

she was a young girl. She is married. She and her husband were unable to bring a child into this world. They went to the doctor and said: Could in vitro be the answer? The doctor said: We can try.

They spent \$40,000 trying unsuccessfully. Heartbroken, they went home and waited and saved up enough money and borrowed enough money to try again, and they were successful. They have a beautiful baby whom they love to pieces.

They went to those extraordinary lengths because of their love for one another and their desire to bring life into this world together. I cannot believe there is anything immoral about that motive or that effort by this couple and hundreds or thousands of other couples across America.

The Senator from Kansas knows and I know that in the course of in vitro fertilization for these good reasons, there will be stem cells that are not going to be used to impregnate the woman who is seeking to have the baby. Some of them are frozen for future use, many are currently discarded. If the argument from the Senator from Kansas is that they are life and, therefore, cannot be used for research, then I can't understand why the Senator is not calling for the criminalization of in vitro fertilization which necessarily leads to excess stem cells.

Mr. BROWNBACK. Mr. President, I will be happy to respond.

Mr. DURBIN. Without my yielding the floor.

Mr. BROWNBACK. If I could, Mr. President, and I thank my colleague from Illinois for engaging in the debate because I think that it is a debate that we have needed for a long time.

It appears we have agreement that life does begin at conception. Senator KERRY campaigned on that running for President.

I presume my colleague from Illinois agrees similarly. Others have argued, yes, an embryo is alive but it is not yet a life.

To say that a young human embryo is alive, but it's not yet a life, seems to be a bit of a legal fiction—if we are going that route. A young human embryo is biologically and genetically distinct. It is a separate entity. It is alive. It should be treated as either a person or a piece of property.

My colleague may know that in some countries in Europe on this IVF procedure, they are very careful about the number of eggs that can be harvested and fertilized before they are implanted. I think that would be a good process for us to pursue and to look at so that it is not a huge multiple set of lines but a much narrower group that are created—so that they are treated with the dignity and respect that life should merit and that life should have.

I think my colleague from Tennessee was saying this since he obviously referred to the entity in question as a nascent life. So let us look at that and let us start going at those areas. Would

you try to lead to criminalization, and I recognize that may be a good point in the debate but that is not anywhere near where we are today. Let us begin with the young humans with respect and dignity that life merits.

Mr. DURBIN. If I could reclaim my time and respond, and then I would respond to a question from the Senator from North Dakota. The point I am making to the Senator from Kansas is—and I think probably Senator FRIST, even as a medical doctor, would say that we struggle to figure out at what moment this is life. When we are dealing with the sperm and semen and the ovum, are they live cells? Certainly, they are live cells. There is life in those cells. If they were not, they would have no value in this process.

So to say there is life in the cells does not necessarily say we are dealing with a person. At what point does this become a person? This has been debated for as long as humans have been on Earth.

The point I am trying to make is I believe we should protect life, but we better be careful that in protecting life we are not avoiding our responsibility to protect the living. What Senator FRIST is suggesting—I do not want to put words in his mouth. What I believe is that stem cell research helps us to protect the living.

I yield to the Senator from North Dakota for a question.

Mr. DORGAN. I looked forward very much to having a debate on stem cell research in the month of July. It now appears that that will not be the case. Nonetheless, I compliment the Senator from Tennessee, the majority leader, on his statement this morning.

I did want to make this point and ask a question of the Senator from Illinois. Is it not the case that those unused frozen embryos at in vitro fertilization clinics can become one of a couple of things? First and foremost, at the moment when they are unused and discarded, they become hospital waste. Second, and importantly, they can, if used in stem cell research, be used in the important medical research to preserve and to save lives.

I say to my colleague from Kansas, I have lost a daughter to heart disease—many of us have lost loved ones. I will never, ever, on the floor of this Chamber, be a part of those who wish to shut down promising medical research, especially when the ability to provide that research comes from embryos that otherwise would become hospital waste.

My colleague from Illinois asked the pertinent question, and perhaps when we have this debate some day we will have a greater description of that, but if in fact that is a human life which is now thrown in the waste basket as hospital waste, unused embryos that are discarded, if in fact that is a human life—it is not, by the way—should the destruction of that as hospital waste not be treated criminally? That would be the logical extension of some of those who are on the Senate floor wish-

ing to shut down this promising area of research.

My hope is that we can thoughtfully, with ethical guidelines, proceed with research that is pro-life, that will save lives, that will give a lot of Americans greater hope for the future who suffer from dreaded diseases. I look forward to this debate. I wish very much it had been in the month of July, but nonetheless we will have this debate. When we do, I hope we will have a full and open discussion about it and advance the cause of saving lives in this country and around the world.

Mr. DURBIN. If I could, I will say very briefly in response, I am disappointed that we did not resolve this issue favorably in the month of July in the Senate, but I am heartened by the statement made by the majority leader today. It is my belief that we have set the stage to return in September and take up this important lifesaving issue, with a critical bipartisan debate on the Senate floor, for the good of medical research and to bring hope to a lot of people who watch every move we make on this issue.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. FRIST. Mr. President, first, I appreciate the comments of my colleagues and the distinguished Senator from Kansas, really all of my colleagues who have spoken. This is a very important issue that we will come back and address, and I appreciate their comments.

#### PROVIDING FOR CORRECTION TO ENROLLMENT OF H.R. 3

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H. Con. Res. 226, which corrects the enrollment of H.R. 3; provided further that Senator BAUCUS be recognized to speak for up to 8 minutes, and following his remarks, the concurrent resolution be agreed to and the motion to reconsider be laid upon the table without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 226) providing for a correction to the enrollment of H.R. 3.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I rise to address an issue of critical importance to my constituents in Montana. Early this morning, in the dead of night, the House of Representatives took an extraordinary action to delete a common-sense provision in the transportation conference report that would have reopened the runway at Malmstrom Air Force Base in Great Falls, MT. I am sorry the House acted as if it knows what is best for Great Falls, MT.

I cannot possibly put into words my outrage for the extraordinary action that the House took early this morning. My amendment would have opened the runway that is in the heart of Malmstrom Air Force base, which is active, healthy, and vibrant. Malmstrom is located outside of Great Falls, MT, and is a highly secure missile facility, employing the largest number of security forces in the entire U.S. Air Force.

Currently, the roadways and the infrastructure of Great Falls are strained due to the frequent crosstown movement of heavy cargo and equipment during deployments of the 219th and the 819th Red Horse Squadrons of the U.S. Air Force and National Guard. They must travel from Malmstrom to the other side of town on a congested roadway in the middle of town to fly out of a municipal airport. The Montana Air National Guard conducts all of their missions out of the same municipal airport.

This amendment would have enabled those units to deploy from a runway within their secured perimeter. Despite the mischaracterization of the House, this provision would not overturn a BRAC decision, nor would it influence the current BRAC round. It could not. Malmstrom is not on the BRAC list. The amendment was drafted, discussed, and deliberated in the light of day, agreed to by the relevant committees and conferees.

I was also pleased to have worked with the chairman and ranking member of the Armed Services Committee, as well as the conferees of the highway bill, all of whom accepted this amendment. To now have the House of Representatives cut this provision in the dead of night is an outrage.

My amendment would have simply provided a commonsense solution to a local problem. Local elected officials, civic leaders, the U.S. Air Force, and the National Guard have all requested that I find a way to open the runway at Malmstrom. Senator BURNS and I are dedicated to making this commonsense solution happen. But I cannot allow the highway bill to be a victim of the House's actions after the countless hours I have spent making sure it is right for America and right for the State of Montana.

The House actions in the dead of night have put in jeopardy our national highway bill. This bill will pump more than \$2.3 billion into my State economy, and I am proud of this bill. It will help sustain and create more than 18,000 jobs and boost safety on Montana's roads. I dare say that very few in this Congress have worked harder to get this highway bill across the finish line than has this Senator. I will not give up the fight to reopen Malmstrom's runway. I have given it my best, but I cannot, in good faith, derail this important bill for the country at this late hour. My colleague from Montana, Senator BURNS, and I will continue to work to find another way to make this happen.

This action by the House shows how important was the Founders' genius in creating the Senate, where States with real needs but small populations, such as Montana, have their champions. I will never apologize for fighting for Montana.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the concurrent resolution is agreed to and the motion to reconsider is laid upon the table.

The concurrent resolution (H. Con. Res. 226) was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF THE INTERIOR,  
ENVIRONMENT, AND RELATED  
AGENCIES APPROPRIATIONS  
ACT, 2006—CONFERENCE RE-  
PORT—Continued

Mr. BURNS. Mr. President, I would inquire of the Chair the order of business now is the Interior conference report; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. BURNS. Mr. President, I am pleased to bring before the Senate the conference report of Interior, Environment and Related Agencies for fiscal year 2006. This bill provides more than \$26 billion for the Department of Interior, the Environmental Protection Agency, the U.S. Forest Service, the Indian Health Service, and a number of other agencies that play vital roles in protecting our Nation's natural and cultural heritage.

Confereing this bill with the House was not an easy matter, to say the least. The bill, as a whole, is close to \$600 million below the fiscal year 2005 level. Our conference allocation was \$50 million below the Senate's original allocation, and we have had to shoehorn both House and Senate priorities into that reduced amount. To hit our number, we had to eliminate or reduce a number of items in the Senate bill that I would have preferred that we had kept. I suspect the House has similar feelings about some of their priorities, but we made these choices in as fair a manner as possible, both from the House and Senate perspective and the majority and minority perspective.

Lest I sound too negative, let me be clear that there are some good things and important things in this bill. We improved upon the budget request in a number of places, such as tribally controlled schools and Indian schools and hospitals and the community colleges that are located on our several reservations across the country. We have increased funding for our national parks.

We preserved funding for local park programs. As my colleagues know, that was zeroed out. We have boosted funding for a number of Forest Service programs that received pretty rough treatment from the White House in their budget request.

This bill also provides an additional \$1.5 billion for veterans health care, funding that is sorely needed to ensure that our veterans receive the kind of care they so richly deserve. Given the continued sacrifices being made by our men and women fighting in Afghanistan and Iraq, it is an honor to have the Interior bill serve as the vehicle for this critically important funding.

Finally, I want to thank my ranking member, Senator DORGAN from North Dakota. Not only are we neighbors in our home States, but we are neighbors here also and work in cooperation. Without his leadership, we could not have completed this bill. He has been a tireless champion for the tribally controlled community colleges and Indian health care and a number of other programs in this bill. Throughout the conference report, there is ample evidence of his hard work and his advocacy.

Let me also thank the majority and minority staffs of the subcommittees. I do not think we thank our staffs enough. They work long hours, crunching numbers, getting them to balance, and working to figure out where do we take what and put it where. They have been working for weeks producing this bill and then just several hours to produce this conference report. Conferencing with the other body is no easy matter, and I appreciate the staffs' work to get us to this point.

I urge my colleagues to support the conference report so we can devote our attention to other spending bills that await us. We have a great deal of work yet to do on appropriations bills, so I am quite happy to get this one out of the way.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I thank my colleague from Montana.

DRU'S LAW

Before I comment on this piece of legislation, let me mention that last evening we passed a piece of legislation called Dru's Law, that deals with sexual predators. I did not say, and I should have last evening, that Senator DAYTON, Senator COLEMAN, Senator CONRAD, and others were cosponsors. But especially, although I mentioned Senator SPECTER, I did not say that ARLEN SPECTER from Pennsylvania played a very significant role. I want to make sure the Senate and the American people understand that Senator SPECTER played a very significant role, not only being an original cosponsor with me of Dru's Law, but also allowing it to pass the Senate last evening. I thank him for his wonderful leadership.

This Interior appropriations bill was a hard bill to get done because we have