

Homeland Security shall notify, on a quarterly basis, the Committee on the Judiciary of the Senate and the Committee on the Judiciary of House of Representatives of the number of aliens who during the preceding 1-year period—

“(A) who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)); or  
 “(B) had such a visa or such status expire or be revoked or otherwise terminated.

“(2) ANNUAL SUBMISSION.—Beginning in fiscal year 2007, the Secretary of Homeland Security shall submit, on an annual basis, to the Committees on the Judiciary of the House of Representatives and the Senate—

“(A) information on the countries of origin of, occupations of, and compensation paid to aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) during the previous fiscal year;

“(B) the number of aliens who had such a visa or such status expire or be revoked or otherwise terminated during each month of such fiscal year; and

“(C) the number of aliens who were provided nonimmigrant status under such section during both such fiscal year and the preceding fiscal year.

“(3) INFORMATION MAINTAINED BY STATE.—If the Secretary of Homeland Security determines that information maintained by the Secretary of State is required to make a submission described in paragraph (1) or (2), the Secretary of State shall provide such information to the Secretary of Homeland Security upon request.”

RECAPTURE OF VISAS

SEC. 7007. Section 106(d)(2)(A) of the American Competitiveness in the Twenty-first Century Act of 2000 (Public Law 106-313; 8 U.S.C. 1153 note) is amended—

(1) in paragraph (1), by inserting before the period at the end of the second sentence “and any such visa that is made available due to the difference between the number of employment-based visas that were made available in fiscal year 2001, 2002, 2003, or 2004 and the number of such visas that were actually used in such fiscal year shall be available only to employment-based immigrants, and the dependents of such immigrants, and 50 percent of such visas shall be made available to those whose immigrant worker petitions were approved based on schedule A, as defined in section 656.5 of title 20, Code of Federal Regulations, as promulgated by the Secretary of Labor”; and

(2) in paragraph (2)(A), by striking “and 2000” and inserting “through 2004”.

RECIPROCAL VISAS FOR NATIONALS OF AUSTRALIA  
 SEC. 7008. (a) Section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)) is amended—

(1) by adding at the end “or (iii) solely to perform services in a specialty occupation in the United States if the alien is a national of the Commonwealth of Australia and with respect to whom the Secretary of Labor determines and certifies to the Secretary of Homeland Security and the Secretary of State that the intending employer has filed with the Secretary of Labor an attestation under section 212(t)(1);”; and  
 (2) in clause (i), by striking “or” after “national.”.

(b) Section 202 of such Act (8 U.S.C. 1152) is amended by adding at the end the following new subsection:

“(f) SPECIAL RULE FOR AUSTRALIA.—The total number of aliens who may acquire nonimmigrant status under section 101(a)(15)(E)(iii) may not exceed 5000 for a fiscal year.”

(c) Section 214(i)(1) of such Act (8 U.S.C. 1184(i)(1)) is amended by inserting “, section 101(a)(15)(E)(iii),” after “section 101(a)(15)(H)(i)(b)”.

(d) Section 212(t) of such Act (8 U.S.C. 1182(t)), as added by section 402(b)(2) of the United States-Chile Free Trade Agreement Implementation Act (Public Law 108-77; 117 Stat. 941), is amended—

(1) by inserting “or section 101(a)(15)(E)(iii)” after “section 101(a)(15)(H)(i)(b1)” each place it appears;

(2) in paragraph (3)(C)(i)(II), by striking “or” in the third place it appears;

(3) in paragraph (3)(C)(ii)(II), by striking “or” in the third place it appears; and

(4) in paragraph (3)(C)(iii)(II), by striking “or” in the third place it appears.

This Act may be cited as the “Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005”.

Amend the title so as to read: “An Act Making Emergency Supplemental Appropriations for Defense, the Global War on Terror, and Tsunami Relief, for the fiscal year ending September 30, 2005, and for other purposes.”.

ORDERS FOR TUESDAY, APRIL 26, 2005

Mr. INHOFE. Mr. President, I ask unanimous consent when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Tuesday, April 26. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period of morning business for up to 60 minutes with the first 30 minutes under the control of the Democratic leader or his designee and the final 30 minutes under the control of the majority leader or his designee; provided that following morning business the Senate resume consideration of the motion to proceed to H.R. 3, the highway bill, and there be 60 minutes of debate equally divided between the two leaders or their designees; provided further that upon the use or yielding back of that time the Senate proceed to the cloture vote on the motion to proceed to the bill.

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

Mr. INHOFE. I further ask consent that the Senate recess from 12:30 p.m. to 2:15 p.m. for the weekly party lunches.

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

PROGRAM

Mr. INHOFE. Tomorrow, following morning business, the Senate will resume consideration of the motion to proceed to the highway bill. Under the previous order, we will have up to 1 hour of debate prior to a cloture vote on the motion to proceed. The cloture vote will be at approximately 11:45 a.m., and that will be the first vote of tomorrow’s session. It is my hope that cloture will be invoked and further that we would be able to move to the bill without using the full 30 hours of postcloture debate. Once on the bill, we will move forward with the amending process. Senators should expect additional rollcall votes during tomorrow’s session.

On behalf of the leader, I inform my colleagues we will have a busy week leading into next week’s recess. In addition to the highway bill, we will act

on the budget resolution conference report once it becomes available. There are a couple of important nominations expected to be reported out of the committee this week that we hope to act upon, as well. Rollcall votes are expected each day this week, and Senators are asked to plan their schedules accordingly.

ORDER FOR ADJOURNMENT

Mr. INHOFE. There being no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator BOXER for not to exceed 60 minutes.

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

Mr. INHOFE. 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.

Mrs. BOXER. 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

Mrs. BOXER. Mr. President, I had asked for an hour to speak for the RECORD on a number of issues. First, I will pay tribute to 53 young Americans who have been killed in Iraq since December 7, 2004. This brings to 402 the number of soldiers who were either from California or based in California that have been killed while serving our country. I want to make the point to my colleagues this represents 26 percent of all the military deaths in Iraq. Twenty-six percent of those deaths have come from California, either the person was born and raised in California or was stationed in California. We continue to mourn those losses. As I have promised since the day the war started, I will pay tribute to them by name so they are not forgotten.

CPL In C. Kim died December 7 as a result of a nonhostile vehicle incident in Al Anbar Province. He was assigned to Camp Pendleton.

PFC Christopher S. Adlesperger died December 9 as a result of enemy action in Al Anbar Province. He was also assigned to Camp Pendleton.

I want to mention the ages of these soldiers too. Corporal Kim was 23 years old. PFC Christopher Adlesperger was 20 years old.

SPC Edwin W. Roodhouse, 36 years old, died December 5 in Habbaniyah, Iraq, when an improvised explosive device detonated near his humvee. He was assigned to the 1st Battalion, 56th Infantry Regiment, 2nd Infantry Division, Camp Greaves, Korea, and he was from San Jose, CA.

SSgt Melvin L. Blazer, age 38, died December 12 as a result of enemy action in Al Anbar Province. He also was assigned to Camp Pendleton.

LCpl Hilario F. Lopez, age 22, died December 12 as a result of enemy action in Al Anbar Province. He was assigned also to Camp Pendleton.

LCpl Gregory Rund, age 21, died December 11 as a result of enemy action in Al Anbar Province. He also was assigned to Camp Pendleton.

CPL Ian W. Stewart, age 21, died December 12 as a result of enemy action in Al Anbar Province. He was also assigned to Camp Pendleton, and he was from Lake Hughes, CA.

SGT Jeffrey Kirk, age 24, died December 12 as a result of enemy action in Al Anbar Province, also assigned to Camp Pendleton.

LCpl Joshua Dickinson, age 25, died December 12 as a result of enemy action in Al Anbar Province. He was assigned to Camp Pendleton.

CPL Michael Anderson, age 21, died December 14 as a result of enemy action in Al Anbar Province. He was also assigned to Camp Pendleton, CA and was from Modesto, CA.

LCpl Neil Petsche, age 21, died December 21 due injuries received from a nonhostile vehicle incident in Al Anbar Province. He was assigned to Twentynine Palms, CA.

SSG Robert S. Johnson, age 23, died December 21 in Mosul when his dining facility was attacked. He was assigned to Fort Lewis, WA, but he was from Castro Valley, CA.

SPC Jonathan Castro, age 21, died December 21 in Mosul when his dining facility was attacked. He was assigned to Fort Lewis, WA, but he was from Corona, CA.

LCpl Eric Hillenburg, age 21, died December 23 as a result of enemy action in Al Anbar Province. He was assigned to Camp Pendleton, CA.

LCpl James Phillips, age 21, died December 23 as a result of enemy action in Al Anbar Province. He, too, was assigned to Camp Pendleton, CA.

CPL Raleigh Smith, age 21, died December 23 as a result of enemy action in Al Anbar Province. He was assigned to Camp Pendleton, CA.

Navy Seaman Pablito Pena Briones, Jr., age 22, died December 28 of a nonhostile gunshot wound in Fallujah. The incident is under investigation. He was assigned to the 1st Marine Division Detachment, Naval Medical Center, San Diego. He was from Anaheim, CA.

PFC Oscar Sanchez, age 19, died December 28 in Mosul when a vehicle-borne improvised explosive device struck his observation post. He was assigned to Fort Lewis, WA, and was from Modesto, CA.

LCpl Jason Smith, age 21, died December 31 as a result of hostile action in Al Anbar Province. He was assigned to Camp Pendleton, CA.

LCpl Julio Cisneros Alvarez died January 6 as a result of hostile action in Al Anbar Province. He was assigned to Twentynine Palms, CA.

SGT Zachariah S. Davis died January 6 as a result of hostile action in Al Anbar Province. He was assigned to Twentynine Palms, CA, and he was from San Bernardino, CA.

CPL Paul Holter, III, age 21, died January 14 due to noncombat-related incident at Camp Ramadi, Iraq. He was assigned to Camp Pendleton, CA.

CAPT Joe F. Lusk, II, age 24, died January 21 in Camp Buehring, Kuwait, of noncombat-related injuries. He was assigned to Fort Bragg, NC, but he was from Reedley, CA.

SSG Jose C. Rangel, age 43, died January 23 in Camp Arifjan, Kuwait, of noncombat-related injuries. He was assigned to the Aviation Classification Repair Activity Depot in Fresno, CA. He was from Saratoga.

Petty Officer Third Class John House, age 28, died in a helicopter crash near Ar Rutbah, Iraq. He was assigned to Pearl Harbor but he was from Ventura, CA.

CPT Paul Alaniz, age 32, died January 26 when the CH-53E helicopter he was in crashed near Ar Rutbah, Iraq. He was assigned to Marine Corps Air Station, Miramar, CA.

CPT Lyle Gordon, age 30, died January 26 when the CH-53E helicopter he was in crashed near Ar Rutbah, Iraq. He was also assigned to Marine Corps Air Station, Miramar, CA.

SSG Dexter S. Kimball, age 30, died January 26 when the CH-53E helicopter he was in crashed. He was also assigned to Marine Corps Air Station, Miramar, CA.

LCpl Mourad Ragimov, age 20, also died in that same helicopter which crashed near Ar Rutbah, Iraq. He was from San Diego and assigned to a Marine base in Hawaii.

1LT Dustin N. Shumney, age 30, died January 26 when the CH-53E helicopter he was in crashed.

LCpl Joseph B. Spence, age 24, died January 26 when the CH-53E helicopter he was in crashed near Ar Rutbah, Iraq. He was assigned to 1st Battalion, 3rd Marine Regiment, 3rd Marine Division, Marine Corps Base Hawaii. He was from Scotts Valley, CA.

LCpl Tony L. Hernandez, age 22, died January 26 when the CH-53E helicopter he was in crashed near Ar Rutbah, Iraq. He was assigned to Marine Heavy Helicopter Squadron 361, Marine Aircraft Group 16, 3rd Marine Aircraft Wing, Marine Corps Air Station Miramar, CA.

CPL Stephen P. Johnson, age 24, died January 26 when the CH-53E helicopter he was in crashed near Ar Rutbah, Iraq. He was assigned to 1st Battalion, 3rd Marine Regiment, 3rd Marine Division, Marine Corps Base Hawaii. He was from Covina, CA.

PFC Kevin M. Luna, age 26, died January 27 in Muqdadiyah, Iraq, from noncombat related injuries. He was assigned to the 1st Battalion, 63rd Armor Regiment, 1st Infantry Division, Vilseck, Germany. He was from Oxnard, CA.

SSG Joseph W. Stevens, age 26, died January 24 in Mohammed Sacran, Iraq

when his Bradley Fighting Vehicle overturned. He was assigned to the 2nd Battalion, 2nd Infantry, 1st Infantry Division, Vilseck, Germany. He was from Sacramento, CA.

LCDR Keith E. Taylor, age 47, died January 29 in a rocket attack on the U.S. Embassy in Baghdad. He was assigned to Commander, U.S. Naval Forces, Central Command, Iraq Detachment. He was from Irvine, CA.

LCDR Edward E. Jack, age 51, died January 29 of a noncombat related incident aboard the USS Bonhomme Richard. He was assigned to Commander, Destroyer Squadron Seven, home ported in San Diego, CA.

LCpl Nazario Serrano, age 20, died January 30 as a result of hostile action in Al Anbar Province. He was assigned to the Combat Service Support Battalion 1, Combat Service Support Group 11, 1st Force Service Support Group, Camp Pendleton, CA.

PFC Stephen A. Castellano, age 21, died January 28 in Mosul, Iraq from a noncombat related injury. He was assigned to 1st Battalion, 14th Infantry Regiment, 25th Infantry Division (Light) from Schofield Barracks, Hawaii. He was from Long Beach, CA.

LCpl Richard C. Clifton, age 19, died February 3 as a result of hostile action in Al Anbar Province. He was assigned to 2nd Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, CA.

CPT Sean Lee Brock, age 29, died February 2 after sustaining a fatal shrapnel wound to his abdomen from an explosion while conducting combat operations in Al Anbar Province. He was assigned 1st Marine Division, Okinawa, Japan. He was from Redondo Beach, CA.

CPL Kevin M. Clarke, age 21, died February 19 as a result of hostile action in Al Anbar Province. He was assigned to 1st Battalion, 7th Marine Regiment, 1st Marine Division, Twentynine Palms, CA.

SPC Wade Michael Twyman, age 27, died March 4 in Ar Ramadi, Iraq when an improvised explosive device detonated near his patrol. He was assigned to the 1st Infantry Battalion, 9th Infantry Regiment, 2nd Brigade Combat Team, Camp Hovey, Korea. He was from Vista, CA.

PFC Samuel S. Lee, age 19, died March 28 in Ar Ramadi, Iraq from noncombat related injuries. He was assigned to 1st Battalion, 506th Infantry Regiment, 2nd Infantry Division, Camp Greaves, Korea. He was from Anaheim, CA.

CPL Garrywesley T. Rimes, age 30, died April 1 as a result of hostile action in Al Anbar Province. He was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, California. During Operation Iraqi Freedom, Rimes was attached to 2nd Marine Division. He was from Santa Maria, CA.

CPL William D. Richardson, age 23, died April 3 in Baghdad when he came under enemy fire and fell into a canal.

He was assigned to the 1st Battalion, 41st Infantry Regiment, 1st Armored Division, Fort Riley, KS. He was from Moreno Valley, CA.

LCpl Juan C. Venegas, age 21, died April 7 as a result of a vehicle accident while conducting combat operations in Al Anbar Province. He was assigned 3rd Battalion, 4th Marine Regiment, 1st Marine Division, Twentynine Palms, CA. During Operation Iraqi Freedom, Venegas was attached to 2nd Marine Division. He was from Simi Valley, CA.

SPC Glenn J. Watkins, age 42, died April 5 in Baghdad when a vehicle-born improvised explosive device detonated near his military vehicle. He was assigned to the Army National Guard's 1st Battalion, 161st Infantry, Kent, WA. He was from Carlsbad, CA.

PFC Casey M. LaWare, age 19, died April 9 at Landstuhl Regional Medical Center in Germany from noncombat related injuries sustained April 6 in Al Mahmudiyah, Iraq. He was assigned to the 2nd Squadron, 11th Armored Cavalry Regiment, Fort Irwin, CA. He was from Redding, CA.

CPT James C. Edge, age 31, was killed April 14 by enemy small-arms fire while conducting combat operations in Ramadi, Iraq. He was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, CA. During Operation Iraqi Freedom, Edge was attached to 2nd Marine Division, II Marine Expeditionary Force.

CPL Tyler J. Dickens, age 20, died April 12 at Brooke Army Medical Center in San Antonio, TX, of injuries sustained April 6 in Al Mahmudiyah, Iraq, when his guard tower caught fire. He was assigned to the Army's 2nd Squadron, 11th Armored Cavalry Regiment, Fort Irwin, CA.

CPL Kelly M. Cannan, age 21, was killed April 20 as the result of the detonation of an improvised explosive device while conducting combat operations in Ar Ramadi, Iraq. He was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, CA. As part of Operation Iraqi Freedom, his unit was attached to a 2nd Marine Division.

LCpl Marty G. Mortenson, age 22, was killed April 20 as the result of the detonation of an improvised explosive device while conducting combat operations in Ar Ramadi, Iraq. He was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, CA. As part of Operation Iraqi Freedom, his unit was attached to a 2nd Marine Division.

I pray for these young Americans and their families.

Mr. President, it is with a very heavy heart that I continue to report to the Senate on these young people, and not so young people, who are being killed in Iraq, it seems, almost every day. In this eulogy where I simply read the names and tell you how this happened, we have talked about people from the age of 19 to 51 years old. In this war, we have people of all ages because it is the

regular military and also Reserves and National Guard. We have a lot of people who are married with children. The loss is huge, regardless of age. Often, there are even more people who are affected when we have someone who is married with a family—not only the moms and dads but the spouses and the children and the broader community.

So I pray for these young Americans, may they rest in peace; and I pray for their families, may they heal. It is the ultimate act of bravery to answer the call of the Commander in Chief. It is the ultimate act of bravery. I was in Iraq last month, and the security challenges we face there are enormous. I don't have the time tonight to go into detail. It was a bipartisan trip of Senators, and each Senator had two guards at all times with machine guns, plus additional security all around us. We could not go on the main road from Baghdad Airport because of the lack of safety. We flew in Blackhawk helicopters with the greatest pilots in the world, with two machine guns looking out at all times. Every time we were anywhere on the ground, you could smell the danger. We were so well protected. Even in the General Assembly building, where you would think it would be very safe, they said it was the site of kidnappings.

Even in the Embassy compound, we heard that one of the military people killed there, LCDR Keith Taylor, died January 29 in a rocket attack on the U.S. Embassy in Baghdad. That is a highly protected and defended place. We sat there, and I noted the looks on the faces of the civilians sitting around—the fear, the anguish, the anxiety. I made a point of thanking them for their service. I know they want to build a democracy there. I noted how fearful and anxious they looked. I truly expected at least one of them to say: No, you are misreading it; that is not so. But they did not contradict it.

It is a very dangerous place. I think we all learned that through loss of that beautiful young woman, Marla Ruzicka, who is a true hero of her generation, if not the country. She was working in Iraq with a nonprofit organization she set up that actually was funded by this Senate, I am proud to say, to find the innocent victims of war, what we call collateral damage of war. Marla put a face on these little children and these grieving mothers and fathers.

She would go out into the homes of the Iraqi people—it is so dangerous to do that—with her blond hair flying. She would take the testimony, and then she would bring it back to the military who grew to trust Marla. Then, if it all checked out, these people would get some recompense to try and rebuild their lives.

It was a very moving funeral I went to with my family in Lakeport, CA. People came from all over the country and all over the world to honor Marla. I know Senator LEAHY, on our side, has taken the lead on this incredible pro-

gram. I hope to work with him and Members of both sides of the aisle to make sure that program continues.

Of course, we need to have a plan for success in Iraq, and my view is we do not have that right now. When we ask the people who brought us the war, namely the President, how long we are going to be there, he says: As long as it takes. I think we can do better. I think there are five or six things we can do. But, again, I do not have time to go into it tonight, and I have spoken about this at length before.

Clearly, training the Iraqis is key, and General Petraeus told us when we met with him that he is very high on the Iraqi troops. He thinks they are terrific. He thinks they can step in. There are 120,000 of them. This is good news. We ought to be able to begin to bring our troops home and replace them with the Iraqis.

I also met with the new leaders of the country, and I believe if we do not set some dates, they will forever rely on us. I do not think that is the way it should be. I really do not. They need to get on their own two feet, and we ought to help them—train these soldiers, train these police forces and bring our troops back.

It is not working out well for us over there. It is counterproductive right now. The CIA told us that when we visited. Indeed, the head of the CIA told us in hearings that it is fueling the insurgency. General Newbolt, who planned the original military victory in Iraq, told us the same. We need to have a goal of when we are going to leave because otherwise it is fueling discontent. The insurgency is so deep now. Different groups are coming every day taking "credit" for these horrible civilian deaths.

The status quo is not good there. I hope we can move forward with a plan for success. A lot of our people have given their lives and their limbs, thousands of them coming home without limbs, over 11,000 at this point. We need to stand with them and with their families and make sure we are there for them because they are suffering mightily.

They are brave, they are courageous, they will do whatever they are asked to do. They are extraordinary. We need to stand with them, regardless of whether we think this war was the best thing we ever did or the worst thing we ever did. That is secondary. We have to stand with them.

#### WELDON AMENDMENT

Mrs. BOXER. Mr. President, Senator FRIST was true to his word. He told me I could have a vote to repeal what I consider to be a very dangerous amendment that came into an appropriations bill without any hearings, without any discussions, without any votes, and I think could very well lead to a very dangerous situation for the women of our country.

I decided not to push the vote. It was too close to call. Some people said