ARMY SPECIALIST. LYLE W. RYMER II

Mr. President, I wish to honor one of this country's fallen warriors, a young man that comes from my home State of Oklahoma. Army SPC Lyle Rymer II was making way for freedom in Iraq when he paid the ultimate price.

Specialist Rymer was born in Roland, OK. After graduating from high school, he joined the National Guard to help his family. ''That's what he decided to do,'' his grandmother Bobby Sue Drake said. ''He liked it. He said, 'Somebody's got to defend this country. It might as well be me.' He was a great kid.'' According to his friends, he planned to make a career of the Army and was considering enrolling in Airborne school. Rymer also had a reputation for cheering up fellow soldiers.

Specialist Rymer was serving in Iraq with the 239th Engineer Company, an Arkansas-based National Guard unit. On January 28, 2005, he was guarding an area where engineers were setting up barriers in preparation for the elections. Without warning, he was shot by an enemy sniper and died from his wounds. Army Specialist Rymer is buried at Fort Smith National Cemetery, AR.

Many are left behind who are both proud and grieved at his sacrifice. Specialist Rymer is survived by his wife LaTisha, a 2-year-old son, Sean, and a 10-month-old daughter, Jasmine. He was able to see his newborn daughter during a November furlough.

The loss of Specialist Rymer is one that will continue to be felt as the years pass. He was one who gave more than was required, in life and in death. He sacrificed his own well-being and put himself in harm's way, showing courage that demands our recognition. I am honored to honor him, and hope that I somehow express gratefulness beyond these mere words.

SECURING A LIABILITY AGREEMENT ON PLUTONIUM DISPOSITION

Mr. DOMENICI. Mr. President, I have come to the Senate floor today to make my colleagues aware of an important achievement by the Bush administration to secure an agreement with the Russian Government to ensure that a major nonproliferation program moves forward. This agreement will resolve the longstanding disagreement on liability associated with the construction of Mixed Oxide, MOX, Fuel Fabrication Facility in Russia.

This agreement will permit the U.S. and Russia to move forward with the construction of dual MOX fuel fabrication facilities to turn weapons-grade plutonium into civilian mixed-oxide fuel that can be burned in commercial nuclear reactors. Each side will dispose of 34 tons of excess plutonium.

Today the U.S.-Russian counterparts will agree to the terms of an agreement negotiated during the G8 summit in Scotland earlier this month. It was during this summit in which terrorists attempted to disrupt the meeting by setting off simultaneous explosions in the London subway, killing over 40 innocent victims. This senseless violence underscores the importance of eliminating the possibility, however remote, that terrorists might secure and use plutonium or highly enriched uranium in their acts of terror against civilian or military targets.

As we see the world become more and more dangerous, it is critical that we make progress on reprocessing plutonium into MOX. Black marketers and terrorists would love to get their hands on this plutonium. President Bush has worked hard to engage President Putin on this issue, and as a result of that continuing dialogue there is now an agreement to implement a MOX program.

I am very pleased that this agreement has been made because it will give us a surefire way to dispose of weapons-grade material while at the same time providing economic benefits to both countries. I am hopeful the Russian Duma will take quick action.

This agreement breaks a 2-year diplomatic impasse that has stalled the construction of fuel fabrication facilities in the United States and Russia.

I would like to recognize the efforts of Secretary of State Condoleezza Rice, Under Secretary of State John Bolton, Secretary of Energy Samuel Bodman, and the entire Office of Nuclear Nonproliferation within the NNSA. Both the State Department, which negotiated the diplomatic solutions, and the Department of Energy, which has responsibility for managing the design, construction, and operation of the Nation's first plutonium reprocessing plant, have been exceptional. Both teams have worked hard to realize the ultimate goal of eliminating 34 tons of weapons-grade plutonium from each of the U.S. and Russian stockpiles.

Over the past year I have pressed the Department of Energy and the State Department to resolve the liability issue. Upon their confirmations, both Secretary Rice and Secretary Bodman have committed their full support, and they should be proud of their early success.

The effort to address the elimination of excess weapons-grade material has been under consideration for over a decade. President George Bush's term initiated the earliest efforts to identify excess weapons-grade material. Over the next decade, the Clinton administration worked with then-President Yeltsin to consider options for eliminating excess material.

In 1994, the National Academy of Sciences', NAS, report on the ''Management and Disposition of Excess Weapons Plutonium'' found that excess material constituted a ''clear and present danger.'' That same year a joint DOE–DOD review found that 38.2 metric tons of plutonium and 174.3 metric tons of highly enriched uranium were surplus to U.S. defense needs. A programmatic environmental impact statement was undertaken to evaluate options for disposal of this material.

In 1995, U.S. and Russian experts met at Los Alamos to provide recommendations on plutonium disposition. Since those early meetings the labs have contributed a considerable amount of time and effort to support this initiative. In fact, Los Alamos prepared the plutonium that is being used as the initial test fuel assembly currently being burned in the Catawba reactor owned by Duke Power.

In April 1996, at the Moscow Nuclear Safety and Security Summit, it was determined that irradiating plutonium as part of a mixed oxide fuel in commercial reactors and vitrification are appropriate strategies for disposal.

In June 1997, the Independent Holdren-Velikhov Commission issued a final report recommending a disposal pathway identified at the Moscow Summit. The report is a joint U.S. and Russian National Academy of Science review.

In July 1998, the U.S. and Russia signed a Scientific and Technical Cooperation Agreement that provides for a joint, small-scale test of disposition pathways. This agreement also provided a 5-year liability agreement between the United States. and Russia for coverage of U.S. workers in Russia that expired in July 2003.

In September 1998, President Clinton and President Yeltsin entered into a bilateral plutonium disposition agreement.

In October 1998, I included $200 million in ''emergency'' funding dedicated entirely to plutonium disposition to demonstrate to Russia the firm U.S. commitment to plutonium disposition. This funding persuaded Russia to enter into serious negotiations. Today, $150 million of those funds remains available for use to initiate construction.

That same month, G8 members established the Multilateral Plutonium Disposition Group and committed to international financing of the Russian plutonium program. As of January 2005, total pledges from the U.S., U.K., Canada, Japan, Italy, and France total $865 million. I am confident that with the liability issue resolved additional funding will be made available to support the Russian effort. The U.S. will fulfill its commitment to build the U.S facility on it own.

In March 1999, the U.S. awarded the MOX facility contract to Duke Cogema Stone and Webster—DCS—to design the U.S. MOX Fuel Fabrication Facility. In August, DOE awarded a contract to design the Pit Disassemble and Conversion Facility.

In January 2000, DOE issued a Record of Decision on locating the pit conversion and fuel fabrication facility at Savannah River, SC.

In September 2000, the United States and Russia signed the Plutonium Management and Disposition Agreement, which calls for each country to dispose of 34 tons of weapons-grade plutonium

in parallel. It was agreed that construction would begin by 2003. Unfortunately, one item left unresolved in that agreement was the question of liability protection for the U.S. for work performed in Russia.

In January 2001, the Bush administration began a year-long review of all nonproliferation programs with Russia. During this review, the contracting team submitted a construction authorization request to the Nuclear Regulatory Commission for approval.

January 2002, the administration decided to pursue a MOX-only pathway and put an end to further work on a vitrification program.

In September 2002, MINATOM, the Russian counterpart to the Department of Energy, agreed to use an identical design of the U.S. proposed MOX facility.

In July 2003, the temporary 5-year limited liability coverage provided under the 1998 Science and Technical Cooperation Agreement expired.

In February 2004, without a formal agreement on liability, the U.S. announced a delay in the program. Plans to initiate construction in May 2004 were delayed until May 2005.

August 2004, the Russians begin site characterization work at the Siberian Chemical Combine in Seversk, Russia, as a location of the MOX facility. The site has been cleared and is awaiting construction. Unlike the Savannah River site, which has a year-round construction season, the Seversk site is limited to work in the summer.

In September 2004, Los Alamos shipped 125 kilograms of surplus plutonium to France for fabrication into MOX fuel assemblies for a test burn in a commercial U.S. reactor. This activity is undertaken in France since the design of the U.S and Russian fuel fabrication facility is identical to the French facility that is currently reprocessing spent commercial fuel for European and Asian customers. The shipments between the U.S. and France occurred without incident and the lead test assemblies are now being used in the Catawba reactor owned and operated by Duke Power.

In December 2004, the engineering team completed the licensable design of the U.S facility, and the NRC awarded the construction permit for the U.S. facility in March 2005.

On April 20, 2005, the U.S. offered a new liability agreement that was ultimately accepted by the Russian Government in July 2005. It took several months of intense lobbying to pressure the U.S. interagency process to produce a liability agreement that was not identical to the liability terms provided under the Cooperative Threat Reduction Agreement.

On July 19, 2005, the United States and Russia agreed to the terms of a final liability package. This agreement must go to President Putin to be drafted and published as a Presidential decree. Once circulated, Secretary Rice and her counterpart in the Ministry of Foreign Affairs will officially sign the agreement, which will then go to the Russian Duma for ratification.

Once this document is signed by Secretary Rice, the Department of Energy will move forward with a site clearing activities in Savannah River, SC, with construction to commence in fiscal year 2006.

I am proud of the fact that two different administrations have followed through on this bilateral initiative, and we are now approaching another critical juncture. Following a decade of successful and numerous scientific, environmental and regulatory reviews, we are at a stage where it is important that Congress maintain an adequate and reliable level of funding to complete construction.

I am aware of the fact that the House and Senate Armed Services Committees have reduced funding for MOX construction but have preserved the funding within other nonproliferation accounts. I am hopeful that during the consideration of the Senate defense authorization bill, Chairman WARNER and Senator LEVIN will agree to restore the funding back into the MOX construction accounts.

In addition, I am hopeful that I will be successful in convincing the House to restore critical funding that was eliminated from the MOX construction program. Of the $360 million requested for construction, the House only provided $35 million. Failure to provide adequate funding would undermine a decade of cooperation between the U.S. and Russia and do nothing to reduce the amount of excess plutonium.

If we are unable to fully fund the construction program and keep the project on track it will prevent the U.S. from consolidating plutonium across the weapons complex and could result in a $100 million per year penalties to be paid to the State of South Carolina as mandated in the Fiscal Year 2003 National Defense Authorization Act. We have come too far to not complete this project.

I have believed in this initiative from the beginning and believe we can do more to reduce the threat from nuclear proliferation. I am committed to seeing additional resources be used in securing Russian warheads beyond the reach of terrorists. I am committed to strong enforcement by the U.S. or International Atomic Energy Agency, IAEA, to break up the nuclear black market, where nuclear technology and scientific expertise can be bought for a price.

The stakes are too high and the price too great to consider anything but an aggressive effort by the U.S. and our global partners to prevent the spread of nuclear material.

SENATOR GAYLORD NELSON MEMORIAL SERVICE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the transcript from Senator Gaylord Nelson's memorial service in Madison, WI, be printed in the RECORD.

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

GAYLORD NELSON'S MEMORIAL SERVICE, JULY 13, 2005, WISCONSIN STATE CAPITOL

Performance of ''Glorious Things of Thee are Spoken''—Clear Lake High School Brass Quintet

William H. Meadows: That hymn, by Haydn, was performed by the brass quintet from Clear Lake High School, directed by Mike Larson. Their participation is quite appropriate, since Gaylord Nelson, whom we honor today, played trumpet in the Clear Lake High School band. To hear him tell it, he did not play it very well. (Laughter.) Later in life, Gaylord learned that he was on the enemies list of the Nixon White House, but was puzzled about what he could have done to become a Nixon enemy. ''Maybe he heard me play the trumpet in the Clear Lake band,'' Gaylord said. (Laughter).

Good afternoon, I'm Bill Meadows, I'm president of The Wilderness Society and today I have the honor to pay tribute to my friend and colleague, Gaylord Nelson, and introduce others who knew and loved him well. We are here to testify to the incredible mark he left on all of our worlds. Joining us today in celebrating Gaylord's life, of course, are Carrie Lee Nelson and the Nelson family; Governor and Mrs. Doyle; Senator Kohl; Senator Feingold; Senator Bayh; Senator Bingaman; Senator Biden; Senator Abourezk; Representative Obey; Representative Petri; Representative Baldwin; Representative Kind; Representative Moore; Representative Kastenmeier; Representative Baldus; Vice President Mondale; former Governors Lucey, Schreiber, Earl, McCallum, and Mrs. Reynolds; Lieutenant Governor Lawton; Attorney General Lautenschlager; Treasurer Voight; Superintendent Burmaster; members of the Wisconsin Legislature; members of the Wisconsin Supreme Court; and citizens of Clear Lake, Wisconsin.

The story about the Clear Lake band is typical Gaylord. Gaylord—the Governor, the United States Senator, the founder of Earth day—was an irrepressible raconteur. But of the many accolades he received in his lifetime, I think this man, the father of the modern environmental movement, would want to be remembered first for being a good husband and father to the family he cherished. I'd like to take a moment to recognize Carrie Lee, Gaylord's beloved wife of 57 years, whose unwavering support meant so much to him, not the least of which was that he always had a good audience. And his three children, Tia, Happy, Jeff, and their spouses, and his grandchildren. (Applause.)

Gaylord joined The Wilderness Society family 25 years ago, serving as our counselor and special convener of after-hours, post-board meeting poker games.

For the last nine years, I have had the pleasure of working a few doors down from his office. However, my relationship with Gaylord began in 1970, when Earth Day motivated me to get involved in environmental issues. One thing led to another and the rest, as they say, is history. I now have the privilege of working every day to protect America's extraordinary wilderness, using the Wilderness Act of 1964, just one of the many remarkable laws Gaylord Nelson co-sponsored during his tenure in the Senate.

Recently, Congress saw fit to pay respect to Gaylord with a wilderness area named in his honor, a place that he always felt was part of his very blood and bones. This beautiful State of Wisconsin, the Gaylord A. Nelson Apostle Islands Lakeshore Wilderness, will forever protect the wild lands and wild