

# RECOGNITION OF THE MINORITY LEADER

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

## FISA

Mr. MCCONNELL. Mr. President, let me respond briefly.

I think it is a little early in the session to begin the finger-pointing. We have here—I had hoped—a good, sort of bipartisan start to the session. The facts are that we have a bill before us, the Rockefeller-Bond bill, that we know will get a Presidential signature and protect the homeland. That is before us. We have an opportunity, on Monday, by invoking cloture, to pass a bill that we know will become law.

So I hope we do not sort of get back into the pattern that sort of underscored the early part of the first session of the 110th of just sort of endless finger-pointing and game-playing. I filed a cloture motion because I knew this was a bill that would get a signature. This is something that could become law. And if the House acted rapidly, it would become law before the deadline—a great bipartisan accomplishment.

We have that opportunity Monday. I hear my good friend and counterpart saying cloture will not be invoked, so I assume it will not be invoked. But I think that is a great mistake. This would have been a wonderful way to begin the session with a high point of bipartisan cooperation.

## HONORING OUR ARMED FORCES

CORPORAL JOSHUA M. MOORE

Mr. MCCONNELL. Mr. President, I rise to speak about a young Kentuckian who was taken from this world entirely too soon. CPL Joshua M. Moore of Lewisburg, KY, was lost in Baghdad while serving our country. He was 20 years old.

In the early morning hours of May 30, 2007, Corporal Moore was driving a humvee when an improvised explosive device set by terrorists went off. The force of a 55-gallon drum of homemade explosives overturned the humvee and tragically took Corporal Moore's life.

For his valor in uniform, Corporal Moore received numerous medals and awards, including the Bronze Star Medal and the Purple Heart. His family saw him laid to rest in Lewisburg, in Logan County, KY, with full military honors, including a 21-gun salute and a flyover of military aircraft.

Corporal Moore's funeral service was held at Lewisburg Elementary School, where Josh had attended years before and where he returned every time he came home on leave to speak to the young students about his life of service as a soldier.

This remarkable young man, who did not live to see 21, believed it was important to describe the honor of fight-

ing to defend one's country with the young children in his hometown.

"He has set a good example for the young kids around here. A lot of kids looked up to Josh. He will be missed greatly," says his mother, Carolyn.

Josh worried what to say about the reality of war to kids as young as 7 years old. But his father, Seymore, encouraged him to talk about the dedication a soldier must have. He told him to describe the rigorous physical training, the strange new places he saw, and the new friends he made.

After Josh would return to Iraq, the students he had met would write him letters to read the next time he came home. "He sat and read these—every one of these before he went back," said Seymore.

Surely to Carolyn and Seymore, it seems like just yesterday when Josh was a child himself. When he was 3 years old, Josh found his dad's old Cub Scout uniform and wore it all the time. He even insisted on wearing it in his preschool picture—against his mother's better judgment.

After attending Lewisburg Elementary, Josh went on to Lewisburg Middle School and Logan County High School and was a consistently strong student. He played basketball at Lewisburg Middle, became a Babe Ruth baseball all-star, and made the Logan County High baseball team—all despite the fact that, at 5 foot 6, his friends teasingly called him "Little Moore."

As important as sports were to Josh, however, this young man learned early the importance of patience. When he was almost 16, Josh wanted to buy a new car. His parents offered to help pay up to \$500. But Josh had his eye on a neighbor's car, a burgundy Pontiac Grand Am with a \$1,500 pricetag.

Carolyn and Seymore told Josh he would have to come up with the rest of the money, so he quit high school sports and got a part-time job. Two weeks before his 16th birthday, Josh approached his parents and slapped \$1,000 onto the coffee table. He said, "Here is my part. Where is yours?" That Grand Am was his by his 16th birthday.

Josh graduated from Logan County High in 2005 and hoped one day to join the Kentucky State Police. But after working for a short time at a factory, one day Josh came home to his family and announced, "I am the property of the U.S. Government."

"They are going to shave your head," Josh's mother said.

"They have to leave an inch of hair," replied Josh.

His parents were nervous for their son and suggested he try a different branch of the service. A relative in the Navy offered to help.

But Josh was not interested. "Josh wanted to be where the action was," says Seymore, and to him that meant serving as an infantryman in the U.S. Army. "No matter what he did," Carolyn adds, "he wanted to be the best."

Josh did his basic training at Fort Benning, GA, and graduated among the

top 20 soldiers in his class. Of the many things he learned there, one was the ability to say when he had been wrong. And in a letter to his mom, Josh admitted, "I am bald."

Corporal Moore was assigned to C Company, 1st Battalion, 18th Infantry Regiment, 1st Infantry Division, based out of Schweinfurt, Germany. In addition to Germany and Iraq, Corporal Moore saw service in Kuwait.

While in the Middle East, a lieutenant asked Josh's commanding officer who his smartest and quickest soldier was, and the officer said Corporal Moore, thinking Josh would receive an award. Instead, the lieutenant made Josh a radio operator.

At first Josh thought he had been demoted. But his old drill sergeant told him this was an honor, as communications were critical to the unit. After this pep talk, Josh assumed his new role with relish.

The lieutenant who selected him later told Josh's family that when Josh was away on leave, it was hard on the unit because no one else could meet the high standard he set for the job.

This wonderful Kentucky family is in my thoughts and prayers today as I recount Josh's story. He is loved and remembered by his mother, Carolyn Moore; his father, Jeff "Seymore" Moore; his brother, Richard Pierce; his sisters, Carrie Cantarelli and Ashley Moore; his grandparents, Jeanette Rose and David and Barbara Knight; his girlfriend, Amber Miles; and many other beloved friends and family members.

Corporal Moore's funeral service was held at Lewisburg Elementary School, the only place in Logan County large enough to hold the hundreds—hundreds—who came to pay their final respects.

Ronnie Forrest, Josh's pastor for many years, from Lewisburg's Mount Pleasant Baptist Church, expressed best how this young man inspired so many in his short time on this Earth.

This is what he said: Josh "didn't want to die, he didn't intend to die, but he was willing to lay down his life." Pastor Forrest said at the service: "That's what a hero is."

No words that Mr. Forrest could say, I could say, or anyone could say will fill the void in the hearts of Josh's family and friends. But I hope the knowledge that those who knew Josh saw him for what he was—a hero—fills them with pride. And I am proud to recount his story for my fellow Senators.

Today, this Senate expresses its deepest gratitude for CPL Joshua M. Moore's service. He laid down his life for his country, his loved ones, and his young pen pals from Lewisburg Elementary. We will forever honor that sacrifice.

I yield the floor.

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

Mr. REID. Mr. President, I certainly join with my friend from Kentucky in

the respect we show for this young man.

#### IRAQ

Mr. REID. Mr. President, we have lost about 4,000 soldiers in Iraq. Thirty-five thousand have been wounded. About a third of them have been grievously wounded. As we know, about 40 percent of the men and women coming back from Iraq have what is now called—we used to call it, after the Second World War, shell shock. Now they call it post-traumatic stress syndrome.

I just wrote a letter to the Nevada parents of a young man who was killed. I have done that lots of times. I was unable to speak to them, and that is why I wrote the letter. Most of them I try to visit. But the family has been split up a little bit, and it was not possible for me to do that.

Mr. President, I hope we can figure out a way to get our troops home soon. General Petraeus said the war cannot be won militarily, and every day that goes by that is proven certainly so. The Iraqi Government has nothing to move toward a settlement of this situation. There are far too many stories like Josh.

I hope we can work on a bipartisan basis on many matters. We hope, for this package which is coming from the House maybe sometime next week dealing with the stimulus, that we can work on a bipartisan basis. From all accounts I got yesterday, that, in fact, will be the case. Senators BAUCUS and GRASSLEY, who have jurisdiction of 85 or 90 percent of the potential matters that go into the bill, have indicated they are going to have a bipartisan markup next week, and hopefully we can take a look at that piece of legislation in a bipartisan way and get it to the President as quickly as possible. There are many other things we have to work on, on a bipartisan basis, and I look forward to that.

I say with all due respect to my friend—and he is my friend—the Republican leader, that one thing the President has done and done very well these past years is frighten the American people, and it appears we are entering into another zone of frightening the American people. It started a couple of days ago with the Vice President, and the President followed him by a day, and we have the State of the Union coming. It is obvious that this FISA bill—which I hope something works out so it can be passed, but unless there is a way to amend it, it certainly doesn't appear that it is going to be. The President's State of the Union and certainly leading up to it will, again, frighten the American people. The best way to take that away is for the President to work with us. Are we asking for the impossible?

There have been efforts to amend this FISA legislation. In title I, there are probably five or six amendments we would want to vote on. Title II, which

deals with immunity, Senators DODD and FEINGOLD for a long time have said they wish to have a vote on that. That is not unreasonable. Many of us support that. I can't imagine why we can't move forward on that, unless this is something the President wants to ratchet up so that he has something to frighten the American people about on Monday night when he gives his State of the Union, that we are not protecting the American people. We are protecting the American people, just as this young man, Josh, was, whom the Republican leader talked about. I wrote a letter, as I indicated, to the Gaul family a couple of days ago.

We need to enter into a new era of bipartisanship where we are not frightening the American people but we are trying to work with the American people, to move out of some of the areas in which we find ourselves bogged down. I hope this year will allow us to do that.

#### MEASURE PLACED ON THE CALENDAR—S. 2556

Mr. REID. Mr. President, I understand S. 2556 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2556) to extend the provisions of the Protect America Act of 2007 for an additional 30 days.

Mr. REID. Mr. President, I object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

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

#### FISA

Mr. MCCONNELL. Mr. President, just one further observation with regard to my friend's remarks.

The Bond-Rockefeller bill is exactly the way we ought to be doing our business. It came out of the Intelligence Committee 13 to 2. It is supported on a bipartisan basis. It is supported by the President of the United States. We have a product that was carefully negotiated by Senator BOND and Senator ROCKEFELLER, approved by the Intelligence Committee 13 to 2, and supported by the President of the United States. That is my definition of a bipartisan accomplishment. Now the question is, Can we finish the job and get a signature?

This is not about frightening the American people. The American people should be frightened, and remember full well what happened on 9/11. They also remember with gratitude that it has not happened again for 6 years. The reason for it, obviously, is we have been on offense, going after the terrorists where they are, and we have improved our defense.

An integral part of protecting the homeland is the measure before us, carefully crafted on a bipartisan basis, supported by the President of the United States. If we want to finish the job and have a bipartisan accomplishment that all of us can be proud of, the way to do that is to pass this bill, send it to the House, urge them to take it up and pass it, and send it to the President, who awaits it to affix his signature.

I yield the floor.

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

Mr. REID. Mr. President, there is no question that Senator ROCKEFELLER and Senator BOND have worked hard on this legislation. Also, we have had good work from Senator LEAHY and Senator SPECTER of the Judiciary Committee. Senator ROCKEFELLER wants a piece of legislation to pass very badly. He does not support cloture in this effort that is going to take place on Monday because he believes the bill needs to be changed. Just because there is a bill that comes out of committee doesn't mean we shouldn't deal with it here on the floor. Senator ROCKEFELLER is not going to support cloture on this bill on Monday. It is a decision he made, and he has made it because we have not had the opportunity to do things to this piece of legislation that he believes should happen. It is a rare piece of legislation that comes out of one of these major committees that comes to the floor that doesn't require some improvement.

So it is simply unfair to say that Senator ROCKEFELLER and Senator BOND's piece of legislation should go through as if it were written in script on top of some big mountain. It was written in a committee room with a lot of discussion and votes, and some of the amendments passed, some didn't. It came to the floor. We all are happy it came to the floor. But at this time, even Senator ROCKEFELLER believes there should be changes in it, and he will not support cloture, as he told me last night, because he feels it has been handled so poorly by the minority here on the floor.

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

#### FISA AMENDMENTS ACT OF 2007

Mr. BOND. Mr. President, we are on the FISA bill, I believe. Has the bill been reported? Is it before us?

The ACTING PRESIDENT pro tempore. It has not yet been reported.

The clerk will report the pending business by title.

The legislative clerk read as follows:

A bill (S. 2248) to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

Pending:

Rockefeller/Bond amendment No. 3911, in the nature of a substitute.