

neutrality of the Electoral Board and permit it to go about its work in a fair and impartial manner. I also call upon Kemal Bedri Kelo, chairman of the Electoral Board, to conduct the board's proceedings in a transparent, fair and evenhanded fashion in order to ensure that the board's ultimate decision is respected by all sides.

Ethiopia is an ally of the United States. But that friendship could be strained by failure of the Ethiopian Government to observe international norms in its elections, failure by the Government to abide by the rule of law or failure by opposition groups to avoid overheated rhetoric. As chairman of the State/Foreign Operations subcommittee, I will be keeping a close eye on events in Ethiopia as they continue to unfold.

#### CLERGY SEXUAL ABUSE

Mr. KENNEDY. Mr. President, RICK SANTORUM owes an immediate apology to the tragic and long-suffering victims of sexual abuse and their families in Boston, Massachusetts, in Pennsylvania, and around the country. His outrageous and offensive comments which he had the indecency to repeat yesterday blamed the people of Boston for the depraved behavior of sick individuals who stole the innocence of children in the most horrible way imaginable.

Senator SANTORUM has shown a deep and callous insensitivity to the victims and their suffering in an apparent attempt to score political points with some of the most extreme members of the fringe rightwing of his party. Boston bashing might be in vogue with some Republicans, but RICK SANTORUM's statements are beyond the pale.

Three years ago, Senator SANTORUM said:

While it is no excuse for this scandal, it is no surprise that Boston, a seat of academic, political and cultural liberalism in America, lies at the center of the storm.

When given an opportunity yesterday to apologize, he refused and instead restated these outrageous statements. The people of Boston are to be blamed for the clergy sexual abuse? That is an irresponsible, insensitive, and inexcusable thing to say. RICK SANTORUM should join all Americans in celebrating the accomplishments of the people of Boston. Apparently Senator SANTORUM has never heard of the enormous contributions of our universities and industries to our quality of life, our economic strength, and our national security.

Harvard and MIT have produced 98 Nobel laureates whose work has made an enormous difference in America's strength. Their graduates contribute to industries, Government, their communities, our Nation, and throughout the world. In fact, only a quarter of MIT graduates remain in New England. Their research keeps our Nation secure.

The Pentagon and the CIA, the military, the Energy Department, the Veterans Administration—all turn to MIT and Harvard for technology and strategies to protect our Nation from those who would hurt us, and their research in cancer, children's health, housing, community development, so many other issues, continues to make an enormous difference to the well-being and the health of our children and families.

More than a dozen current U.S. Senators were educated in Boston.

Senator FRIST was trained as a heart surgeon at Harvard Medical School. Senator DOLE went to Harvard Law School. Senator ALEXANDER went to Harvard's School of Government. Surely my memorable colleagues would not go to a school that is somehow contributing to the downfall of America. No, Mr. President, they went to a worldwide leading institution to prepare them for incredible careers of service and leadership.

Senator SANTORUM's self-righteousness also fails to take into account the enormous amount of good will the people of Boston demonstrate for the less fortunate. They started the Massachusetts Children's Hunger Initiative, working with leaders in 20 low-income communities to end hunger among children.

Boston's Children's Hospital has been ranked first in the Nation in the past decade for care and concern of sick children.

The quality of life for Boston and its families is rated third in America. Massachusetts has the lowest divorce rate in the Nation.

Massachusetts ranks in the top 10 States in the Nation when it comes to addressing the needs of at-risk or vulnerable children, including our efforts to address low birth weight babies, teen homicides and other challenges to our children. Pennsylvania doesn't even rank in the top 10.

Boston gave birth to America's liberty, and the values that sparked our revolution continue to inspire Bostonians today—love of freedom, dedication to country, and concern for our fellow citizens.

The men and women of Boston have served honorably in our Armed Forces. They fought and died for our country so that their children might live in freedom and opportunity.

The abuse of children is a horrible perversion and a tragic crime, and I am proud that the good people of Boston and Massachusetts were leaders in coming forward, shedding light, and demanding accountability for this devastating violation of children.

Sadly, the sexual abuse of children is a problem throughout the world, and it is not confined in any way to members of the clergy or to one town or one city. Every State in the country has reported child sexual abuse, including Pennsylvania.

On behalf of all the victims of abuse and the people of Boston and Massa-

chusetts, I ask that he retract his unfounded statements and apologize. I think the families of Massachusetts were hurt just as much by this terrible tragedy as the families of Pennsylvania. Abuse against children is not a liberal or conservative issue. It is a horrific, unspeakable tragedy. Sadly, it happens in every State of this great Nation—in red States and blue States, in the North and South, in big cities and in small. The victims of child sexual abuse have suffered enough already, and Senator SANTORUM should stop making a bad and very tragic situation worse.

#### JUDICIAL PHILOSOPHY OF SUPREME COURT NOMINEES

Mr. KENNEDY. Mr. President, President Bush and Members of the Senate will soon have the duty of appointing a new justice to the Supreme Court. In recent days, there have been differences of opinion over whether we should consider the judicial philosophy of nominees to the Supreme Court as part of the appointment process. I hope the President's remarks yesterday make clear once and for all that judicial philosophy is an important part of a nominee's qualifications. President Bush said that judicial philosophy would be one of the criteria he used to choose a nominee, along with character, integrity, and the ability to do the job.

I agree with President Bush that these qualities—including judicial philosophy—are important to whether a nominee is fit to serve on the Court. Many times in recent months, and during his campaign for re-election, President Bush has said that nominees to the Federal courts must interpret the law, not make the law. He has said that we should appoint persons who would not try to legislate from the bench. This view has been echoed by Members of the Senate, both Republican and Democrat, myself included. Senators of both parties agree with the President that we should not appoint judicial activists who would decide cases based on personal ideology rather than the law.

The only way to know whether nominees have an activist judicial philosophy is to find out what their judicial philosophy is. That's the only way to know whether nominees will follow the law or attempt to rewrite it. We certainly can't tell judicial philosophy from nominees' resumes, where they went to school, or where they worked. These issues are relevant and should be considered as part of a nominee's qualifications for the Supreme Court. But a resume is no substitute for answering questions about whether the nominee respects the basic rights and freedoms on which the nation was founded.

The American people deserve to know if a nominee would favor corporate or other special interests, rather than giving everyone the same fair hearing in deciding cases. They deserve

to know whether nominees would respect the Constitutional power of Congress to enact environmental protections or if nominees are so opposed to such protections that they would bend or distort the law to strike them down.

The American people deserve to know whether nominees would roll back civil rights laws or uphold the rights of the disabled, the elderly, and minorities. The American people are entitled to know if a nominee respects women's rights to equal treatment in our society and to privacy in making reproductive decisions.

This does not mean every nominee should promise to rule a particular way in each of the cases on the Supreme Court's docket for the next term. It doesn't mean that nominees must state how they would rule in any specific case. But it does mean that the Senate should expect the nominee to answer questions about important legal principles—such as the constitutional power of Congress to protect Americans against corporate abuses, the right to equal treatment, Americans' right to privacy in making personal decisions about medical care, the principle of non-discrimination, and the right to be free from unwarranted government intrusion.

The American people deserve to know the answers to those questions, and the Senate's review is the only way that they can get those answers. The nominee will need to say more than "trust me" in response to these important questions, because so much hangs in the balance.

The importance of judicial philosophy in deciding whether to confirm a Supreme Court justice is nothing new. During the first 100 years after ratification of the Constitution, 21 of 81 Supreme Court nominations—one out of four—were rejected, withdrawn, or not acted on.

Since 1968, a third of all Supreme Court nominations have failed. During these confirmation debates, ideology often mattered. John Rutledge, nominated by George Washington, failed to win confirmation as Chief Justice in 1795, when Alexander Hamilton and other Federalists opposed him because of his position on the Jay Treaty.

In 1811, James Madison's nominee, Alexander Wolcott, was defeated because of his enforcement of the embargo and other trade laws opposed by Federalists in the Senate.

A nominee of President Polk was rejected because of his anti-immigration position. A nominee of President Hoover was not confirmed because of his anti-labor view. The Senate failed to elevate Justice Abe Fortas to Chief Justice in 1968, when Senate Republicans filibustered his nomination because they objected to his decisions on free speech and defendants' rights.

Chief Justice Rehnquist himself has stated that it is appropriate for the Senate to ask about a Supreme Court nominee's judicial philosophy, stating that this "has always seemed . . . en-

tirely consistent with our [C]onstitution and serves as a way of reconciling judicial independence with majority rule."

As our colleague from Mississippi, Senator TRENT LOTT, stated in 1996, "[w]e should look not only at their education, background, and qualifications, but also . . . what is their philosophy with regard to the judiciary and how they may be ruling." In Senator LOTT's words, "if we do not ask questions, then we will be shirking our responsibilities."

Earlier this month, the Senator from Texas, Senator CORNYN, stated that while nominees should not be asked to promise how they will vote in a specific case, "it's an appropriate question to ask what their views are on cases that have been decided and judicial opinions that have been written."

We should all agree that it's appropriate for the Senate to ask nominees about the issues most important to Americans. The American people expect and deserve to learn about a nominee's legal philosophy during the hearings on any Supreme Court nominee. We should do all we can to see that the process provides clear answers, so that the American people will have full confidence in the outcome.

#### HONORING OUR ARMED FORCES

IN HONOR OF PRIVATE FIRST CLASS ERIC PAUL WOODS

Mr. NELSON of Nebraska. Mr. President, I rise today to honor PFC Eric Paul Woods of Omaha, NE.

Private First Class Woods served his country with the utmost bravery. A graduate of Urbandale High School in Urbandale, IA, Woods moved to Omaha 5 years ago, joining the Army in April 2004 as a medic with the G Troop, 2nd Squadron of the 3rd Army Cavalry. He was based out of Fort Carson, CO. Seven years earlier, Private First Class Woods met his wife Jamie, also of the Des Moines area. The two were wed a year later on their first anniversary as a couple. On March 8, 2005, Private First Class Woods was deployed for his first tour in Iraq.

On July 9, 2005, Private First Class Woods was killed in action while serving courageously in Iraq. While bravely attempting to save the life of a wounded soldier near Tal Afar, Iraq, he sustained fatal wounds as an improvised explosive device detonated near the side of the road. His courage should be an example to all, as days before he turned down an offer to be moved away from the front lines. His dedication to both his fellow soldiers and his country clearly display both his valor and resolve.

Private First Class Woods is survived by his wife Jamie and his 3-year old son Eric Scott, among numerous other friends, family, and countrymen who proudly honor and remember his sacrifice. I would like to offer my sincere thoughts and prayers to Private First Class Woods' family. His selfless com-

mitment to his country will not be forgotten. Private First Class Woods will be remembered as a man who honored, served, and died for the liberties and freedoms of all Americans and Nebraskans.

PETTY OFFICER 2ND CLASS DANNY P. DIETZ

Mr. SALAZAR. Mr. President, I rise today to commemorate an outstanding Coloradan who made the ultimate sacrifice for all of us: Navy Petty Officer 2nd Class Danny Philip Dietz, Jr.

Petty Officer Dietz was a native of Littleton, CO, and was a member of the Navy's elite fighting force, the SEALs. He was killed in Afghanistan after an unsuccessful rescue attempt. He was just 25 years old about to embark on his fifth year of service to our Nation.

Petty Officer Dietz, D.J. to his friends and family, joined the Navy in 1999 after graduating Heritage High School where he played football. Serving his country as a Navy SEAL was Petty Officer Dietz's dream. He spent his spare time in high school swimming and building his strength to make him a better candidate for this elite program. He spent years in training to become part of a specialized SEAL reconnaissance team.

In doing so, Danny Dietz took his first step toward becoming a hero for America.

When Petty Officer Dietz left for his most recent deployment in April out of Virginia Beach, just a few hours from where we are tonight, he told his wife that he was going to do something special for his Nation. He did for all of us, including one of his fellow soldiers who was rescued from those Afghan mountains, where Petty Officer Dietz was lost to us.

Matthew 5:9 teaches us, "Blessed are the peacemakers, for they shall be called sons of God." Petty Officer Dietz brave actions overseas are the kind of heroism of which you should be extraordinarily proud and to which all aspire. Petty Officer Dietz's service to the people of the United States is a gift for which we are all profoundly grateful and will never forget.

Petty Officer 2nd Class Danny Philip Dietz, Jr. served this Nation with extraordinary courage, honor and distinction in fighting for our freedom and liberties. To his wife Maria and his entire family, I can only offer my deepest condolences at your loss. The thoughts and prayers of an entire Nation are with you.

#### MR. GENE MAY, A BUILDER OF HOMES

Mr. BYRD. Mr. President, it is commonly said that a man is known by his work. For half of a century, Mr. Gene May of McLean, VA, was known by the fine homes he built in the Washington area.

Mr. May, who died recently of lung cancer, was a builder and a developer, who made an important and lasting impact on this busy, ever-growing, and highly transient region. He was a good