

will work fine provided we get votes and move along and follow in an orderly process. But if that breaks down, the Senator from Texas has a point, that we need to get some amendments in the queue and try to handle them as rapidly as we can.

Mr. KENNEDY. Mr. President, the Senator from Texas raised probably four or five points that I know of in the course of these discussions. We are familiar with the general subject matter.

If I could have the attention of my colleagues, he had raised probably four or five issues that related to the title II. I listened to him this morning at the breakfast, and he raised a point on title II. So if he wants to, we are prepared to move ahead with the Senator's amendments. We are familiar with the general area. I know there are going to be drafting issues, but we are glad to accommodate that. We don't want the technical aspects to slow the process.

So we are familiar with those subject matters. The Senator could get a hard look maybe over tonight about the particular areas and then talk with us tomorrow, and we will make sure we have the time and that we are prepared to go ahead. We are more than ready to be here. We had a good afternoon. We enjoyed it. We started on it at a quarter to 3 and worked until 6:15. We are prepared to go this evening or tomorrow or tomorrow night or the following night. We are not trying to rush anybody, but we are prepared to do business.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. SCHUMER. Mr. President, I enter this statement in the RECORD in support of the Dorgan-Boxer amendment to strike the temporary worker program from S. 1348. While we certainly should fill jobs for which there is a shortage of American workers, it should be done on specific needs and based on traditional visas. I believe that the introduction of a large stream of low-skilled foreign workers would have a negative impact on the wages of American workers. Finally, I fear that the inherent flaws in this proposed system will, in time, recreate the very same undocumented worker crisis this bill seeks to eliminate. A graduation event for my daughter requires me to be away from Washington, D. C. on the afternoon of May 22, 2007, and regretably prevents me from officially registering my support of the Dorgan-Boxer amendment.●

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. OBAMA. Mr. President, unfortunately, I had to miss today's vote on the Dorgan amendment to strike the new Y visa worker program in the bill. As currently designed, the temporary worker program in this bill is designed to fail.

The program in the bill proposes to create a new 400,000 person annual tem-

porary worker program that could grow to 600,000 without congressional approval. It expands the existing seasonal guestworker programs from 66,000 up to 100,000 in the first year and 200,000 after that. At the end of their temporary status, almost all of these workers would have to go home. That means at the end of the first 3 years, we would have at least 1.2 million of these new guestworkers in the country with only 30,000 having any real hope of getting to stay.

As we have learned with misguided immigration policies in the past, it is naïve to think that people who do not have a way to stay legally will just abide by the system and leave. They won't. The current group of undocumented immigrants will be replaced by a new group of second-class workers who will place downward pressure on American wages and working conditions. And when their time is up, they will go into the shadows where our current system exploits the undocumented today.●

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

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

MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

The PRESIDING OFFICER. The minority leader.

HONORING OUR ARMED FORCES

CORPORAL NICHOLAS J. DIERUF

Mr. MCCONNELL. Mr. President, 2 days ago, family and friends gathered at the Dieruf family farm near Lexington to celebrate a birthday and continue an annual tradition.

If this year was similar to years past, they played games and shared stories around a bonfire. But unlike years past, one man was missing. That man is CPL Nicholas J. Dieruf, a U.S. marine.

Corporal Dieruf was taken from us on April 8, 2004. It is his birthday that brings so many people together, a tradition that started when he was in high school.

Corporal Dieruf was mortally wounded in the Al Anbar Province of Iraq. As the gunner of a light armored vehicle, his vehicle was in the lead of a convey when terrorists attacked with rocket-propelled grenades and small arms. He was 21 years old.

For his valorous service, Corporal Dieruf received numerous medals and awards, including the Purple Heart.

As the youngest of four brothers—where the eldest and youngest are separated by only 4 years—Nich learned quickly how to get along with others.

His mother Barbara sheltered him from the youthful pranks that his brothers, Charlie, Matthew, and Paul, tried to play on him, like when they almost convinced him to swallow an earthworm fresh from their mother's rose bed.

But Charles Dieruf, their father, instilled confidence and self-respect in his sons and reminded them that the only thing you will ever have in life is your brothers. By the time the boys reached grade school, they had developed a respect and admiration for one another that persists to this day.

Nich became especially close to Matthew, the second oldest brother, with a spirit and a temperament much like Nich's. In high school, Matt and Nich would take what they called "fun runs," jogging through the bluegrass countryside. Runs that started as training for the cross-country team soon became what Matt calls "a chance to get out and talk about stuff." Barbara says Nich always looked up to Matthew and valued his advice.

After graduating from Paul Laurence Dunbar High School, in his hometown of Lexington in 2000, Nich enrolled in classes at Lexington Community College that fall. That October, however, he joined the Marines.

That decision was an important step in Nich's transformation, as his older brothers watched the youngest brother who looked to them for advice become the man they themselves would turn to for counsel.

"When Nich was in town, everyone would come around," says his brother, Matthew. "People just gravitated to my brother."

Nich deployed to Iraq for the first time in early 2003 and quickly acclimated to the 14-hour workdays. His commanding officers noted his leadership qualities, and when his platoon commander had to break in a new staff sergeant, he assigned the sergeant to Corporal Dieruf's vehicle, to learn from the best.

The trust Corporal Dieruf's commanders placed in him with this decision became clear when you realize that a staff sergeant is two full ranks above a corporal. Another marine who worked with Nich, SGT Joseph Leurs, had this to say:

Corporal Dieruf was extremely tactful. If he saw me doing something differently than how it was normally done, he would suggest we get a drink, and only then would he propose that I try it another way.

Sergeant Leurs went on to say that Corporal Dieruf earned the respect of those he served with, and never soured on his duties to the Corps.

Shortly before his first deployment, Nich gave a young woman named Emily Duncan a pearl ring—a promise

ring, which he asked her to wear while he was away. Emily Duncan, who would become Emily Dieruf, wore his ring and sent him letters and care packages. When Nich returned from his first tour in July 2003, he asked Emily to replace that promise ring with a wedding band.

The young couple exchanged vows in January of 2004, and on February 18, shared their last embrace before Nich deployed for his second tour in Iraq. In a note Nich sent to Emily from Iraq, he described why he was honored to wear his country's uniform: "If you could see what I see, and compare it to back home," he wrote, "you would see why we are needed."

He was a loving, caring marine who believed deeply in what he was doing, his wife Emily says. Nich was especially proud of the work he and his fellow marines were doing for the Iraqi children.

Nich, who had demonstrated his gift for taking things apart and putting them back together as a boy, planned to enroll in the University of Kentucky's engineering program when he returned.

Then came that fateful day in April. Emily wrote Nich a letter and at the end of the day fell asleep. Shortly after midnight, she was awakened by a knock at the door. Looking outside to see a marine on her doorstep, her first thought was that Nich had come home to surprise her, as he had in the past. Tragically, she learned, instead, that her husband had died earlier that day.

Corporal Dieruf was buried with full military honors at Lexington's Calvary Cemetery on Friday, April 16, 2004. Three years later, we continue to honor his life and his sacrifice, and I am very pleased that some of his family and friends have traveled to Washington to meet with me in the Capitol today.

Nich's beloved family members include his wife Emily, his father Charles, his mother Barbara, his brother Charlie, his brother Matthew, his brother Paul, his sister-in-law Katie, his sister-in-law Court, his nephew Charles R. Dieruf, IV, his grandmother Fran, his mother-in-law Jennifer Duncan, his uncle Thomas Greer, his aunt Wilma Greer, his cousin Ashley Greer, and many others. I ask the Senate to keep them in your thoughts and prayers today. I know they will be in mine.

No words we can say today will ease the pain of the Dieruf family or fill the hole Nich leaves behind. But I hope the reverence and respect this Senate shows Corporal Dieruf can remind them that he lived and served as a hero, and his country will forever honor and remember his sacrifice.

Even after his passing, Nich continues to bring his family and friends together, as he has today, as he did 2 days ago at the Dieruf family farm. Perhaps his mother Barbara said it best when she said, "Nich was the glue that held those he loved together."

The bond Nich formed with those who love him is so strong it holds fast

today, and it will bring his friends and family together again, in his memory, year after year.

DRUG SAFETY

Mr. KENNEDY. Mr. President, I wish to address the Senate about a very important subject. Too often it takes a crisis for Congress to take action on a national need. We have had crisis after crisis on drug safety, and yesterday we learned of another. A report published in the *New England Journal of Medicine* showed that the diabetes drug Avandia may increase the risk of heart attacks and death. If further evidence were needed that improving drug safety is an urgent priority, yesterday's report puts the matter beyond doubt. The Senate has approved strong and comprehensive legislation to improve drug safety. That proposal should be taken up by the House and enacted without delay.

Yesterday's report was based on an analysis of clinical trials conducted by a team of physicians and scientists, and I commend them for their skill and perseverance. Why isn't FDA doing this kind of analysis, and why aren't companies required to undertake additional safety tests if there are unanswered questions about their products?

The simple answer is, the FDA does not have the resources to conduct these analyses itself, and it doesn't have the authority needed to require companies to perform them. The legislation the Senate recently approved corrects both of these major flaws.

Our legislation requires FDA to link electronic health care databases to allow for better, faster identification and assessment of safety problems. The bill adds to the fees that drug companies are required to pay and devotes new funds to drug safety.

Unforeseen risks of a drug must be caught as quickly as possible so that effective protections can be implemented before more lives are needlessly put at risk, and our legislation makes that happen.

The *New England Journal* recommended a large prospective trial as the best way to get the answers we need. FDA should have clear authority to require such trials, and our bill provides it.

Some trials studied in the journal report were included in a registry that Glaxo voluntarily maintains. The Senate bill requires the results of clinical trials to be made available to the public in a single, easily accessible database. That will help patients get information about the medicines they take, and it will help scientists identify drug safety problems faster.

Information alone is not enough to protect public health. FDA needs the authority to take action where needed. Right now all FDA can do after approval is request a labeling change or request a medication guide or request patient labeling or request a review of drug advertising. Safeguarding the

lives of American patients should not have to depend on requests. Our bill gives the FDA the authority to require those measures and impose civil monetary penalties to enforce them.

Our legislation will make FDA, once again, the gold standard for protecting public health. It should not take a new crisis to bring Congress to act. I look forward to working with our colleagues in the House to see that this legislation is signed into law without delay.

TRIBUTE TO BETH SPIVEY

Mr. LOTT. Mr. President, I would like to take this opportunity to bid farewell to my senior legislative assistant, Beth Spivey, who is departing my staff after almost 10 years of outstanding service to the people of Mississippi and the Nation.

Beth has been an integral part of my personal office staff for so many years and we will genuinely miss her when she leaves. She joined my staff as an intern during the summer of 1997 and never left, starting as an employee that September. From the beginning, she demonstrated exceptional skills and confidence. Starting as a legislative correspondent, she showed that she could handle a large volume of mail, promptly answering all letters with well thought out responses.

Beth was eager to learn the substance of large and small issues alike, and it was only a matter of time and an available opening on my staff before she was ready to move up to serve as a legislative assistant. She proved herself adept at handling a range of issues with skill and efficiency; from transportation to telecommunications, and from energy to the environment. She understands the key concerns, organizations, and people for her issues and knows how to bring them together to find common ground in order to advance legislation to become law.

It is the latter quality that I found so valuable in Beth. As my colleagues know, I care about the Senate being productive in matters that are resolvable. While there will always be issues that define the differences between the political parties, the vast majority of bills can be worked out with a minimum of contested votes, or none at all, if Members and their staffs are willing to work hard to reach an agreement. Beth has the skills and the desire to move bills through the legislative process to enactment, sometimes negotiating two or more bills moving through the process at the same time.

Beth excels at multitasking. It has not been uncommon for her to simultaneously work on the highest priority bills of the Commerce, Science, and Transportation Committee and the Energy and Natural Resources Committee. This skill was evident early on as she planned her Mississippi wedding from Washington while working a rigorous schedule. Whether I was chairing a surface transportation subcommittee or an aviation subcommittee, Beth was