



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 153

WASHINGTON, WEDNESDAY, SEPTEMBER 19, 2007

No. 139

## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, You promised that those who passionately seek You will find You. So we fervently ask for Your presence. Deliver us from worries and distractions that hinder our pursuit of You, and guard our hearts and minds with Your peace.

As frail children of time and fate, we are lost without the wisdom of Your providence. Speak to our leaders and draw them into intimacy with You. Remind them that neither death nor life, angels or principalities, powers or things present or things to come, heights or depths, can separate them from Your love. Rescue them from misplaced priorities that major in minors and minor in majors. Keep their minds alert and their hearts at full attention as they wait for the unfolding of Your will.

We pray in Your hallowed Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate.

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 19, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. CARDIN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, this morning, following any time used by me or Senator MCCONNELL, the Senate will resume debate on the Department of Defense authorization measure and then have a period of 1 hour to discuss the Specter-Leahy habeas corpus amendment prior to a vote to invoke cloture on that amendment. Members have until 10 o'clock this morning to file any germane second-degree amendments to this pending amendment.

Yesterday, there were discussions with respect to restructuring—I should not say restructuring, structuring the debate format for these Iraq amendments and the Defense authorization bill. Our staffs have been working. We hope something can be worked out.

Additionally, other Members have amendments on various topics dealing with the Defense authorization bill. We hope we can get a process going where we can move through these as rapidly as possible. I announced yesterday we would vote no later than 10:30 a.m. this Friday because of the Jewish holiday which begins at sundown, and some

Members need that time to fly to their homes to be ready for Yom Kippur, which starts, as I indicated, at sundown. We also are going to have a vote at noon on Monday. Everyone should be aware of that. It is not going to be a judge's vote, it is going to be an important vote. I am well aware of the many scheduling issues facing Senators, but we have much work to do prior to the scheduled Columbus Day recess. We have to extend a number of bills because of the fiscal year ending, so I encourage Members to be mindful of the schedule and need for flexibility.

I ask unanimous consent the distinguished Senator from Oklahoma be allowed to speak for up to 7 minutes on an issue dealing with the war in Iraq, a fallen soldier, and that time not be taken away from the debate on the habeas corpus amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### RECOGNIZING THE FALLEN

Mr. REID. These remarks are so important. I have had the duty—I feel it is my duty—to call home and speak to 55 mothers and fathers and husbands and wives and children of Nevadans who have died in the war. It is a difficult situation. I last week talked to a grandmother whose 19-year-old grandson committed suicide a week after he went back for his second tour of duty. He killed himself in Iraq. These are real difficult situations. I know how strongly Members feel. So I certainly appreciate the feeling of the Senator from Oklahoma.

Mr. INHOFE. Mr. President, first, I thank the majority leader for his comments. It will be my intention, after I conclude my remarks concerning a fallen marine, that the floor be given to the Senator from South Carolina, Senator LINDSEY GRAHAM, for a period of approximately 15 minutes.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S11687

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

### HONORING OUR ARMED FORCES

CORPORAL JEREMY D. ALLBAUGH

Mr. INHOFE. Mr. President, today I rise to remember the life of one of America's heroes, Marine CPL Jeremy David Allbaugh. Corporal Allbaugh came from Luther, OK, and graduated from nearby Harrah High School. Before graduating, he was chosen to be a U.S. marine, becoming a member in the 1st Battalion, 4th Marines. Tragically, Jeremy died on July 5, while conducting combat operations in Al Anbar Province near the city of al-Qa'im, when his humvee was struck by an improvised explosive device.

There are no words that can truly express the dedication and selflessness of this young marine. There are no words that can adequately convey our thoughts for their loss to his family, who are here with us today. They have given everything to our country, something many find it difficult to comprehend and a sacrifice fewer will ever face. But I will say these words so as to honor Jeremy's last request, a request which America will always oblige her heroes, which was: "Remember me."

Before deploying to Iraq with his Marine unit, Jeremy had a conversation with his brother, Army 2LT Jason Allbaugh, in which Jeremy made two simple requests. He said: If something happens to me, do me a favor. Jeremy said: Do two things for me. Take care of mom and dad, and remember me.

Jeremy, today we do that. We remember your life of service and thank you for giving the ultimate sacrifice in defense of our Nation.

Growing up, Jeremy seemed destined to become a marine. His brother Jason—and I visited with him—said as far back as he could remember, Jeremy wanted to be a marine. Most kids had the conventional costumes on Halloween but not Jeremy. He wore fatigues. Jeremy also wore a camouflage backpack to school. His dream became reality 3 years ago when, 2 months shy of his 18th birthday and prior to graduating from high school, Jeremy joined the Marine Corps. His father Jon and his mother Jenifer, seeing how much Jeremy loved his country and his desire to serve, supported his decision and gave their permission.

That decision could not have been an easy one. All parents can understand their concern, especially parents of our servicemembers who face the possibility that their son or daughter could see combat in Iraq, Afghanistan or anyplace else in the world. Although their concern was great, I am sure it was surpassed only by the enormous pride they felt for their son Jeremy.

Jeremy, driven by a sense of duty, was willing to leave the comfort of his family and friends and the life he knew and answer the call for his country. Jeremy arrived in Iraq this past April.

Jenifer said in Jeremy's weekly phone calls he gave the family a much different picture of what was going on in Iraq compared to what was being reported in the media. There were a lot of good things being done there, Jeremy told his family. There were Neighborhood Watch programs, new schools, hospitals, clinics being built in the area where he was assigned. I know this is true because I was there when Jeremy was there, and I saw this for myself in some 15 trips to the area of operation in Iraq.

When asked how the local Iraqi people treated the marines, Jeremy was upbeat. "They appreciate what we do," he said. Jeremy believed in the positive changes he saw happening in Iraq, and he loved being a part of it.

Jenifer wishes so desperately that the American people knew and understood the sacrifices of our men and women in uniform. She hopes that more people will start to talk firsthand to our troops who are over there, not only to politicians in Washington. I, too, wish more people would talk to our troops who are over there and see their pride, their courage, their sense of honor and duty. Jeremy exemplified these qualities.

Maybe that is why Jenifer wishes people would talk to the troops, because she knows they would be talking to men and women similar to her own son.

Similar to so many of America's fallen heroes, Jeremy was young, only 21-years-old, when an IED took his life. Jeremy joined the Marine Corps after 9/11 and after the beginning of Operation Iraqi Freedom. He knew what it meant to serve. He knew what it meant to be a marine. He knew what chances he was taking. Jeremy's courage and selflessness are common for someone of his young age serving over there. Perhaps Jeremy's last wish, the wish that he be remembered, was his most selfless act.

When we remember Jeremy, we remember that which is great about our country, and his death will force us to remember the sacrifices of those throughout our history who have given their lives in defense of the Nation. We remember; we will always remember.

Rev. Jeff Koch, Pastor of the First Christian Church of Blackwell, OK, where Jeremy was honored before being laid to rest, said Jeremy "paid the ultimate sacrifice so tonight we can sleep easy."

I, too, believe this. Because of Jeremy's sacrifice, America can sleep easier. But I will rest easier knowing Jeremy lived and that, though they are rare, men and women similar to Jeremy are out there right now, protecting our lives and freedoms and our liberties. In this long war against terrorism and tyranny, America will continue to rely on men and women such as Jeremy, men and women who have been called to duty, men and women willing to put service before self.

We remember the life of Jeremy David Allbaugh, a marine, a friend, a

brother, a grandson, and a son. We remember and pray for his family, father Jon; mother Jenifer; brothers Jason and Bryan; sister Alicia; and his grandparents, John, Dorothy, and Peggy.

Today, on the floor of this great deliberative body and in the annals of our RECORD, we mourn Jeremy's passing and forever honor and remember his life. Jeremy Allbaugh is a living memory to us, of what is great about America.

So we say: Rest easy, Jeremy. Semper Fidelis.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1585, the Department of Defense Authorization Act. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Nelson (NE) (for Levin) amendment No. 2011, in the nature of a substitute.

Levin (for Specter-Leahy) amendment No. 2022 (to amendment No. 2011), to restore habeas corpus for those detained by the United States.

Warner (for Graham-Kyl) amendment No. 2064 (to Amendment No. 2011), to strike section 1023, relating to the granting of civil rights to terror suspects.

### AMENDMENT NO. 2022

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to 60 minutes of debate prior to a vote on the motion to invoke cloture on amendment No. 2022, offered by the Senator from Michigan, Mr. LEVIN, with the time equally divided and controlled between the leaders or their designees.

Who yields time? The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I yield 15 minutes to the Senator from South Carolina.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized.

Mr. GRAHAM. Mr. President, I compliment Senator INHOFE in that moving tribute to a fallen marine.

The issue we have before the Senate is one of great importance to the country. It will affect the future of this bill. It will affect the national security needs of our Nation for a long time to come. It is a bit complicated, but at the end of the day, I don't think it is that difficult to get your hands around.