Act was built around collegiality and compromise, both across the aisle and between chambers. As a result, we have produced good law worthy of the broad support it has enjoyed. I thank the bill's Senate cosponsors, Senators HATCH, CORNYN, FEINSTEIN, and ALEXANDER, for all of their