



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 109<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 151

WASHINGTON, FRIDAY, FEBRUARY 18, 2005

No. 19

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, March 1, 2005, at 2 p.m.

## Senate

FRIDAY, FEBRUARY 18, 2005

The Senate met at 10 a.m. and was called to order by the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia.

### PRAYER

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

Let us pray.

God eternal, we are but transient creatures longing for permanence in the midst of mortality. Yet You made yourself known to us in countless ways. Give us faith to see beyond this life and embrace the hope of immortality.

Make each of us instruments of Your great providence as we strive to bring peace to those in conflict. So move that the work done by our Nation's lawmakers brings the breaking of arrows, the shattering of spears, and the cessation of conflict. God of the ages, slow our hectic lives so we may hear Your still small voice.

And now Lord, as we prepare to honor Presidents Washington and Lincoln this coming weekend, we give You thanks for blessing this Nation with such faithful leaders. President Washington's sacrificial service in a time of great need and President Lincoln's courage in facing tragic obstacles reflect the wisdom that comes from an unwavering faith in Your sovereign grace. God bless this land. We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JOHNNY ISAKSON 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 please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 18, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

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

### WASHINGTON'S FAREWELL ADDRESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from North Carolina, Mr. BURR, is designated to read Washington's Farewell Address.

Mr. BURR. Mr. President, I am honored today to take part in the Senate's annual tradition of reading George Washington's farewell address to the Nation. I am truly humbled to add my name to the list of Senators who have been privileged to read the address.

The address, delivered by Washington in the form of an open letter to his fel-

low countrymen, appeared in newspapers across our young Nation over 200 years ago. Then, as now, we struggle sometimes with Washington's words. We debate meaning and we debate intent, but perhaps our discourse is what Washington himself intended. Our independence and our freedom is, in fact, the source of our strength.

I believe that the address is President Washington's call for Americans to look beyond divisions and to gain strength in our unity of purpose.

Washington's Farewell Address to the people of the United States of America:

To the people of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured, that this resolution has not been taken without strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country—and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect

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



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for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals, that, under circumstances in which the passions agitated in every direction were liable to mislead, amidst appearances some-

times dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently, want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think

and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess, are the work of joint councils and joint efforts—of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The *North*, in an unrestrained intercourse with the *South*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry. The *South*, in the same intercourse, benefiting by the same agency of the *North*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *North*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The *East*, in a like intercourse with the *West*, already finds, and in the progressive improvement of interior communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The *West* derives from the *East* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *West* can hold this essential advantage, whether derived from its own separate

strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value! they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical discriminations—northern and southern—Atlantic and western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourself too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had

a useful lesson on this head. They have seen, in the negotiation by the executive—and in the unanimous ratification by the Senate—of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of government, better calculated than your former, for an intimate Union and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful

and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests. However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions, that experience is the surest standard by which to test the real tendency of the existing constitution of a country, that facility in changes upon the credit of mere hypotheses and opinion exposes to perpetual change from the endless variety of hypotheses and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable; liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is indeed little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in

its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it in the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms, kindles the animosity of one part against another, forments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true—and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the

truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that the public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in

time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachment for others should be excluded and that in place of them just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity, or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times, it makes

the animosity of the nation's subervient to projects of hostility, instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity gilding with the appearances of virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be ful-

filled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest guided by justice shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world—so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements. (I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy)—I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce but forcing nothing; establishing with powers so disposed, in order to give trade a stable course—in order to give to trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view,

that it is folly in one nation to look for disinterested favors from another—that is must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress, without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING CATHOLIC SCHOOLS

• Mr. REID. Mr. President, I rise today to recognize the contributions of the more than 8,000 Catholic elementary and secondary schools nationwide. These schools, which serve over 2.6 million students, are a vibrant force in our country's educational and spiritual life.

During the month of February every year, communities throughout Nevada and the Nation celebrate National Catholic Schools Week. Sponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops, this annual national celebration provides an opportunity to acknowledge the important work of these schools in helping educate our Nation's children.

One day during this week, National Appreciation Day for Catholic School Teachers, specifically recognizes the hard work and dedication of the more than 163,000 educators who work in Catholic schools. The work of our Nation's educators is too often overlooked, but it could not be more important. I know I would not be where I am

today without one of my high school teachers, Mike O'Callaghan. I am glad that National Catholic Schools Week provides an opportunity to acknowledge the work of those individuals who serve as the foundation of our schools.

Nevada's Catholic schools have contributed significantly to the education of my State's students for several decades. I would like to take this opportunity to recognize a few of the schools that will be celebrating special anniversaries this year.

The only Catholic high school in Nevada, Bishop Gorman High School, will celebrate its 50th anniversary this year. The oldest Catholic school in Nevada, however, is St. Joseph School, which will celebrate its 58th anniversary this year. St. Christopher, St. Francis de Sales, and St. Viator Elementary Schools also will all mark their 40th anniversary this year. These and the other Catholic schools in the State have long served Nevada well, and I am sure they will continue to for many years to come.●

#### GLOBAL WARMING

• Ms. SNOWE. I rise today as lead co-sponsor of S.J. Res. 5, the Feinstein-Snowe joint resolution that authorizes the Secretary of State to engage in efforts with other Federal agencies to lead international negotiations to mitigate the impacts of global warming. Our resolution encourages the United States to take actions to reduce manmade greenhouse gas emissions believed by the majority of internationally renowned scientists to be causing climate changes around the globe.

I support this resolution because ongoing scientific peer-reviewed research demonstrates that climate change is one of the most significant environmental and economical issues of the 21st century. Yet, I have grave concerns that our government, to borrow from the image of Nero, is fiddling as the planet warms.

On Wednesday, February 16, 2005, the Kyoto Protocol on climate change officially entered into force, with 141 States and regional economic integration organizations depositing instruments of ratifications, accessions, approvals or acceptances with the United Nations. The treaty, which will require mandatory cuts in greenhouse gas emissions in 35 participating developed countries starting in 2008, represents a watershed moment for international action on climate change.

The Protocol was agreed to by governments at a 1997 U.N. conference in Kyoto, Japan, to reduce the amount of greenhouse gases emitted by developed countries by 5.2 percent of 1990 levels between 2008 and 2012.

Even with the Kyoto Protocol going into effect, it is obvious that new and longer term ideas for securing international cooperation are necessary as we cannot get to the heart of this global problem without the world's major economies at the table. The United

States and Australia have not ratified the Protocol, and developing countries, while signatories to Kyoto, are not required to make cuts. This includes large, rapidly industrializing economies such as China, India, and Brazil. Clearly, as the causes of climate change are global and the atmosphere knows no boundaries, the challenge can only be met with all the countries of the world working together.

That is why, this past year, when asked by three major independent think tanks—the Center for American Progress in the US, the Institute for Public Policy Research in the U.K. and the Australia Institute—I accepted the co-chairmanship of the high level International Climate Change Taskforce—the ICCT—to chart a way forward on climate change on a parallel track with the Kyoto process.

This led me to meetings both in Washington and London with my co-chair, the Rt. Honorable Stephen Byers of the U.K. Mr. Byers told me that Prime Minister Tony Blair welcomed the creation of the taskforce and looked forward to its climate change recommendations that he could take forward as he assumed the presidency of the G8 and also the EU in 2005. In fact, Prime Minister Blair has made the issue of climate change a centerpiece of his agenda for the G8 meeting in July in Gleneagles, Scotland, and, recently, he included some of our recommendations in his speech at the World Economic Forum in Davos, Switzerland.

We have achieved our goals for recommendations for the taskforce, which is an international, cross-party, cross-sector collaboration of leaders from public service, science, business, and civil society from both developed and developing countries. We set out a pathway to solve climate change issues in tandem—collaboratively finding common ground through recommendations that are both ambitious and realistic to engage all countries, and, critically, including those not bound by the Kyoto Protocol and major developing countries. We hope our proposals will be a prelude to the international dialogue and, ultimately, set the score for lasting change.

Our ICCT report, Meeting the Climate Challenge, recommends ways to involve the world's largest economies in the effort, including the U.S. and major developing nations, focusing on creating new agreements to achieve the deployment of clean energy technologies, and a new global policy framework that is both inclusive and fair. The report also calls for the establishment of a long-term objective of preventing global average temperature from rising more than 3.6 degrees Fahrenheit—(2 degrees Centigrade)—above the pre-industrial level by the end of the century, and this same provision is contained in the Feinstein-Snowe Resolution.

Mr. President, the taskforce arrived at the 2 degrees Centigrade—or 3.6 degree Fahrenheit—temperature increase

goal on the basis of an extensive review of the relevant scientific literature that shows that, as the ICC report states, "Beyond the 2 degree Centigrade level, the risks to human societies and ecosystems grow significantly. It is likely, for example, that average temperature increased larger than this will entail substantial agricultural losses, greatly increases numbers of people at risk of water shortages, and widespread adverse health impacts."

Our report goes on to say that, "Climate science is not yet able to specify the trajectory of atmospheric concentrations of greenhouse gases that corresponds precisely to any particular global temperature rise. Based on current knowledge, however, it appears that achieving a high probability of limiting global average temperature rise to 2 degrees C will require that the increase in greenhouse-gas concentrations as well as all the other warming and cooling influences on global climate in the year 2100, as compared with 1750, should add up to a net warming no greater than what would be associated with a CO<sub>2</sub> concentration of about 400 parts per million (ppm)."

I am pleased that the S.J. Res. includes the ICCT's first recommendation: Establishing a long-term objective for a global average temperature increase. This comports well with the McCain and Lieberman Climate Stewardship Act introduced last week, for which I am a cosponsor. This bill would create a domestic market-based cap-and-trade system to reduce carbon dioxide emissions. Again, the ICCT Taskforce recommends that all developed countries introduce national mandatory cap-and-trade systems for carbon emissions, and to construct them to allow for their future integration into a single global market.

The Feinstein-Snowe resolution includes other goals of the ICCT taskforce, encouraging the U.S. to carry out reasonable and responsible actions to ensure significant and meaningful reductions in emissions of man-made greenhouse gases, particularly through generating climate-friendly technologies to promote sustained economic growth. Importantly, like the ICCT Report, it also calls for international negotiations under the United Nations Framework on Climate Change, UNFCCC, which was ratified by the U.S. Senate in 1992, and this should be done for the post-Kyoto period, or after 2012.

Mr. President, even with the Kyoto Protocol going into effect, it is obvious that new ideas for securing international cooperation are necessary as we cannot get to the heart of this global problem without the world's major economies at the table. We have a choice between an even greater treacherous path of increased environmental damage and economic harm, or an upward path to a better future for our planet, and enhanced competitiveness for our industries. Again, the ICCT re-

port addresses this, calling for the formation of a G8 plus Climate Group I between the G8 and the major developing countries to pursue technology agreements and related initiatives that will truly lead to large global emissions reductions.

To mitigate further losses, the U.S. should actively engage in the discussions at the upcoming G8 Summit, offering viable recommendations and realistic goals for further domestic and international emissions reductions. The U.S. can ensure the protection of the competitiveness of U.S. industry while at the same time joining with others to take positive action to tackle global warming. The U.S. has the opportunity to re-engage as a world leader, serving as a model for developing nations such as China and India, whose unchecked CO<sub>2</sub> emissions will soon rival those of the United States.

The urgency is clear as climate change is no longer an abstract concept. Polar ice caps are melting. Sea levels are rising. And the earth's temperature is undeniably climbing—with ten of the warmest years on record since 1990. Documented by countless scientific studies, the world bears witness to the effects of climate change. A result of increases in manmade carbon dioxide emissions, climate change appears to be impacting the planet's weather patterns, resulting in more severe, sustained storm systems, floods, heat waves, and droughts.

Earlier this month, an international conference of scientists recommended that action must be taken now to reduce emissions in order to stabilize concentrations of greenhouse gases in the atmosphere. Their report warned that a delay of even five years could be significant. And, beyond environmental devastation, climate change dictates serious economic and human costs.

Mr. President, it has been a privilege to work on this Senate Joint Resolution with Senator FEINSTEIN of California, and I urge my colleagues to give our resolution full consideration as the rest of the developed world strives not only to protect today's environment and economies but to bequeath a healthy and sustainable planet to future generations. I encourage my colleagues to support this resolution.●

#### CONGRATULATING THE 652D ENGINEER COMPANY

● Mr. FEINGOLD. Mr. President, I congratulate the Army Reserve's 652d Engineer Company from Ellsworth, WI, for winning the 2004 Department of Defense, DOD, Reserve Family Readiness Award. This award is given by DOD to only one unit from each Reserve component in recognition of their exceptional family support program.

Our men and women in uniform continue to serve courageously around the world and make great sacrifices to do so. We owe these folks a great debt of gratitude. However, they are not alone in making these sacrifices—their fami-

lies, too, bear a great burden. The families must not only deal with the emotional toll of having their loved ones serving in a dangerous area, they must also deal with the daily tasks that keep a family functioning. The toll can be especially great on Reserve Component families who have to deal with all sorts of challenges when their loved ones transition to active duty.

The members of the 652d Engineer Company and their families personally know about sacrifice. Four of its members were killed in action during Operation Iraqi Freedom, including 2 on Christmas Day 2003, and 20 received Purple Heart Medals. The 652d Engineer Company's Family Readiness Group, FRG, provided crucial support to the families of these soldiers. We must also remember the confusion and uncertainty that was particularly acute with the early deployments. The FRG was key in helping families navigate through the many pre- and post-deployment issues. Their excellent work was an essential factor in allowing the 652d Engineer Company to carry out its mission.

So, Mr. President, I want to thank the 652d Engineer Company and the FRG for their service and to congratulate them again on receiving this award and on a job well done.●

#### CELEBRATING BLACK HISTORY MONTH

● Mrs. FEINSTEIN. Mr. President, I rise today to commemorate Black History Month.

This month celebrates the accomplishments of African Americans, honors the tremendous sacrifices they have made to promote the strength of our great nation, and recognizes their enormous contributions to our diverse American culture.

Black History Month is a time to reflect on the accomplishments and heroes of the past, as well as a time to salute the leaders of today.

The first Negro History Week took place in 1926 and was coordinated by Dr. Carter G. Woodson, the son of former slaves, the second African American ever to earn a PhD from Harvard University, and founder of the Journal of Negro History. Dr. Woodson's goal was to raise awareness of and funding for the study of black culture and history in America.

The second week of February was chosen for Negro History Week to honor the birthdays of President Abraham Lincoln, who promulgated the Emancipation Proclamation, and Frederick Douglass, one of the most prominent black abolitionists.

In 1972 Negro History Week was changed to Black History Week to reflect the changing social attitudes toward race in America, and in 1976 February officially became Black History Month.

The theme of this year's Black History Month is "The Niagara Movement: Black Protest Reborn, 1905–2005."



The Niagara Movement was the forerunner to the National Association for the Advancement of Colored People. It was founded in 1905 by a group of black intellectuals, led by W.E.B. DuBois, John Hope, and William Monroe Trotter, who called for full civil liberties, an end to racial discrimination, and recognition of human brotherhood.

In my home State of California, you will find many African American leaders who have contributed to the legacy set forth by the Niagara Movement. They are true humanitarians and epitomize the ideals of the civil rights movement.

I would first like to recognize Roy Willis, a resident of my hometown of San Francisco, for his 35 years of history-making contributions to California and over 45 years of service to our nation as a civil rights pioneer.

In 1958, Roy Willis ended racial segregation at the University of Virginia by becoming its first African American student.

In 1967, he went on to Harvard Business School to earn his MBA. While at Harvard he organized and co-founded the Harvard Business School African American Student Union over strenuous objection from the school's administration. Despite their objections, the AASU was able to convince the administration that it needed to do much more to recruit African American students.

Thanks to the pioneering efforts of Mr. Willis, the Harvard Business School AASU has helped to graduate thousands of African American MBAs over the past 36 years. It has produced many of today's brightest leaders, and continues to create the leaders of tomorrow.

Roy moved to northern Californian after earning his MBA in 1969. In the early 1970s he became one of the founding members of BAPAC, the Black American Political Association of California, which has become one of California's largest and most effective organizations in the areas of voter registration, homeownership and economic development.

He has enjoyed a successful career in real estate development, and dedicates himself to creating projects that enhance the community.

The next great Californian I would like to recognize is Bishop Hamel Hartford Brookins, better known as Bishop H. H. Brookins.

He is truly a living legend. Bishop Brookins ascended to positions of international leadership as a champion of black political and economic empowerment, Third World liberation, business enterprise development, and church growth.

After graduating from the University of Kansas, Bishop Brookins was thrust into the civil rights arena in 1954 in the wake of hostile reactions by Wichita citizens to the historical Supreme Court decision, *Brown vs. the Board of Education*. Bishop Brookins organized and was elected President of a 200

member interracial ministerial alliance which was committed to the peaceful effective implementation of the desegregation decision. From Kansas, Bishop Brookins was appointed to the prestigious First AME Church of Los Angeles where he was a major force in quelling the Watts riots of 1965.

At the 1972 General Conference of the African Methodist Episcopal Church, he was elected 91st Bishop of the African Methodist Episcopal Church. His assignments as Bishop have taken him across the country and around the world.

One of his biggest accomplishments has been establishing the first modern day economic development program in the African Methodist Episcopal Church. Under his inspired leadership, church members have invested more than \$1,000,000 in "The People's Trust Fund," which provides loans to black entrepreneurs who have been denied bank loans, enables churches to obtain loans at reduced rates, provides scholarships to black theology students, and assists the elderly and indigent with emergency funds.

Outside the church, Bishop Brookins demonstrates his zealous concern for meaningful social action through his Chairmanship of the Board of Directors of the South Los Angeles Development Corporation, a \$6 million state funded job training program which has successfully placed more than 4,000 black teenagers in jobs in the electronics and word processing fields. In addition, he is one of the founding members of Operation PUSH and has served as a national board member of TransAfrica, an organization that lobbies on behalf of African and Third World countries.

Bishop Brookins is a local hero in Los Angeles. Because of his passion for social justice and racial equality, African Americans in the City of Los Angeles have moved forward in the areas of housing, public education, health, and unemployment.

The story of struggles and triumphs of African Americans cannot be told without including the pastor of the First African Methodist Episcopal Church of Los Angeles, the Rev. Cecil L. "Chip" Murray.

In 1977 Dr. Murray was assigned to First AME Church, the oldest black church in Los Angeles. His new church family had 300 active members when he arrived, but under his leadership the congregation has multiplied to over 17,000 members.

Reverend Murray has helped First AME Church to develop a program called "Beyond the Walls," which consists of close to 40 task forces that help deal with issues affecting the congregation and community as a whole. Each member joins a task force to help take the effort to every corner of the community.

Dr. Murray has exhorted his congregation to go beyond Bible studies and reach out to build 2,000 units of low-income housing, provide thousands

of jobs, expand neighborhood food programs and educate young people through college scholarships and its own elementary schools.

Though Reverend Murray retired last year, ending his illustrious 27-year tenure as leader of First AME Church, he has left an indelible mark on the community.

Each of these leaders has made a profound impact which reaches far beyond their local communities. They are just a few of the many who have given their blood, sweat, and tears to make America a better place for themselves and for their children.

They have had many successes, but the struggle is not over. We can always do better, and these heroes fight every day to continue the legacy of the civil rights movement and to make America a more perfect union.

Mr. President, I am pleased to take the time today during Black History Month to honor these individuals and the many tremendous contributions that African Americans make every day to our society. ●

#### AgJOBS ACT OF 2005

● Mr. CRAIG. Mr. President, on February 10, I introduced S. 359, the Agricultural Job Opportunity, Benefits, and Security Act of 2005—AgJOBS. I ask that materials I am submitting in support of that bill be printed in the RECORD.

The material follows.

#### THE NEED FOR AGJOBS LEGISLATION—NOW, FEBRUARY 2005

Americans need and expect a stable, predictable, legal work force in American agriculture. Willing American workers deserve a system that puts them first in line for available jobs with fair, market wages. All workers deserve decent treatment and protection of basic rights under the law. Consumers deserve a safe, stable, domestic food supply. American citizens and taxpayers deserve secure borders, a safe homeland, and a government that works. Yet we are being threatened on all these fronts, because of a growing shortage of legal workers in agriculture.

To address these challenges, a bipartisan group of Members of Congress has introduced the Agricultural Job Opportunity, Benefits, and Security (AgJOBS) Act of 2005. This bipartisan effort builds upon years of discussion and suggestions among growers, farm worker advocates, Latino and immigration issue advocates, Members of both parties in both Houses of Congress, and others. In all substantive essentials, this bill is the same as S. 1645/H.R. 3142 in the 108th Congress.

#### THE PROBLEMS

Of the USA's 1.6 million agricultural work force, more than half is made up of workers not legally authorized to work here—according to a conservative estimate by the Department of Labor, based, astoundingly, on self-disclosure in worker surveys. Reasonable private sector estimates run to 75 percent or more.

With stepped-up documentation enforcement by the Social Security Administration and the Bureau of Immigration and Customs Enforcement (the successor to the old INS), persons working here without legal documentation are not leaving the country, but just being scattered. The work force is being constantly and increasingly disrupted. Ag



employers want a legal work force and must have a stable work force to survive—but Federal law actually punishes “too much diligence” in checking worker documentation. Some growers already have gone out of business, lacking workers to work their crops at critical times.

Undocumented workers are among the most vulnerable persons in our country, and know they must live in hiding, not attract attention at work, and move furtively. They cannot claim the most basic legal rights and protections. They are vulnerable to predation and exploitation. Many have paid “coyotes”—labor smugglers—thousands of dollars to be transported into and around this country, often under inhumane and perilous conditions. Reports continue to mount of horrible deaths suffered by workers smuggled in enclosed truck trailers.

Meanwhile, the only program currently in place to respond to such needs, the H-2A legal guest worker program, is profoundly broken. The H-2A status quo is slow, bureaucratic, and inflexible. The program is complicated and legalistic. DOL's compliance manual alone is over 300 pages. The current H-2A process is so expensive and hard to use, it places only about 30,000–50,000 legal guest workers a year—2 percent to 3 percent of the total ag work force. A General Accounting Office study found DOL missing statutory deadlines for processing employer applications to participate in H-2A more than 40 percent of the time. Worker advocates have expressed concerns that enforcement is inadequate.

#### THE SOLUTION—AGJOBS REFORMS

AgJOBS legislation provides a two-step approach to a stable, legal, safe, ag work force: (1) Streamlining and expanding the H-2A legal, temporary, guest worker program, and making it more affordable and used more—the long-term solution, which will take time to implement; (2) Outside the H-2A program, a one-time adjustment to legal status for experienced farm workers, already working here, who currently lack legal documentation—the bridge to allow American agriculture to adjust to a changing economy.

**H-2A Reforms:** Currently, when enough domestic farm workers are not available for upcoming work, growers are required to go through a lengthy, complicated, expensive, and uncertain process of demonstrating that fact to the satisfaction of the Federal government. They are then allowed to arrange for the hiring of legal, temporary, non-immigrant guest workers. These guest workers are registered with the U.S. government to work with specific employers and return to their home countries when the work is done. Needed reforms would replace the current quagmire for qualifying employers and prospective workers with a streamlined “attestation” process like the one now used for H-1B high-tech workers, speeding up certification of H-2A employers and the hiring of legal guest workers. Participating employers would continue to provide for the housing and transportation needs of H-2A workers. New adjustments to the Adverse Effect Wage Rate would be suspended during a 3-year period pending extensive study of its impact and alternatives. Other current H-2A labor protections for both H-2A and domestic workers would be continued. H-2A workers would have new rights to seek redress through mediation and Federal court enforcement of specific rights. Growers would be protected from frivolous claims, exorbitant damages, and duplicative contract claims in State courts.

The only experience our country has had with a broadly-used farm guest worker program (used widely in the 1950s but repealed in the 1960s) demonstrated conclusive, and

instructive, results. While it was criticized on other grounds, it dramatically reduced illegal immigration while meeting labor market needs.

#### ADJUSTMENT OF WORKERS TO LEGAL STATUS

To provide a “bridge” to stabilize the ag work force while H-2A reforms are being implemented, AgJOBS would create a new earned adjustment program, in which farm workers already here, but working without legal authorization, could earn adjustment to legal status. To qualify, an incumbent worker must have worked in the United States in agriculture, before January 1, 2005, for at least 100 days in a 12-month period over the last 18 months prior to the bill's introduction. (The average migrant farm worker works 120 days a year.)

This would not spur new immigration, because adjustment would be limited to incumbent, trusted farm workers with a significant work history in U.S. agriculture. The adjusting worker would have non-immigrant, but legal, status. Adjustment would not be complete until a worker completes a substantial work requirement in agriculture (at least 360 days over the next 3–6 years, including 240 days in the first 3 years).

Approximately 500,000 workers would be eligible to apply (based on current workforce estimates). Their spouses and minor children would be given limited rights to stay in the U.S., protected from deportation. The worker would have to verify compliance with the law and continue to report his or her work history to the government. Upon completion of adjustment, the worker would be eligible for legal permanent resident status. Considering the time elapsed from when a worker first applies to enter the adjustment process, this gives adjusting workers no advantage over regular immigrants beginning the legal immigration process at the same time.

AgJOBS would not create an amnesty program. Neither would it require anything unduly onerous of workers. Eligible workers who are already in the United States could continue to work in agriculture, but now could do so legally, and prospectively earn adjustment to legal status. Adjusting workers may also work in another industry, as long as the agriculture work requirement is satisfied.

#### AGJOBS IS A WIN-WIN-WIN APPROACH

Workers would be better off than under the status quo. Legal guest workers in the H-2A program need the assurance that government red tape won't eliminate their jobs. For workers not now in the H-2A program, every farmworker who gains legal status finally will be able to assert legal protection—which leads to higher wages, better working conditions, and safer travel. Growers and workers would get a stable, legal work force. Consumers would get better assurance of a safe, stable, American-grown, food supply—not an increased dependence on imported food. Law-abiding Americans want to make sure the legal right to stay in our country is earned, and that illegal behavior is not rewarded now or encouraged in the future. Border and homeland security would be improved by bringing workers out of the underground economy and registering them with the AgJOBS adjustment program. Overall, AgJOBS takes a balanced approach, and would work to benefit everyone.

#### AGRICULTURAL JOB OPPORTUNITY, BENEFITS, AND SECURITY ACT OF 2005—OVERVIEW AND SUMMARY OF SIGNIFICANT PROVISIONS, FEBRUARY 2005

##### OVERVIEW

The Agricultural Job Opportunity, Benefits, and Security Act of 2005 is, in all substantive essentials, the same as S. 1645,

which attracted 63 Senate cosponsors in the 108th Congress.

#### TITLE I—ADJUSTMENT OF AGRICULTURAL WORKERS TO TEMPORARY AND PERMANENT RESIDENT STATUS

Title I establishes a program whereby agricultural workers in the United States who lack authorized immigration status but who can demonstrate that they have worked 100 or more days in a 12 consecutive month period during the 18-month period ending on December 31, 2004 can apply for adjustment of status. Eligible applicants would be granted temporary resident status. If the farmworker performs at least 360 work days (no less than 2,060 hours) of agricultural employment during the six-year period after the date of enactment, including at least 240 work days (no less than 1,380 hours) during the first three years following adjustment, and at least 75 days (no less than 430 hours) of agricultural work during each of three 12-month periods in the six years following adjustment to temporary resident status, the farmworker may apply for permanent resident status.

During the period of temporary resident status the farmworker is employment authorized, and can travel abroad and reenter the United States. Workers adjusting to temporary resident status may work in non-agricultural occupations, as long as their agricultural work requirements are met. While in temporary resident status, workers may select their employers and may switch employers. During the period of temporary resident status, the farmworker's spouse and minor children who are residing in the United States may remain in the U.S., but are not employment authorized. The spouse and minor children may adjust to permanent resident status once the farmworker adjusts to permanent resident status. Unauthorized workers who do not apply or are not qualified for adjustment to temporary resident status are subject to removal. Temporary residents under this program who do not fulfill the agricultural work requirement or are inadmissible under immigration law or commit a felony or three or more misdemeanors as temporary residents are denied adjustment to permanent resident status and are subject to removal. The adjustment program is funded through application fees.

#### TITLES II AND III—REFORM OF THE H-2A TEMPORARY AND SEASONAL AGRICULTURAL WORKER PROGRAM

This section modifies the existing H-2A temporary and seasonal foreign agricultural worker program. Employers desiring to employ H-2A foreign workers in seasonal jobs (10 months or less) will file an application and a job offer with the Secretary of Labor. If the application and job offer meet the requirements of the program and there are no obvious deficiencies the Secretary must approve the application. Employers must seek to employ qualified U.S. workers prior to the arrival of H-2A foreign workers by filing a job order with a local job service office at least 28 days prior to date of need and also authorizing the posting of the job on an electronic job registry.

All workers in job opportunities covered by an H-2A application must be provided with workers' compensation insurance, and no job may be filled by an H-2A worker that is vacant because the previous occupant is on strike or involved in a labor dispute. If the job is covered by a collective bargaining agreement, the employer must also notify the bargaining agent of the filing of the application. If the job opportunity is not covered by a collective bargaining agreement, the employer is required to provide additional benefits, as follows.

The employer must provide housing at no cost, or a monetary housing allowance where

the Governor of a State has determined that there is sufficient migrant housing available, to workers whose place of residence is beyond normal commuting distance. The employer must also reimburse inbound and return transportation costs to workers who meet employment requirements and who travel more than 100 miles to come to work for the employer. The employer must also guarantee employment for at least three quarters of the period of employment, and assure at least the highest of the applicable statutory minimum wage, the prevailing wage in the occupation and area of intended employment, or a reformed Adverse Effect Wage Rate (AEWR). If the AEWR applies, it will not be higher than that existing on January 1, 2003 and if Congress fails to enact a new wage rate within 3 years, the AEWR would be indexed to changes in the consumer price index, capped at 4 percent per year, with increases applied beginning the first March 1 following three years from the date of enactment. Employers must meet specific motor vehicle safety standards.

H-2A foreign workers are admitted for the duration of the initial job, not to exceed 10 months, and may extend their stay if recruited for additional seasonal jobs, to a maximum continuous stay of 3 years, after which the H-2A foreign worker must depart the United States. H-2A foreign workers are authorized to be employed only in the job opportunity and by the employer for which they were admitted. Workers who abandon their employment or are terminated for cause must be reported by the employer, and are subject to removal. H-2A foreign workers are provided with a counterfeit resistant identity and employment authorization document.

The Secretary of Labor is required to provide a process for filing, investigating and disposing of complaints, and may order back wages and civil money penalties for program violators. The Secretary of Homeland Security may order debarment of violators for up to 2 years. H-2A workers are provided with a limited federal private right of action to enforce the requirements of housing, transportation, wages, the employment guarantee, motor vehicle safety, retaliation and any other written promises in the employer's job offer. Either party may request mediation after the filing of the complaint. State contract claims seeking to enforce terms of the H-2A program are preempted by the limited Federal right of action. No other state law rights are preempted or restricted.

The administration of the H-2A program is funded through a user fee paid by agricultural employers.

#### TECHNICAL ADJUSTMENTS MADE IN THE 2005 AGJOBS BILL

Several technical adjustments have been made to update or clarify provisions, relative to the predecessor bill introduced in 2003 (S. 1645). They include the following:

Relevant dates associated with H-2A and earned adjustment provisions have been updated to reflect the passage of time since the original bill's introduction. Affected provisions remain substantively equivalent. The AEWR in 2009 and thereafter would be the same as if the 2003 bill (S. 1645) had been enacted in 2003.

Time frames associated with the H-2A adverse effect wage rate and study, and future work requirements under the earned adjustment program, have been modified from "hard dates" to fixed time periods after date of enactment to ensure that the effect of the provisions remains constant regardless of timing of enactment.

Language regarding eligibility for adjustment or grounds for removal for various acts has been added to clarify that the spouse or

minor children of an alien applying for or working under temporary residency are held to the same strict standards for lawful behavior, and are excludable or deportable under the same standards that apply to the alien worker.

New language clarifies that the bill does not limit the use or release of information contained in files or records of the Department of Homeland Security regarding criminal convictions or other information for immigration enforcement or law enforcement purposes.

Clarifying language has been added to conform with the Personal Responsibility and Work Opportunity (Welfare Reform) Act of 1996, to ensure that adjusting AgJOBS workers have no advantage over other, legal immigrants, with regard to the timing and eligibility of means-tested public benefits.

Technical clarifications have been made to carry out the authors' original intent only to authorize appropriations, not create or imply mandatory spending, to administer the Act.●

#### CARDINAL THEODORE MCCARRICK

● Mr. LEAHY. Mr. President, at the end of last year, Marcelle and I attended an event at Georgetown University where Cardinal Theodore McCarrick was awarded a honorary degree.

Everyone present at this ceremony was captured by the remarks that the archbishop gave in accepting the degree. He artfully wove us through three "stories" to demonstrate the importance of a Catholic university in the Jesuit tradition.

So that all of my colleagues have an opportunity to review the remarks of Cardinal McCarrick, and because of the admiration I have for him, I ask that his acceptance speech at the award of his honorary degree from Georgetown University be printed in the RECORD.

The material follows:

REMARKS BY THEODORE CARDINAL MCCARRICK, D.D., PH.D., ARCHBISHOP OF WASHINGTON, ON THE OCCASION OF HIS RECEIVING A HONORARY DEGREE, GEORGETOWN UNIVERSITY, DECEMBER 1, 2004

As Father Brian [McDermott] was reading those wonderful words and as the president repeated them, I thought of the wonderful Jewish expression, "From your mouth to God's ears." I just hope the Lord doesn't get mad that you said all those nice things about me. Dr. President, Dr. Villani, Chairman of the Board, members of the board, Your Excellency, The Apostolic Nuncio [Archbishop Gabriel Montalvo] and my brother bishops, my—I guess I should say my Georgetown family now—and I say that with great joy.

I want to begin by telling you sincerely how honored I am in receiving this degree from Georgetown. I've long regarded this institution as one of the finest educational institutions in the United States. During my four years in Washington, I've always felt part of it in a very special way. To receive its degree now is a very special joy for me, and I want you all to know how much I do appreciate it.

I have tremendous respect for your president, Dr. DeGioia. I was privileged to be present at his inauguration, and to prophesy at that time that he would lead this institution to greater heights of excellence and to a continuing growth in the realization of its mission as a Catholic university in the Jes-

uit tradition. My prophecy is coming true every day.

My respect for the Society of Jesus goes back to my early years of high school when I admired the Jesuits so much that I found myself going to two of their high schools, not at the same time, but one after the other until I finally got it right and received my diploma. My own education in high school and college has been much enhanced by the excellence of the ratio studiorum and by its challenges. It has been an education for which I am so very grateful, and through which I have been so very blessed. As a matter of fact, since the rector of Georgetown is my personal theologian, I'm still learning from the Society and appreciating that wisdom and insight so very much.

My relationship to Georgetown, as I began to intermit a moment ago, is not of a visitor in a Catholic institution. The local bishop is always part of any enterprise which is related to the Church. A university such as ours is clearly one of the great boasts and glories of our Catholic community here in Washington. I have been here many times during the last four years. I've enjoyed that privilege. I've been here for academic celebrations, for lectures, for interfaith moments of prayer, at times of national crisis, for meetings with students, and often for Mass in your chapels. In the beginning, I was happy to be welcomed by all of you at the University. Now I no longer see myself just as a welcomed visitor, but as part of the family. It is therefore always a joy when I hear someone say instead of "Welcome to the University," "It's nice to have you back."

Georgetown University, in its stated mission, sees itself truly and essentially as a Catholic institution in the Jesuit tradition. That fact opens its life to many wonderful challenges and many great opportunities. It is a place where Catholic scholars may freely exercise a faithful witness to what the Church teaches. It is a place where non-Catholic scholars and professors, who add so much to the life of this institution, can pursue their own fields of study with the assurance that truth is the master here, and that its pursuit is always welcome. Their understanding of the mission of this institution adds so much to society's understanding of what Georgetown is all about. I pray that those who are not Catholic, both in the faculty and the student body, will always find inspiration an example from the Catholics who teach here, both cleric and lay, as well as a deeper understanding of what we're all about, and what our mission is—not just in the Church but in society and in the world at large.

The preparation of Catholic leaders for the future of our nation is a noble role. The preparation of those who are not Catholic in their own burgeoning opportunity to play roles of leadership in our country, has an equal importance because it enables the leaders of tomorrow to learn about us, about the Church, and to appreciate our own Catholic mission in this complex society. This has always been one of the great roles of the Society of Jesus, and I pray it will continue always to be so here at Georgetown. May those of the immediate family always be challenged to holiness, and those of the wider family allowed to see what our life in the Lord and in His church is all about. In the religious life of the students and faculty at Georgetown, may there always be this quest for holiness since this has to be the role within any Catholic institution. The example of the Jesuits, according to the rule of the great Ignatius, must always be a challenge, not just to holiness of life, but to priests in religious vocations both for the Society and for the Diocesan in priesthood, and for religious life as well. I always rejoice

in a special way to find graduates of Georgetown hearing the Lord's call to service in priestly and religious ministry. This, too, is a measure of our Catholic life and of our deep Jesuit tradition.

I want to speak briefly tonight about the global importance or the international aspect of a Catholic university in the Jesuit tradition. Basically, there are three points I want to make. First is that the mark of every great university is caring. The mark of every great Catholic university is wonder. The mark of every great Catholic university in the Jesuit tradition is adventure.

The first, caring, demands that there be a background of authentic humanism in the very nature and mission of every university, a sense of caring. A great university such as Georgetown is called to manifest this in a world that tends so much to be mechanistic and ideological. Secondly, the role of a Catholic university demands a sense of wonder, of mystery, and appreciation that everything in this world is not able to be subjected to positivistic criteria. We believe that there is a reality beyond the mere material that calls for recognition of the spiritual, the wonderful. And finally, the Jesuit tradition of this institution calls for it to be adventurous, innovative, inventive in the deepest sense. I believe the young people of today would say with great solemnity, the ability to think outside the box.

I would like briefly to develop these three points by three stories. They are stories which have made a difference in my life. They are perhaps three stories that have been my instruction in where I am today. The first, the one which we can call the humanistic, the caring, takes place in Africa, and challenges us to understand the deep relationship which each of us has with every other human being on the planet, reminding us that we are all brothers and sisters in God's one human family. The second which takes place in Asia, and which is the only one that I relate second hand, is a story that reminds us of the need for wonder in every Catholic life. And finally, the story of an extraordinary Catholic educator, who is a Jesuit, a story from Eastern Europe, will bring us out of the box. Let me tell you these three stories.

Years ago when I was a young bishop, I was sent on a mission to the Sudan for Catholic Relief Services. I tell this story because I think it is a big moment in my own life and has made a change. I see in my growth what may affect the university and its life. I was fascinated by the Sudan. I had never been in that part of Africa. I met priests. I met bishops. I met Muslim leaders. I met the poor. One day, one of the priests said, "If you have half a day, we'll go across the Nile and go beyond Umderman." (Umderman, if you used to go to the old movies is where Kitchener had that great battle and Lord Gordon was killed.) So I said, "Sure." We went across the Nile, which itself is a great experience, got to the other side and said, "What are we going to see?" He said, "No, we're not going to stop here." We went about 25 more miles west into the desert. There, after the city of Umderman had long since passed, we saw a huge city of tents. We went in to see some of the families, and translated, I heard several things.

We're all members of God's one human family, but I never saw it more clearly than there. These were the people, probably some from Dafur, but this is 20 years ago, who when the drought came and there was no water, could not do any farming, could not take care of their flock. So they gathered up their families and went toward the river, the Nile, where water will always be. Now they couldn't get to the Nile. They had to stop 25 miles away because they were not allowed to

go there. They would have overwhelmed, so the government said, the facilities. And so they stayed there, and every day they paid some entrepreneurs who drove little trucks to the Nile, filled them up with water, and then came back. Of course, they didn't come back for free. And gradually, these people paid all the money that they had with them until it was gone. And after the money was gone, they began to sell their furniture. And after their furniture was gone, they began to sell their animals. And after their animals were gone, they began to sell their children.

Listening to the families, for whom the sacrifice of an older child had to be made so that younger children could survive, it is a story that is engrained in my heart because I think that it showed me that all life has to have caring in it. All life has to have a sense of who we are as God's people. A university has to have that, any university, because if we are training people without understanding that we are all related, that we're all one family, then we are training them for a world that does not exist. That's the first lesson. A university must be involved in caring and in showing people how to care. I think Georgetown is.

The second story happened in East Timor. I had gone to East Timor for some other reason, and it was maybe three months after the elections, and two months or one month after the whole country had been in a state of terrible turmoil, and those who did not want East Timor to be free began to kill all the leaders. Anyone who taught in school, anyone who had a good job, anyone who had any kind of an education was a target for these militias.

The Catholic Church had been very important to these people. Eighty-five percent of the people had been Catholic, surprisingly, in one of these small islands of Indonesia. A great bishop, Bishop Belo, who won the Nobel Prize, was guarding the flock and taking care of them all. One day I went to visit him. I went to visit him in the charred ruins of his house, and then they told me the story.

About a week before, there had been marauding bands, always armed and always dangerous and violent. The people began to become afraid. The bishop's house was a place with a large lawn. The people came into the lawn trying to seek protection from him who was a leader and from being together. Maybe 1,000 people were gathered there in the lawn, and the bishop came out and began to talk to them. While they were there, suddenly a band of militia came in with their guns, pushing the people aside, pushing the bishop aside. We heard all kinds of different things that may have been said, but ultimately they lit a fire and threw it in the bishop's house. The bishop went to try to save it, but he was held back. The people were awed, and scared, and afraid to do anything. While the bishop was watching the destruction of his house, and while the people in desperate fear were just standing around, a young man came out of the crowd. It was dark except for the flames. He went to the bishop, tried to move him away from the flames. A soldier came up, pushed the young man away, and stuck his gun in the bishop's back, and got ready to pull the trigger. There was a hush, and almost a scream at the same time among the people. The young man came back and gently pushed the bishop forward and stood behind him, between the gun and the bishop and did not move. The man with the gun didn't know what to do, and there was silence. Where did this fellow come from, this young man? Nobody knew him. But somehow he found courage that nobody else had. Somehow he found an ability to, in a world full of violence and anger, he found a sense of wonder and mystery. The

man with the gun became embarrassed because he didn't know what to do. So, he hit the young man, pulled his gun back, and walked back to the soldiers. The moment was enough to break the tension, so the militia left. The bishop turned around to thank the young man. He wasn't there anymore. He had disappeared into the crowd.

I thought, there is a sense of wonder and mystery in your life when people find courage to do things that one would never expect, when people find the ability to stand up for something that they believe, even if it threatens their life or everything they have. A Catholic university has to prepare people for that. A Catholic university has to somehow enhance in every human being that sense of wonder, that sense of mystery, that sense that you can do what you never thought you could do. You can rise above yourself, and your spirit can be enflamed, and enhanced by the needs that you see in your brothers. A university that is truly Catholic, has to pass that lesson along. I think Georgetown does.

The third and last story is a different kind of story. It's a story of a Jesuit; an extraordinary Jesuit. In Slovakia, at the time of the communist persecution, only a certain number of priests were allowed to be ordained. To ordain outside that number, the bishop would be thrown into prison and the priest as well. There was a young Jesuit who had commissioned to be a priest called Ján Chryzostom Korec. Korec was ordained at maybe 26 years-old, and began to serve as a priest. The Jesuit provincial of Slovakia who was living in disguise and living underground as so many were, came to see him one day. He said, "Father Korec, Bishop Hnilica—who was an underground bishop—has permission to consecrate you a bishop. And we feel that you should accept." Well, this is a man now 27 years old, but unless somebody accepted this burden, the Church could disappear. So ultimately he said, "Yes, I will do whatever you think is right." So, in the kitchen of a friend the next night, he was consecrated a bishop. Then he once again disappeared and continued to work as a priest.

About six months later, the provincial came to him again and said, "Korec, we have a man now who is ready to be ordained a priest, a man of the Society. Will you ordain him?" He said, "Okay." and he ordained the young man in a park at twilight. Unfortunately, the young man was not as careful as he should have been, and the authorities found out that he was a priest. They brought him in and they began to put him under all kinds of tortures and difficulties. Finally, he said, "I was ordained a priest quietly, secretly." And they said, "Who did it?" After more torture, he said, "Korec." So they went and called Korec in, and they said, "Are you a bishop?" Without going into any kind of Jesuitical subtleties, he said, "Me, a bishop, that's the silliest thing I've ever heard!" He kept saying that and they let him go. He didn't look like a bishop. Well, six months later, the provincial came back and he said, "We have another man. Will you ordain him?" Korec ordained him in somebody's living room. And this man, too, unfortunately, after some months was caught, brought in, tortured, revealed Korec, and so then they had him. They sent him away to prison in solitary confinement. He was there 18 years. And then finally in the Prague spring, they allowed him to come out and to work. They gave him a job working in a chemical factory, unpacking chemical things and spillage: a very dangerous job. He did it quietly. Now he no longer had the right to be a priest, so they gave him these other jobs. He's an interesting man, and gradually people looked for him. Gradually, he began quietly to be a priest again. They weren't

sure of him, so the lamp in his one-room bedroom apartment was wired. They listened to all of his conversations.

He has wonderful stories to tell about playing the radio so loud that the neighbors complained, but at least he could have conversations then. Gradually, he began to do things that no one else has been able to do. When the iron curtain fell, he was acknowledged as a bishop. He went down to see the Holy Father. The Holy Father told him that he was to be given the Diocese of Nitra, which is the diocese of St. Methodius, of the great Sts. Cyril and Methodius, one of those great wonderful sees.

About two years after that I was in Slovakia and I was talking to one of the vice-presidents of the Slovak parliament who was a Catholic. We were talking about those tough days of the communist regime. And I said, "How did you ever get your education?" He said, "I went to the university." I said, "Which one?" He said, "I went to Korec University." I said, "What do you mean?" He said, "Every Saturday when we had off—because they had to work on Sunday. Every Saturday which was our day off, we'd pack some salami and some beer and go up into the hills and Father Korec would come. All day long, we would sit, and he would teach us about the Church, about Catholic Social Thought, about philosophy, about theology." And this man said to me, "I know more about these things than if I had gone to the university for four years because we never missed a Saturday. Dozens of us would go. He would write on pieces of paper what we had to know, and he would make 50 copies all in his own handwriting." I've seen them.

To be adventurous. To be inventive. Not to let the world make it impossible for you to grow, and live, and enjoy. Always to listen to that other voice that says you can do it: find a way. I think that's the mark of a Jesuit tradition, and I think we find it here at Georgetown.

I've kept you too long with these stories of mine, but I feel that a story, like a picture, is worth a thousand words. These stories, as I said at the beginning, have moved me, maybe hopefully a little further in my understanding of what education is. Maybe it will give us all an understanding of what I mean when I say a great Catholic university in the Jesuit tradition has to be.

Every university should teach its students and its faculty and administration that we live in a world of brothers and sisters, not as strangers and enemies, but that we all share a common dignity, and that all lives are precious, everyone's life. Secondly, to be truly Catholic, we must be open to wonder, to mystery, the mysteries of our faith, the mysteries of love, the mysteries even of science which will always be searching for greater clarity. As Catholics, we must never be afraid of mystery, of that wonder that causes us to do things we never thought we could do. Our faith is built on mystery, and to be truly wise, and truly educated, we must be men and women who accept wonder as an essential element of our existence. And finally, in the story of Cardinal Korec (who ultimately became a cardinal), we are challenged to see what a university can also be when circumstances and the challenges of the world around us call us all to find in different ways the great things that are essential for our lives and vital for our growth and wisdom. I find these things here at Georgetown. I pray that they always will be here. I pray, too, that these elements of deep human concern of wonder and adventure, may be even more developed, more understood and embraced, under great leadership with great men and women in a brilliant future which will always be part mystery and even always part out of the box. Thank you very much.●

#### TRIBUTE TO LYLE RYMER II

● Mrs. LINCOLN. Mr. President, today, I would like to rise and pay tribute to the life of Army Specialist Lyle Rymer II. Lyle Rymer was the type of person his family and friends knew they could always rely upon. Despite his easy-going nature and quiet demeanor, he was a go-getter who always did more than was asked or expected of him. He was a loving husband and proud father who devoted himself to his family and their well-being. He was also a brave soldier with a devotion to his country, who died a hero while protecting his fellow soldiers.

As the youngest of three children, Specialist Rymer was born and spent his early childhood in Fort Smith, AR. He was a shy kid but had a gift for making others laugh and was always quick to make friends. In many ways, he was a typical teenager, who enjoyed hanging out with his friends, with whom he shared a love for fishing and hotrods. He was a hard-working student who went to high school in Roland, OK, a small town just 5 miles west of Fort Smith. Although he studied small engines at a vocational tech school half a day during his junior and senior years, he remained focused on getting his high school diploma on time, with his friends and with his class. In 1999, he did just that.

Following high school, Specialist Rymer worked construction and later joined the Arkansas Army National Guard. His grandfather had retired from the Air Force, and he began considering enrolling in airborne school or making a career out of the Army. He was proud to serve his country but, more importantly, he wanted to make a better life for him and his family; his wife LaTisha and son Sean.

March of last year brought a welcome addition to the Rymer family: a baby daughter Jasmine. What should have been a joyous time for the family proved to be bittersweet. Just as Jasmine was born into the world, her father was on a plane heading for Kuwait and service in Operation Iraqi Freedom.

Specialist Rymer was assigned to the National Guard's 239th Engineering Company under the 39th Infantry Brigade, based out of Boonesville. Although he was a world away, he was proud to serve in Iraq with the 39th, a Brigade made up of 4,200 soldiers, including over 3,000 Arkansans. He also found comfort in the regular conversations he had with his family, usually on the weekends, when he could check on their welfare and let them know about the experience he was having.

In November, Specialist Rymer was granted a 2-week leave and returned home. It gave him a chance to visit with family and friends, spend time with LaTisha and Sean, but also to see his beautiful baby daughter, Jasmine, for the very first time. He would cherish this all too short time with his loved ones and, upon his return to Iraq, made sure to tell his fellow soldiers

just how proud he was of the family that was awaiting his return.

The 239th, in which Specialist Rymer served as a heavy equipment operator, would play a vital role in American efforts to bring security and stability throughout Baghdad, completing more than 1,800 missions in the area. In spite of the dangerous environment and stressful conditions he and his comrades often worked under, Specialist Rymer always found a way to brighten a mood and bring smiles to their faces. He grew to love the soldiers he served with, and they loved him in return. As often happens in times of war, many of these soldiers, serving thousands of miles from home, began to consider themselves much more than fellow soldiers; they were a family and they would do absolutely anything for each other.

Tragically, on January 28, a few short weeks before Specialist Rymer was to return home, he was killed in action. The 239th was securing an area near a Central Baghdad marketplace in preparation for the upcoming Iraqi National elections. Specialist Rymer was guarding the members of his unit as they were helping place concrete traffic barriers. He was struck and killed by a single bullet from a nearby sniper.

The loss of this special young man, the first fatality for the 239th, was felt deeply by the troops who served with him. To honor Specialist Rymer, over 150 of them attended a memorial service at their brigade's chapel on base, just north of Baghdad. At the service, they all raised their right hands in salute to their fallen comrade, whom they loved and respected, and who gave his life in the protection of theirs. The company commander, CPT Jason Meharg, echoed the unspoken sentiment of his troops, "We'll refocus and continue . . . But we won't forget."

Even more deeply, the loss of Specialist Rymer will be felt by the family and the many friends he leaves behind. On February 7 at the Fort Smith National Cemetery, over 100 people showed up to his gravesite service to pay respects and to honor this fallen hero.

To many of us, the awards Specialist Rymer earned for his service will serve as a reminder of the courageous and selfless way in which he lived his life. To LaTisha, memories of the time shared with her husband and the pride felt in the family they built together will remind her of so much more. Although Sean and Jasmine may not be able to fully comprehend the meaning of their father's sacrifice or realize the impact he had on so many others, they will one day be old enough to understand, from the words of their mother and those who knew Lyle Rymer best, just how very much he loved them.

My thoughts and prayers are with the Rymer family and with all those whose lives were touched by this special young man. We will be forever grateful for his service and for the sacrifice he made on behalf of us all.●

## TRIBUTE TO BRIAN HOPPER

• Mrs. LINCOLN. Mr. President, today, I rise with a heavy heart to honor the life of a courageous young man from the State of Arkansas, and to pay tribute to the sacrifice he made on behalf of our way of life. Brian Hopper lived his life with an energy, sense of adventure, and courage that we can all admire. These were the qualities he displayed throughout his childhood, playing and hunting in the woods around his home in northeast Arkansas. They were also the qualities that ultimately drew him to military service, bravely defending freedom in a land he had never known.

Lance Corporal Hopper grew up just outside of the small Arkansas town of Wynne. Like other boys his age, he enjoyed growing up in the countryside; spending his time in the woods and trails near his home. Much of this time was spent with his hunting buddy, his father Rob, who taught him how to shoot when he was six. Together, they could often be found fishing or looking for deer, squirrels, and rabbits.

At Wynne High School, Lance Corporal Hopper was a member of the drama club and the school's broadcast journalism class, where he helped with the daily news program. He graduated in the Spring of 2002, and it was clear to friends and family that his next step would be enlistment in the U.S. Marine Corps. Although he was turned down by Marine Corps recruiters in Arkansas because of recent reconstructive knee surgery, this resilient young man would not be detoured. Instead, he made the trip to neighboring Mississippi and met with a new set of recruiters. He never mentioned his knee surgery and was allowed to enlist in September of 2002. He would go on to attend the School of Infantry in January of 2003, where he trained to become a rifleman.

Lance Corporal Hopper made a brief trip home during Christmas of 2003, following the completion of boot camp. It was quickly apparent to his family that he not only matured physically, but he also spoke and acted differently. The young man they had watched grow up over the years was now truly a marine, and his father couldn't have been more proud.

As a part of Operation Iraqi Freedom, Lance Corporal Hooper was deployed to the war-torn nation last summer and quickly earned the reputation of a tough, loyal soldier who repeatedly rose above the call of duty. During military operations in Fallujah, he earned his first Purple Heart after taking on incoming fire. The flak jacket he was wearing saved him from serious injury, and possibly death. Soon after, he earned yet another Purple Heart from much more severe wounds. After raiding an Iraqi home and shooting an armed insurgent, he was struck by an explosion from a fallen grenade that left shrapnel in his knee, leg, arm, and face. Although his wounds were severe enough to have him airlifted to Ger-

many, he chose to stay in Iraq with his unit. His personal safety was an afterthought to the loyalty he had for his comrades and the mission before them. Although he still carried pieces of shrapnel in him, he would carry on the fight. It was a testament to the courage and the heart of this brave marine.

On January 26, he boarded a CH-53E helicopter on a routine mission to help guard the Syrian border for the Iraqi elections. Tragically, the helicopter crashed amid severe weather conditions in western Iraq. All 31 soldiers aboard were killed, and it was destined to become the deadliest day of the war thus far for American forces.

Lance Corporal Hopper's brother, Patrick, who was also serving in Iraq as a marine lance corporal, would accompany his brother's body on that final flight home from Dover Air Force Base to Memphis. Emergency vehicles would shut down every intersection between Memphis and Wynne and allow the two brothers to return home to their family.

On the day of Lance Corporal Hopper's funeral, the State flag was flown at half-mast over the State Capitol in Little Rock. Along the 12-mile procession from the memorial service to Harris Chapel Cemetery, friends, neighbors and mourners lined the streets to show their respect and to honor this fallen Arkansas hero. Many held American flags high, many saluted, and others held their right hands over their heart.

At his final resting place, Lance Corporal Hopper was buried with full military honors. It was just a short walk from the home and the woods where he had spent his childhood, and it served as a reminder of how very far he had come in his life. The courageous and honorable way in which he lived his 21 years is a testament to the kind of person he was. When we think of Brian Hopper, we will think of this legacy, and will be reminded of how we are forever grateful to this brave young man for the sacrifice he made on behalf of freedom, and on behalf of us all. My thoughts and prayers go out to his family, friends, and to all those who knew and loved him. ●

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## MEASURES REFERRED—

THURSDAY, FEBRUARY 17, 2005

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 418. An act to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence; to the Committee on the Judiciary.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 6. Concurrent resolution expressing the sense of the Congress that the Department of Defense should continue to exercise its statutory authority to support the activities of the Boy Scouts of America, in particular the periodic national and world Boy Scout Jamborees; to the Committee on Armed Services.

H. Con. Res. 26. Concurrent resolution honoring the Tuskegee Airmen for their bravery in fighting for our freedom in World War II, and for their contribution in creating an integrated United States Air Force; to the Committee on Armed Services.

H. Con. Res. 30. Concurrent resolution supporting the goals and ideals of National Black HIV/AIDS Awareness Day; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res. 67. Concurrent resolution honoring the soldiers of the Army's Black Corps of Engineers for their contributions in constructing the Alaska-Canada highway during World War II and recognizing the importance of these contributions to the subsequent integration of the military; to the Committee on Armed Services.

## MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 310. An act to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane material, and for other purposes.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1024. A communication from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Quarterly listing; Safety Zone, Security Zones, Special Local Regulations, and Regulated Navigation Areas [Including 122 Regulations]" (RIN1625-AA00, AA87, AA11, AA08) received on February 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1025. A communication from the Secretary, Office of General Counsel, Federal Trade Commission, transmitting, pursuant to law the report of a rule entitled "Adjustment of Civil Monetary Penalty Amounts, 16 CFR 1.98", received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1026. A communication from the Secretary of the Commission, Bureau of Economics, Federal Trade Commission, transmitting, pursuant to law, the report of a rule

entitled "Annual Adjustment of Ceiling on Allowable Charge for Certain Disclosures Under the Fair Credit Reporting Act Section 612(f)", received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1027. A communication from the Secretary of the Commission, Bureau of Economics, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Reporting Requirements Under Section 8 of The Clayton Act 15 U.S.C. Sec. 19(a)(5)", received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1028. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Use of Non-Coast Guard Personnel", received on February 15, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1029. A communication from the Chairman, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, Amtrak's annual report for Fiscal Year 2004 and budget performance in Fiscal Year 2005; to the Committee on Commerce, Science, and Transportation.

EC-1030. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (78) Admt. 3112 [1-5/2-17]" (RIN2120-AA65 (2005-0005)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1031. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (59) Admt. No. 3114 [1-28/2-17]" (RIN2120-AA65 (2005-0006)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1032. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (35) Admt. No. 3115 [2-7/2-17]" (RIN2120-AA65 (2005-0007)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1033. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments 6 Admt. No. 453 [2-7/2-17]" (RIN2120-AA63 (2005-0002)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1034. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (19) Admt. No. 3113 [1-6/2-17-05]" (RIN2120-AA65 (2005-0004)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1035. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Airworthiness Directives: Airbus Model A318, A319, A320, and A321 Airplanes Equipped with Air Cruisers/Aerazur Forward and AFT Passenger Door Emergency Escape Slides" (RIN2120-AA64 (2005-0101)) received on February 17, 2005; to the

Committee on Commerce, Science, and Transportation.

EC-1036. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Airworthiness Directives: Boeing Model 747-100, 200B, 200F, 200C, 100B, 300, 100B SUD, 400, 400D, 400F, and 747SR" (RIN2120-AA64 (2005-0097)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1037. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Airworthiness Directives: Rolls-Royce plc. RB211-524 Turbofan Engines" (RIN2120-AA64 (2005-0098)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1038. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Airworthiness Directives: Boeing Model 747-100 and 200 Airplanes" (RIN2120-AA64 (2005-0099)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1039. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model MD90-30 Airplanes" (RIN2120-AA64 (2005-0093)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1040. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Airworthiness Directives: Airbus Model A319, A320, and A321 Airplanes" (RIN2120-AA64 (2005-0094)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1041. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Airworthiness Directives: Rolls Royce plc. RB211 Trent 700 Series Turbofan Engines" (RIN2120-AA64 (2005-0095)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1042. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law the report of a rule entitled "Airworthiness Directives: Airbus Model A310 Airplanes" (RIN2120-AA64 (2005-0096)) received on February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1043. A communication from the Attorney Advisor, Office of Pipeline Safety, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled "Pipeline Safety: Periodic Updates to Pipeline Safety Regulations" (RIN2137-AD35) received February 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-1044. A communication from the Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Part 576, Title 5, Code of Federal Regulations" (RIN3206-AJ76) received on February 8, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-1045. A communication from the Director, Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Compensatory Time Off for

Travel" (RIN3206-AK74) received on February 8, 2004; to the Committee on Homeland Security and Governmental Affairs.

EC-1046. A communication from the Secretary, Council of the District of Columbia, transmitting, pursuant to law, a report on Council Resolution 15-763, "Transfer of Jurisdiction of a Portion of Square 1171 Approval Resolution of 2004" received on February 18, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-1047. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 15-759, "Child and Youth Safety and Health Omnibus Amendment Act of 2004"; to the Committee on Homeland Security and Governmental Affairs.

EC-1048. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 15-751, "Electronic Recording Procedures Act of 2004"; to the Committee on Homeland Security and Governmental Affairs.

EC-1049. A communication from the Chief of Staff, Federal Mediation and Conciliation Service, transmitting, pursuant to law, the 2004 Federal Managers' Financial Integrity Act Report; to the Committee on Homeland Security and Governmental Affairs.

EC-1050. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Report Under the Sunshine Act for 2004; to the Committee on Homeland Security and Governmental Affairs.

EC-1051. A communication from the Administrator, General Service Administration, transmitting, pursuant to law, a report concerning reimbursement rates for Federal employees who use privately owned vehicles; to the Committee on Homeland Security and Governmental Affairs.

EC-1052. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the 2005 Federal Financial Management Report; to the Committee on Homeland Security and Governmental Affairs.

EC-1053. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the report of the Office of the Inspector General for the period for Fiscal Year 2004; to the Committee on Homeland Security and Governmental Affairs.

EC-1054. A communication from the Comptroller General, General Accounting Office, transmitting, pursuant to law, the Federal Deposit Insurance Corporation Funds' 2004 and 2003 Financial Statements; to the Committee on Homeland Security and Governmental Affairs.

EC-1055. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report concerning accounting and administrative controls for Fiscal Year 2004; to the Committee on Homeland Security and Governmental Affairs.

EC-1056. A communication from the Auditor, District of Columbia, transmitting, pursuant to law, a report entitled "Certification of the Fiscal Year 2005 Revised Revenue Estimate in Support of the District's \$239,120,000 Obligation Bonus (Series 2004A and 2004B) and \$147,250,000 Multimodal General Obligation Bond (Series 2004C)"; to the Committee on Homeland Security and Governmental Affairs.

EC-1057. A communication from the Inspector General for Iraq Reconstruction, the Quarterly and Semiannual Report of the Special Inspector General for Iraq Reconstruction; to the Committee on Homeland Security and Governmental Affairs.

EC-1058. A communication from the Administrator, Environmental Protection



Agency, transmitting, pursuant to law, the Fiscal Year 2004 Annual report on Programmatic and Financial Performances; to the Committee on Homeland Security and Governmental Affairs.

EC-1059. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Fiscal Year 2006 Performance Budget; to the Committee on Homeland Security and Governmental Affairs.

EC-1060. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Adequacy of Minnesota Municipal Solid Waste Landfill Program" (FRL7873-1) received on February 14, 2005; to the Committee on Environment and Public Works.

EC-1061. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Texas; Revision to the Rate of Progress plan for the Houston/Galveston (HGA) Ozone Nonattainment Area" (FRL7872-7) received on February 14, 2005; to the Committee on Environment and Public Works.

EC-1062. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report concerning the status of the Commission's licensing and regulatory duties; to the Committee on Environment and Public Works.

EC-1063. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's report on the status of its licensing and regulatory duties; to the Committee on Environment and Public Works.

EC-1064. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Revision to Control Volatile Organic Compound Emissions from Consumer Related Sources" (FRL7871-7) received on February 14, 2005; to the Committee on Environment and Public Works.

EC-1065. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Revised Format of 40 CFR Part 52 for Materials Being Incorporated by Reference" (FRL No. 7861-3) received on February 8, 2005; to the Committee on Environment and Public Works.

EC-1066. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities for Uncontrolled Hazardous Waste Sites" (FRL7871-9) received on February 14, 2005; to the Committee on Environment and Public Works.

EC-1067. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Arizona State Implementation Plan Maricopa County Environmental Services Department" (FRL7860-8) received on February 14, 2005; to the Committee on Environment and Public Works.

EC-1068. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "South Carolina: Final Authorization of State Hazardous Waste Management Pro-

gram Revision" (FRL7870-2) received on February 14, 2005; to the Committee on Environment and Public Works.

EC-1069. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a drawdown under 506 of the foreign assistance act to support the Philippines; to the Committee on Foreign Relations.

EC-1070. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Schedule of Fees for Consular Services, Department of State and Overseas Embassies Consulates" (RIN1400-AB94; 1400-AB95; to the Committee on Foreign Relations.

EC-1071. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the report of an international agreement other than treaties; to the Committee on Foreign Relations.

EC-1072. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the report of Agreements between the American Institute in Taiwan (AIT) and Taipei Economic and Cultural Representative Office in the United States (TECRO); to the Committee on Foreign Relations.

EC-1073. A communication from the Secretary of State, transmitting, pursuant to law, a report entitled "Authorization for Use of Military Force Against Iraq Resolution of 2002"; to the Committee on Foreign Relations.

EC-1074. A communication from the Treasurer, Navy Wives Club of America, transmitting, pursuant to law, the audit and tax forms for the period beginning September 1, 2003 through August 31, 2004; to the Committee on the Judiciary.

EC-1075. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report concerning the progress and status of compliance with the privatization requirements of the National Capital Revitalization and Self-Government Improvement Act of 1997; to the Committee on the Judiciary.

EC-1076. A communication from the Administrator, Small Business Administration, transmitting, pursuant to law, the Administration's Fiscal Year 2006 Legislative Package Statement of Needs and Purposes; to the Committee on Small Business and Entrepreneurship.

EC-1077. A communication from the Chief, Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Publication of Administrative Forfeiture Notice" (RIN1651-AA48); to the Committee on Finance.

EC-1078. A communication from the Regulation Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Determining Income and Resources under the Supplemental Security Income (SSI) Program" (RIN0960-AF84) received on February 17, 2005; to the Committee on Finance.

EC-1079. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Rules Relating to Review of National Futures Association Decisions in Disciplinary, Membership Denial, Registration and Member Responsibility Actions" (RIN3038-AC12) received on February 15, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1080. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department

of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Golden Nematode: Regulated Areas" (Doc. No. 04-093-2) received on February 15, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1081. A communication from the Regulatory Contact, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "United States Standards for Wheat" (RIN0580-AA86) received on February 16, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1082. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, there report of a rule entitled "Brucellosis in Swine; Add Arkansas, Louisiana, and Michigan to List of Validated Brucellosis Free States" (Doc. No. 04-103-2) received on February 16, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1083. A communication from the Director, Child Nutrition Division, Special Nutrition, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Child and Adult Care Food Program; Increasing the Duration of Tiering Determinations for Day Care Homes" (RIN0584-AD67) received on February 16, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. COLLINS (for herself and Mr. FEINGOLD):

S. 457. A bill to require the Director of the Office of Management and Budget to issue guidance for, and provide oversight of, the management of micropurchases made with Governmentwide commercial purchase cards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SNOWE (for herself, Mr. BAUCUS, Mr. BINGAMAN, Mr. JEFFORDS, and Mr. ROCKEFELLER):

S. 458. A bill to amend part A of title IV of the Social Security Act to give States the option to create a program that allows individuals receiving temporary assistance to needy families to obtain post-secondary or longer duration vocational education; to the Committee on Finance.

By Mr. CHAMBLISS (for himself, Mr. ISAKSON, Mr. LOTT, and Mr. COCHRAN):

S. 459. A bill to require a study and report regarding the designations and construction of a new interstate route from Savannah, Georgia to Knoxville, Tennessee; to the Committee on Environment and Public Works.

By Mr. KERRY:

S. 460. A bill to expand and enhance benefits for members of the Armed Forces and their families, and for other purposes; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself and Mr. KENNEDY):

S. 461. A bill to amend title 37, United States Code, to require that a member of the uniformed services who is wounded or otherwise injured while serving in a combat zone continue to be paid monthly military pay and allowances, while the member recovers from the wound or injury, at least equal to the monthly military pay and allowances the

member received immediately before receiving the wound or injury, to continue the combat zone tax exclusion for the member during the recovery period, and for other purposes; to the Committee on Finance.

By Ms. SNOWE:

S. 462. A bill to deauthorize the project for navigation, Tenants Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 463. A bill to deauthorize the project for navigation, Northeast Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 464. A bill to modify the project for navigation, Union River, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 465. A bill to authorize the Secretary of the Army to carry out a project for the mitigation of shore damage attributable to the project for navigation, Saco River, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 466. A bill to deauthorize a certain portion of the project for navigation, Rockland Harbor, Maine; to the Committee on Environment and Public Works.

By Mr. DODD (for himself, Mr. BENNETT, Mr. SCHUMER, Mr. HAGEL, Mr. CORZINE, Mr. BUNNING, Mr. REED, Mr. LUGAR, Mrs. CLINTON, Mr. NELSON of Nebraska, Mr. CARPER, Mrs. DOLE, Mr. CHAMBLISS, and Mr. LAUTENBERG):

S. 467. A bill to extend the applicability of the Terrorism Risk Insurance Act of 2002; to the Committee on Banking, Housing, and Urban Affairs.

#### ADDITIONAL COSPONSORS

S. 8

At the request of Mr. ENSIGN, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 8, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 147

At the request of Mr. AKAKA, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 147, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

S. 241

At the request of Ms. SNOWE, the names of the Senator from Rhode Island (Mr. CHAFFEE), the Senator from New York (Mrs. CLINTON) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 241, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 285

At the request of Mr. BOND, the names of the Senator from California

(Mrs. FEINSTEIN) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 285, a bill to reauthorize the Children's Hospitals Graduate Medical Education Program.

S. 328

At the request of Mr. CRAIG, the names of the Senator from Kansas (Mr. BROWNBACK), the Senator from Washington (Ms. CANTWELL) and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 328, a bill to facilitate the sale of United States agricultural products to Cuba, as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000.

S. 360

At the request of Ms. SNOWE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 360, a bill to amend the Coastal Zone Management Act.

S. 361

At the request of Ms. SNOWE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 361, a bill to develop and maintain an integrated system of ocean and coastal observations for the Nation's coasts, oceans and Great Lakes, improve warnings of tsunamis and other natural hazards, enhance homeland security, support maritime operations, and for other purposes.

S. 454

At the request of Mr. PRYOR, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 454, a bill to release to the State of Arkansas a reversionary interest in Camp Joseph T. Robinson.

S. RES. 63

At the request of Mr. HAGEL, his name was added as a cosponsor of S. Res. 63, a resolution calling for an investigation into the assassination of Prime Minister Rafiq Hariri and urging steps to pressure the Government of Syria to withdraw from Lebanon.

At the request of Mr. BIDEN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. Res. 63, *supra*.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. FEINGOLD):

S. 457. A bill to require the Director of the Office of Management and Budget to issue guidance for, and provide oversight of, the management of micropurchases made with Governmentwide commercial purchase cards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, I rise today with my colleague, Senator Russ FEINGOLD, to introduce the "Purchase Card Waste Elimination Act of 2005," to help eliminate wasteful spending that can occur when the Government neglects to pay attention to where it makes its purchases.

Last year, the Senate Committee on Governmental Affairs, now the Com-

mittee on Homeland Security and Governmental Affairs, explored the Government's use of purchase cards and we learned about ways to save an estimated \$300 million annually through better management of purchase cards. Purchase cards are, in essence, credit cards that agencies give to its employees for the purpose of obtaining goods and services for the Federal Government. In fact, under Federal acquisition law, purchase cards are the Government's preferred method for making what are known as "micropurchases"—that is items costing \$2,500 or less. Although Government employees spend billions of dollars with purchase cards each year, Federal agencies do very little to analyze the items obtained with purchase cards in an attempt to get a better price for the Government.

The American people have the right to expect the Federal Government to spend their tax dollars carefully and wisely. While this is true at all times, it is never more so than today when the Government is running large budget deficits. The Senate Committee on Homeland Security and Governmental Affairs has a special role to play in reducing wasteful spending, and I have made this role a priority at the Committee. This legislation is one aspect of our committee's efforts to reduce waste, fraud and abuse in Government spending.

Purchase cards came into Federal Government-wide use in 1989. They allow Government employees to easily and efficiently purchase routine items such as office supplies, computers and copying machines. While they are generally used for small purchases, they accounted for more than \$16 billion in Federal spending in 2003. In 1994, they accounted for only \$1 billion.

This increase in use is good news because it means that more Government spending is being executed in an expeditious manner that reduces red tape and saves on administrative costs. At the same time, the use of purchase cards should enable us to conduct comprehensive analysis of how this \$16 billion is spent and where. This information could be analyzed and used to further reduce the Federal Government's costs. At present, however, this is not being done.

Last year, Senator FEINGOLD, Representative SCHAKOWSKY and I released a report by the Government Accountability Office identifying missed opportunities for savings. According to that report the missed savings were due to both a lack of training and a lack of management attention and oversight. According to GAO, too many purchase cardholders failed to obtain readily available discounts on purchase cards buys. Even where the Government and the vendor had negotiated a discounted price for items through the General Services Administration schedules, Federal employees with purchase cards failed to take advantage of the discounted prices and their managers were completely unaware of those lost

opportunities to save. One example of a repeated lost opportunity to save was the Department of the Interior's purchases of printer toner cartridges. One GSA schedule vendor offered the toner for only \$24.99. Yet, of the Department's 791 toner cartridge purchases, only two were at or below that price. Some cartridges were purchased for \$34.99, which is about 40 percent higher than the GSA schedule price.

In addition to failing to use available schedule prices, GAO found that agencies failed to negotiate lower prices with vendors with whom they frequently used purchase cards. In the private sector, most companies that use the same vendor for a lot of purchases would negotiate some sort of volume discount. But before they would attempt to negotiate savings the company would first need to understand its spending patterns. Because Federal agencies lack a comprehensive understanding of where its employees are using Government purchase cards, Federal agencies are unable to replicate this practice.

At my request, GAO analyzed purchase card use at the six Federal agencies that account for 85 percent of Government purchase card usage. As a result of that analysis, GAO estimated that \$300 million per year could be saved if agencies improved their purchase card buying practices.

Under our legislation, the Office of Management and Budget, OMB, would direct agencies to better train their cardholders and more effectively analyze their spending data. It would also direct the GSA to increase its efforts to improve its efforts to secure discounts with vendors and provide agencies with more guidance to reduce wasteful spending.

The American people have the right to expect the Federal Government to spend their tax dollars wisely. I urge our colleagues to cosponsor and support this legislation.

By Ms. SNOWE (for herself, Mr. BAUCUS, Mr. BINGAMAN, Mr. JEFFORDS, and Mr. ROCKEFELLER):

S. 458. A bill to amend part A of title IV of the Social Security Act to give States the option to create a program that allows individuals receiving temporary assistance to needy families to obtain post-secondary or longer duration vocational education; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce "The Pathways to Self-Sufficiency Act of 2003." I am pleased to be joined in introducing this important legislation by my colleagues Senators BAUCUS, BINGAMAN, JEFFORDS and ROCKEFELLER.

This legislation is based upon the highly esteemed Maine program called "Parents as Scholars". This program, which uses State Maintenance of Effort, MOE, dollars to pay TANF-like benefits to those participating in post-secondary education, is a proven suc-

cess in my State and is a wonderful foundation for a national effort.

We all agree that the 1996 welfare reform effort changed the face of this Nation's welfare system to focus it on work. To that end, I believe that this legislation bolsters the emphasis on "work first". Like many of my colleagues, I agree that the shift in the focus from welfare to work was the right decision, and that work should be the top priority. However, for those TANF recipients who cannot find a good job that will put them on the road toward financial independence, education might well be the key to a successful future of self-sufficiency.

As we have seen in Maine, education has played a significant role in breaking the cycle of welfare and has given parents the skills necessary to find better paying jobs. And we all know that higher wages are the light at the end of the tunnel of public assistance.

"The Pathways to Self-Sufficiency Act of 2005" provides States with the option to allow individuals receiving Federal TANF assistance to obtain post-secondary or vocational education. This legislation would give States the ability to use Federal TANF dollars to give those who are participating in vocational or post-secondary education the same assistance as they would receive if they were working.

We all know that supports like income supplements, child care subsidies, and transportation assistance among others, are essential to a TANF recipient's ability to make a successful transition to work. The same is true for those engaged in longer term educational endeavors. This assistance is especially necessary for those who are undertaking the challenge and the financial responsibility of post-secondary education, in the hopes of increasing their earning potential and employability. The goal of this program is to give participants the tools necessary to succeed into the future so that they can become, and remain, self-sufficient.

Choosing to go to college requires motivation, and graduating from college requires a great deal of commitment and work—even for someone who isn't raising children and sustaining a family. These are significant challenges, and that's even before taking into consideration the cost associated with obtaining a Bachelor's degree. This legislation would provide those TANF recipients who have the ability and the will to go to college the assistance they need to sustain their families while they get a degree.

The value of promoting access to education in this manner to get people off public assistance is proven by the success of Maine's "Parents as Scholars", PaS, program. Maine's PaS graduates earn a median wage of \$11.71 per hour after graduation up from a median of \$8.00 per hour prior to entering college. When compared to the \$7.50 median hourly wage of welfare leavers in Maine who have not received a post-

secondary degree, PaS graduates are earning, on average, \$160 more per week. That translates into more than \$8,000 per year—a significant difference.

Furthermore, the median grade point average for PaS participants while in college was 3.4 percent, and a full 90 percent of PaS participants' GPA was over 3.0. These parents are giving their all to pull their families out of the cycle of welfare.

Recognizing that work is a priority under TANF, and building upon the successful Maine model, the "Pathways to Self-Sufficiency Act" requires that participants in post-secondary and vocational education also participate in work. During the first 2 years of their participation in these education programs, students must participate in a combination of study time, employment or work experience for at least 24 hours per week—the same hourly requirement that the President proposes in his welfare reauthorization proposal.

During the second 2 years—for those enrolled in a four year program—the participant must work at least 15 hours in addition to class and study time, or engage in a combination activities, including study time work or work experience, and training, for an average of 30 hours per week. And all the while, participants must maintain satisfactory academic progress as defined by their academic institution.

The bottom line is that if we expect parents to move from welfare to work and stay in the work force, we must give them the tools to find good jobs. For some people that means job training, for others that could mean dealing with a barrier like substance abuse or domestic violence, and for others, that might mean access to education that will secure them a good job and that will get them off and, importantly, keep them off of welfare.

The experience of several "Parents as Scholar" graduates were captured in a publication published by the Maine Equal Justice Partners, and their experiences are testament to the fact that this program is a critically important step in moving towards self-sufficiency. In this report one graduate said of her experience, "If it weren't for 'Parents as Scholars' I would never have been able to attend college, afford child care, or put food on the table. Today, I would most likely be stuck in a low-wage job I hated barely getting by . . . I can now give my children the future they deserve."

Another said, "By earning my Bachelor's degree, I have become self-sufficient. I was a waitress previously and would never have been able to support my daughter. I would encourage anyone to better their education if possible."

These are but a few comments from those who have benefited from access to post-secondary education. Giving States the option use Federal dollars to support these participants will make a tremendous difference in their ability

to sustain these programs which have proven results. In Maine, nearly 90 percent of working graduates have left TANF permanently and isn't that our ultimate goal?

I look forward to working with my colleagues to include this legislation in the upcoming welfare reauthorization. It is a critical piece of the effort to move people from welfare to work permanently and it has been missing from the federal program for too long.

By Mr. CHAMBLISS (for himself, Mr. ISAKSON, Mr. LOTT, and Mr. COCHRAN):

S. 459. A bill to require a study and report regarding the designations and construction of a new interstate route from Savannah, Georgia to Knoxville, Tennessee; to the Committee on Environment and Public Works.

Mr. CHAMBLISS. Mr. President, today we are introducing legislation, two bills that I hope will pave the way to correct a half a century of transportation inequity in the Southern United States.

First, I am introducing a bill, supported by Senators ISAKSON, LOTT, and COCHRAN, that proposes a new interstate highway, Interstate 14 or "I-14," linking Augusta, Macon and Columbus, GA connecting through Montgomery, AL and going all the way to Natchez, MS.

Second, my colleague from Georgia, Senator ISAKSON and I are proposing the creation of Interstate 3 or "I-3", linking Savannah and Augusta, GA to Knoxville, TN.

In the 108th Congress, Senator Miller and I introduced these bills. If passed, they would require the Secretary of Transportation to study and report to the appropriate committees of Congress, before December 31, 2005, the steps and estimated funding necessary to designate and construct these new interstate highways.

These proposals are multi-purpose plans. They would naturally improve the interconnectivity and highway safety for those in the Deep South. Also, they would help provide the badly needed economic development to areas of the South ignored by our current interstate grid, and improve the national defense highway linkage for which our interstate system was originally designed. In addition, they could help provide critical environmental improvements for the entire Sunbelt region by reducing the air pollution and traffic congestion in some of our major gridlocked southern cities.

The honorary name of the "I-14" plan helps to provide symbolic recognition to the promise of economic parity to freed slaves which was implied with the passage of the 14th Amendment in 1868. As the South struggled to overcome four years of devastating war and find a way to integrate the newly emancipated slaves into the full benefits of citizenship, Congress passed this amendment, guaranteeing equal rights for all Americans.

I am convinced that this area remains largely isolated from the economic expansion that transformed much of the rest of the South starting in the 60s. Many in this region still suffer from the lack of economic parity with America. Eighty percent of jobs in America are located within 10 miles of an interstate. In this case, there are regions where there is no interstate. It is my hope that the addition of I-14 will help bring and provide the promising economic development and much needed jobs to this region.

The 3rd Infantry Division Highway Initiative Act is named for the U.S. Army 3rd Infantry Division of Fort Stewart—division that served as the "Tip of the Spear" in the War on Terror in Iraq and whose soldiers conquered Najaf, seized Saddam International Airport and Saddam Hussein's palaces, and led the fighting on the day of Baghdad's historic liberation. The proposed route for "I-3" would provide a highway link between strategic defense interests in our region including Fort Gordon, Eisenhower Army Regional Medical Center, the Augusta Veterans Administration Hospitals, Fort Stewart, Hunter Army Airfield, and the Port of Savannah among others. In the process, we will provide long-needed North-South interstate access for Augusta, which happens to be Georgia's second largest city. It will also provide a direct interstate link between Fort Gordon in Augusta and Fort Stewart and Hunter Army Airfield in Savannah, which would serve both facilities well in warding off base closures now and in the future.

It may take a decade to bring these projects to full completion. They are not a quick or easy fix, however they are the necessary, equitable and common sense solution.

By Mr. KERRY:

S. 460. A bill to expand and enhance benefits for members of the Armed Forces and their families, and for other purposes; to the Committee on Finance.

Mr. KERRY. Mr. President, I recently returned from Iraq where I am proud to report that the men and women of the American military continue to perform magnificently. They are the best of America, and we owe them and their families a special debt of honor and gratitude.

Today, I am introducing legislation to strengthen our military and enact a "Military Family Bill of Rights." My hope is that Congress will act quickly to build the military ready to meet the challenges of this century. That requires a larger Army, a larger Marine Corps, and better policies for Americans in uniform and their families.

We must begin by building a military sized and shaped for the challenges of the future. The military today, in particular the Army and the Marine Corps, is too small for the missions it faces. The evidence is everywhere.

In the past, the Army gave units 2 years to reset, re-train, and prepare be-

tween combat deployments. Instead the 3rd Infantry Division is headed back to Iraq after only one year. The 101st Airborne and the 4th Infantry Divisions are headed back later this year after less than 2 years. The First Marine Expeditionary Force is already in the middle of its second deployment to Iraq.

Even with this timetable, we have made ends meet only through large contributions from the National Guard and Reserve. But in planning the next rotation of U.S. forces, we are running out of Guard and Reserve units to call on because they've already been deployed. Fourteen of the National Guard's 15 most combat-ready units are either in Iraq now, recently demobilized, or on alert for duty in the coming year. Of the 205,000 Army Reservists, only about 37,000 remain available for deployment for the types of missions needed in Iraq. Last year the Army dipped into the Individual Ready Reserve. More recently, the Army has even begun to call back military retirees, ranging in age from their mid-40s to their late 60s.

The situation is so grave that Lt. General James Helmly, chief of the Army Reserve, recently warned that the reserves are "rapidly degenerating into a broken force"—and cautioned that at this rate we will not be able to meet the needs of "future missions."

The war on terror—which we know requires a comprehensive approach—will have a military component. Surprises happen and our armed forces must be ready to meet those challenges, wherever and whenever they occur.

Since the end of the Cold War, every major commitment of American military power, including the "Air War" in Kosovo, has required a sizeable commitment of American ground forces, at the very least to provide post-conflict security and stability. There's no technological substitute for boots on the ground, and we must always plan for the worst, so we never expose our troops to the unintended consequences of wishful thinking.

The CIA's internal think-tank, the National Intelligence Council, recently drew an important conclusion about conflict over the next 15 years: "Weak governments, lagging economies, religious extremism, and youth bulges will align to create a perfect storm for internal conflict in certain regions." That's a warning about the danger of failed states—and this should be a wake-up call for American strategy.

Failed states can become havens for terrorists. It was a failed state in Afghanistan that provided a training ground for al-Qaida. It was a failed state where al-Qaida made its plans, grew its forces, and emerged to threaten our national security.

We need a comprehensive foreign policy strategy to deal with failed states, but we must also have a military ready to act if necessary. For the foreseeable future, the United States will need a

larger ground force. Failure to build one now will only diminish our national security in the future.

The war in Iraq proved that a lightning-fast, high-tech force can smash an opposing Army and drive to Baghdad in three weeks. But there is no substitute for a well-trained and equipped infantry to win the peace or secure a failed state. Those missions require an investment in the men and women of the American military—to expand their number, and to increase the number of forces that specialize in certain skills.

To meet these needs, this legislation will expand the Active Duty Army by 30,000 and the Marines by 10,000 personnel.

The men and women of the American military are sustained by the bonds they share within their unit, and by the love and strength they draw from home—from their families, their spouses, their children, their parents. Military families are unsung heroes who receive neither medals nor parades—giving everything they can to the men and women they love, men and women who have been called to war. They answered the call. And so must we—with a new commitment to smarter defense policies, like those I outlined earlier, and better care for military families.

So the legislation I offer today also includes a Military Family Bill of Rights, a set of policies enshrined in law, to provide assistance to the families of the American military.

Investing in military families isn't just an act of compassion—it's a smart investment in America's military. Good commanders know that while you may recruit an individual soldier or Marine, you "retain" a family. Nearly 50 percent of America's service members are married today. If we want to retain our most experienced service members, especially the non-commissioned officers that are the backbone of the Army and Marine Corps, we have to keep faith with their families. If we don't, and those experienced, enlisted leaders begin to leave, America will have a broken, "hollow" military.

We can begin by increasing the financial support military families receive. We can help them meet the increased expenses every military family faces when a loved-one is deployed. Thousands of reservists, for example, take a cut in pay when called to active duty. Some employers make up the difference in lost wages. We should reward those patriotic business leaders. And since small businesses don't have the workforces that make it possible to spread such costs, we should offer a Small Business Tax Credit to those who make up the difference between a reservist's civilian and military pay. This legislation would also establish Military Reservist Economic Injury Disaster Grants to buttress existing loan programs that help small-businesses survive when a vital employee, or even the owner, is mobilized. It also creates the Reservists Enterprise Tran-

sition and Sustainability Task Force to help small businesses prepare for and cope with the mobilization of reservist-employees and owners. For all service members, this legislation permits penalty free withdrawals from Individual Retirement Accounts for deployment-related expenses, such as increased child-care and other costs.

As many as one-in-five members of the National Guard and Reserves don't have health insurance. That is bad policy and bad for our national security. When units are mobilized, they count on all their personnel. But when a member of the National Guard or Reserve is mobilized, and unit members fail physically because they haven't seen a doctor in 2 years, that's bad for readiness and that's bad for unit effectiveness. As part of the Military Family Bill of Rights, we will extend military health insurance eligibility to all members of the National Guard and Reserve, whether mobilized or not.

One of the unfortunate truths about war is that it takes lives—and mostly young lives. For their survivors, much of life remains, and we must be generous in our efforts to help them put their lives back together. Almost a year ago, I proposed increasing the military's death benefit to \$250,000. When combined with the Servicemembers Group Life Insurance, a family would receive \$500,000 when a loved-one dies in the service of our nation. No one can ever put a price on a life, but we ought to do what we can to help families coping with the worst of news. The President recently embraced a formula to reach the \$500,000 threshold, and I'm glad he has joined this effort.

Our generosity must not stop there. At present, survivors of those killed in action have 180 days to move out of military housing. But for those with young children in school, 180 days may mean starting a school year in one State, and finishing it in another. With all the disruption the loss of a parent will bring to their lives, survivors should have the flexibility to stay in their homes for one year after the death of a service member. It's the least we can do for those who have paid the ultimate price.

But let's be honest: No piece of legislation will ever anticipate all the needs of America's military families. Someone will always fall through the cracks. And the legislation I intend to offer will try to fix that. Take the case of Jay Briseno. Jay was wounded in Iraq and left paralyzed from the neck down. The law authorizes the VA to provide \$11,000 to modify a disabled veteran's vehicle, but it doesn't provide the resources a family needs to buy the specially out-fitted vehicle Jay needed. In his case, a generous member of the community donated the van the Briseno's now use to drive Jay to doctors appointments and hospital visits. And we are all grateful for that act of generosity. But no family should ever have to be so dependent on charity to meet a basic need.

Americans will do everything in our power to help military families. But not all Americans can afford to buy modified minivans for wounded veterans, and not all military families have the same needs. So as part of my Military Family Bill of Rights, we will establish a Military Family Relief Fund. Every American who pays taxes will be able to contribute by checking a box on their income tax returns. Just as we let Americans donate a few dollars to finance our presidential elections on their tax forms, we should give them this opportunity to say thank you to our troops. The program will meet the needs we can't expect with the flexibility and responsiveness our service members, veterans, and their families deserve.

Supporting military families must also extend beyond service in uniform—with programs across government to help with jobs, VA benefits, healthcare, and education.

Veterans possess great leadership and technical skills, but they often lack the financial resources to turn that potential into a viable enterprise. A recent report by the Small Business Administration stated that 22 percent of veterans plan to start or are starting a business when they leave the military. For service-disabled veterans, this number rises to 28 percent. So the legislation I introduce today will create a new program, administered by the Small Business Administration, to provide very-low interest loans, up to \$100,000, to help veterans start new small businesses.

But in this time of war, we have another obligation to meet the needs of those suffering with the experience of war.

The Pentagon believes that as many as 100,000 new combat veterans across the country will need some level of mental health care. The New England Journal of Medicine has reported as many as 1 in 6 soldiers returning from Iraq show symptoms of post-traumatic stress disorder. Fewer than 40 percent of those sought help. Military officials and mental health providers predict that up to 30 percent of returning soldiers will require psychiatric services associated with their experience in war. Through July of last year, 31,000 veterans of Operation Iraqi Freedom had applied for disability benefits for injuries—and 20 percent of those claims were for psychological conditions. These are levels not seen since the Vietnam War.

Our VA medical facilities are not ready for increased demands for the treatment of Post Traumatic Stress Disorder. In fact only 86 of 163 VA Medical Centers have PTSD treatment centers. We must do better. The wounds of war are not always visible, and we cannot sit back and wait for people to ask for help. We have to be proactive.

Soldiers and Marines returning from war want to go home. They don't want to do anything that could jeopardize

their homecoming. That's what happened to Jeffrey Lucey, a Marine Reservist from Belchertown, MA. When he was leaving Iraq, his first instinct was to report traumatic memories of things he had seen in the war. But someone told him it might delay his return home, so Jeff kept quiet. But the safety, security, and joy of homecoming eluded Jeff. Haunted by the war and what he had seen, he began to drink heavily. He was plagued by recurring nightmares, and began talking about suicide. Last summer, Jeff took his own life. Jeff's story is a preventable tragedy, and a call to action. As part of the legislation I plan, keeping faith with Jeff's family who have become committed advocates in his memory, we will expand PTSD programs within the VA and require outreach efforts to find the veterans who need the care.

Our obligation is to keep faith with the men and women of the American military and their families—whether they are on active duty, in the National Guard or Reserves, or veterans.

Those who have stood for us should know that we stand with them, today and always. Each of us can do something to ease their burden—but truly supporting our troops requires that we act not just as individuals, but as a nation. We owe our troops the opportunity to serve in the best-planned, best-equipped, and best-led military force in the world, and we owe them the peace of mind that comes from knowing that they and their families will be taken care of if they sacrifice life, limb or the ability to sleep without war's nightmares. We owe them not just thanks and best wishes, but action here in Congress. In today's ever-changing and perilous world, there is not a moment to lose.

By Mr. ROCKEFELLER (for himself and Mr. KENNEDY):

S. 461. A bill to amend title 37, United States Code, to require that a member of the uniformed services who is wounded or otherwise injured while serving in a combat zone continue to be paid monthly military pay and allowances, while the member recovers from the wound or injury, at least equal to the monthly military pay and allowances the member received immediately before receiving the wound or injury, to continue the combat zone tax exclusion for the member during the recovery period, and for other purposes; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, I rise today with my colleague, Senator KENNEDY, to introduce the Senate companion to the Crosby-Puller Combat Wounds Compensation Act.

This legislation is designed to help our soldiers who are returning from combat with serious wounds to maintain their pay during their recovery. Too often, young wounded soldiers are struggling to recover from wounds of combat and, simultaneously struggling financially as well.

A soldier's pay may be cut in half just as they are sent to the hospital. This adds to their stress and worries. It also can mean that family, including wives and children, cannot afford travel to the hospital to be nearby and support in the recovery.

Congressman MARKEY introduced this bill during the last Congress, and he has introduced it this year. This legislation will maintain the full pay that the soldier received immediately prior to their injury, until they are discharged or regain active duty status.

Over 5,700 soldiers have been seriously wounded in Iraq, and there have been others in combat areas around the globe, and sadly we must acknowledge that there will be more. Recovering soldiers and their families deserve our admiration and respect, and our full support. As they cope with the loss of a limb, or vision or mobility, they should not have to cope with bill collector or financial hardship. In my view, caring for our wounded soldiers and their families is a moral obligation and part of the cost of combat.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 461

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Crosby-Puller Combat Wounds Compensation Act".

#### SEC. 2. NO REDUCTION IN MONTHLY MILITARY PAY AND ALLOWANCES FOR MEMBERS OF THE UNIFORMED SERVICES WOUNDED OR INJURED IN COMBAT ZONES.

(a) IN GENERAL.—Subsection (b) of section 310 of title 37, United States Code, is amended to read as follows:

“(b) NO REDUCTION IN MONTHLY MILITARY PAY FOR WOUNDED OR INJURED MEMBERS.—

“(1) EFFECT OF WOUND OR INJURY IN COMBAT ZONE.—For each month during the period specified in paragraph (2), the total amount of monthly military pay paid to a member who was wounded or otherwise injured while assigned to duty in an area for which special pay was available under this section at the time the member was wounded or otherwise injured shall not be less than the total amount of military pay paid to the member for the month during which the member was wounded or otherwise injured.

“(2) DURATION.—Paragraph (1) shall apply with respect to a wounded or injured member until the end of the first month during which any of the following occurs:

“(A) The member is found to be physically able to perform the duties of the member's office, grade, rank, or rating.

“(B) The member is discharged or separated from the uniformed services.

“(C) The member dies.

“(3) MILITARY PAY DEFINED.—In this subsection, the term ‘military pay’ has the meaning given the term ‘pay’ in section 101(21) of this title, except that the term includes allowances under chapter 7 of this title.”

(b) RETROACTIVE EFFECTIVE DATE.—Subsection (b) of section 310 of title 37, United States Code, as amended by this section, shall apply with respect to any pay period

ending on or after September 11, 2001, for members of the uniformed services described in paragraph (1) of such subsection who were wounded or otherwise injured on or after that date.

#### SEC. 3. REPEAL OF TIME LIMITATION ON EXCLUSION OF COMBAT ZONE COMPENSATION BY REASON OF HOSPITALIZATION.

(a) IN GENERAL.—Subsections (a)(2) and (b)(2) of section 112 of the Internal Revenue Code of 1986 are each amended by striking “; but this paragraph shall not apply for any month beginning more than 2 years after the date of the termination of combatant activities in such zone”.

(b) EFFECTIVE DATE.—Subsections (a)(2) and (b)(2) of section 112 of the Internal Revenue Code of 1986, as amended by this section, shall apply to compensation received for months ending after September 11, 2001, for members of the uniformed services described in such subsections who were wounded or otherwise injured on or after that date.

By Ms. SNOWE:

S. 462. A bill to deauthorize the project for navigation, Tenants Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 463. A bill to deauthorize the project for navigation, Northeast Harbor, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 464. A bill to modify the project for navigation, Union River, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 465. A bill to authorize the Secretary of the Army to carry out a project for the mitigation of shore damage attributable to the project for navigation, Saco River, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 466. A bill to deauthorize a certain portion of the project for navigation, Rockland Harbor, Maine; to the Committee on Environment and Public Works.

Ms. SNOWE. I rise today to reintroduce five different bills important to my State of Maine that were included in the Water Resources Development Act, WRDA, last year. Unfortunately, that larger Corps of Engineers reauthorization legislation did not see action before the Senate adjourned the 108th Congress, but I am pleased that the Chairman of the Senate Environment and Public Works Committee recently stated that WRDA is on the committee's agenda for consideration soon. My hope is that all five bills will once again be included in the WRDA legislation in the 109th Congress.

All of my bills are non-controversial, and, importantly, are supported by the various townspeople and their officials, and State officials, who view these harbor deauthorizations and river improvements as engines for economic development. The bills also have the support of the New England District of the Corps of Engineers.



The first bill, S. 462, pertains to Tenants Harbor, St. George, Maine. Deauthorizing the Federal Navigation Channel, FNC, would be of great help to the town in appropriately managing the Harbor to maximize mooring areas. Over the years there have been mounting problems with the Army Corps of Engineers' mooring permit process as people seeking permits for moorings that have existed for 30 years continue to be notified that the mooring locations are prohibited because they fall within the federal navigational channel.

My second bill, S. 463, concerns Northeast Harbor in Mt. Desert, Maine. The language will not only allow for more recreational moorages and commercial activities, it will also be an economic boost to Northeast Harbor, which is surrounded by Acadia National Park, one of the nation's most visited parks—both by land and by water. The removal of the harbor from the FNC will allow the town to adapt to the high demand for moorings and will allow residents to obtain moorings in a more timely manner. The Harbor has now reached capacity for both moorings and shoreline facilities and has a waiting list of over sixty people, along with commercial operators who have been waiting for years to obtain a mooring for their commercial vessels.

My third bill, S. 464, addresses the Union River in Ellsworth, Maine. The bill supports the City of Ellsworth's efforts to revitalize the Union River navigation channel, harbor, and shoreline. The modification called for in my legislation will redesignate a portion of the Union River as an anchorage area. This redesignation will allow for a greater number of moorings in the harbor without interfering with navigation and will further improve the City's revitalization efforts for the harbor area.

My fourth bill, S. 465, will carry out a project for the mitigation of shore damage at Camp Ellis, Maine, attributable to the Saco River navigation project. The bill authorizes the Secretary of the Army to carry out the project, under the River and Harbor Act of 1968, to mitigate shore damage attributable to the Saco River project, waiving the funding cap requirement for congressional authorization set forth in that Act. The legislation is needed to complete the project as it will cost more than authorized under current law, and is the preferred project by non-Federal interests.

My fifth bill, S. 466, will make the mooring of an historic windjammer fleet in Rockland Harbor a reality. Originally a strong fishing port, Rockland retains its rich marine heritage, and it is one of the fastest growing cities in the Midcoast area. Like many of the port cities on the eastern seaboard, Rockland has been forced to confront an assortment of financial and environmental changes, but happily, the city has been able to respond to these challenges in positive and productive ways.

The City of Rockland has hosted the Windjammer fleet since 1955, earning a well deserved reputation as the Windjammer Capital of the World. Rockland's Windjammers are now National Historic Landmarks, and as such, are vitally important to both the City and the State. The image of The Victory Chimes, one of five vessels slated to be berthed at the new wharf and a vessel whose historical designation I supported, graces the Maine quarter. This beautiful fleet of windjammers symbolizes the great seagoing history of Maine as well as the sense of adventure that we have come to associate so closely with the American experience.

Lermond Cove is perfectly situated in the Rockland Harbor to be the new and permanent home for these cherished vessels. The proposed Windjammer Wharf will also provide a safe harbor from storms, as it is tucked nicely near the Maine State Ferry and Department of Marine Resources piers.

The State of Maine capitalizes on the visual impact of the Windjammers to promote tourism, working waterfronts and the natural beauty that distinguishes our landscape. Over \$300,000 is spent yearly by the Maine Windjammer Association to advertise and promote these businesses. Deauthorizing that part of the federal navigational channel will clearly trigger significant and unrealized economic benefits for the region, providing many beneficial dollars to the local area and the State of Maine. According to the Longwood study, which uses a multiplier of 1.5, the economic impact of this spending is \$3.8 million a year. Conservatively, the Windjammers spend over \$2.5 million a year in the state.

I want to thank the New England Corps of Engineers for their help in drafting the language and working with the Maine Department of Transportation, which runs the ferry line, and also the Rockland city officials, the Rockland Port District, and the Captains of the Windjammer vessels—Mainers and businesspeople with the vision and commitment we need to complete Windjammer Wharf and create a permanent home for this historic fleet of windjammers in Rockland Harbor.

By Mr. DODD (for himself, Mr. BENNETT, Mr. SCHUMER, Mr. HAGEL, Mr. CORZINE, Mr. BUNNING, Mr. REED, Mr. LUGAR, Mrs. CLINTON, Mr. NELSON of Nebraska, Mr. CARPER, Mrs. DOLE, Mr. CHAMBLISS, and Mr. LAUTENBERG):

S. 467. A bill to extend the applicability of the Terrorism Risk Insurance Act of 2002; to the Committee on Banking, Housing, and Urban Affairs.

Mr. President, I ask unanimous consent that the text of the bill regarding terrorism Risk Insurance be printed in the RECORD.

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

S. 467

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Terrorism Risk Insurance Extension Act of 2005."

#### SEC. 2. EXTENSION OF TERRORISM RISK INSURANCE PROGRAM.

(a) EXTENSION OF PROGRAM YEARS.—Section 108(a) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2336) is amended by striking "2005" and inserting "2007".

(b) CONTINUING AUTHORITY OF THE SECRETARY.—Section 108(b) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2336) is amended by striking "arising out of" and all that follows through "this title".

#### SEC. 3. CONFORMING AMENDMENTS.

(a) DEFINITIONS.—

(1) PROGRAM YEARS.—Section 102(11) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2326) is amended by adding at the end the following:

"(E) PROGRAM YEAR 4.—The term 'Program Year 4' means the period beginning on January 1, 2006 and ending on December 31, 2006.

"(F) PROGRAM YEAR 5.—The term 'Program Year 5' means the period beginning on January 1, 2007 and ending on December 31, 2007.

"(G) OTHER PROGRAM YEARS.—Except when used as provided in subparagraphs (B) through (F), the term 'Program Year' means, as the context requires, any of Program Year 1, Program Year 2, Program Year 3, Program Year 4, or Program Year 5."

(2) INSURED LOSSES.—Section 102(5) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2324) is amended—

(A) by inserting "on or before December 31, 2007, as required by this title," before "if such loss";

(B) by striking "(A) occurs within" and inserting the following:

"(A) occurs on or before the earlier of the expiration date of the insurance policy or December 31, 2008; and

"(B) occurs—

"(i) within"; and

(C) by striking "occurs to an air carrier" and inserting the following:

"(ii) to an air carrier".

(3) CONFORMING AMENDMENTS.—Section 102 of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2323) is amended—

(A) in paragraph (1)(A)(iii)(I), by striking "(5)(B)" and inserting "(5)(B)(ii)"; and

(B) in paragraph (4), by striking "subparagraphs (A) and (B)" and inserting "subparagraph (B)".

(b) APPLICABLE INSURER DEDUCTIBLES.—Section 102(7) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2325) is amended—

(1) in subparagraph (D)—

(A) by inserting "and each Program Year thereafter" before "the value"; and

(B) by striking "preceding Program Year 3" and inserting "preceding that Program Year"; and

(2) in subparagraph (E), by striking "for the Transition" and all that follows through "Program Year 3" and inserting the following: "for the Transition Period or any Program Year".

(c) CONTINUATION OF MANDATORY AVAILABILITY.—Section 103(c)(1) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2327) is amended—

(1) by striking "last day of Program Year 2" and inserting "termination date established under section 108(a)"; and

(2) by striking the paragraph heading and inserting "IN GENERAL.—".

(d) DURATION OF POLICIES.—Section 103(c) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2327) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

“(2) MANDATORY DURATION.—Coverage for insured losses required by paragraph (1) under a policy issued at any time during Program Year 5 shall remain in effect for not less than 1 year following the date of issuance of the policy, except that no loss occurring after the earlier of the expiration date of the subject insurance policy or December 31, 2008, shall be considered to be an insured loss for purposes of this title.”.

(e) INSURED LOSS SHARED COMPENSATION.—Section 103(e) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2328) is amended—

(1) in paragraph (2)(A), by striking “ending on” and all that follows through “Program Year 3” and inserting “ending on the termination date established under section 108(a)”; and

(2) in paragraph (3), by striking “ending on” and all that follows through “Program Year 3” and inserting “ending on the termination date established under section 108(a)”.

(f) AGGREGATE RETENTION AMOUNT.—Section 103(e)(6) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2328) is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(D) for Program Year 4, the lesser of—

“(i) \$17,500,000,000; and

“(ii) the aggregate amount, for all insurers, of insured losses during such Program Year; and

“(E) for Program Year 5, the lesser of—

“(i) \$20,000,000,000; and

“(ii) the aggregate amount, for all insurers, of insured losses during such Program Year.”.

#### SEC. 4. COVERAGE OF GROUP LIFE INSURANCE.

Section 103 of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2327) is amended by striking subsection (h) and inserting the following:

“(h) APPLICABILITY TO GROUP LIFE INSURANCE.—

“(1) IN GENERAL.—The Secretary shall, by rule, apply the provisions of this title to providers of group life insurance, in the manner determined appropriate by the Secretary, consistent with the purposes of this title.

“(2) CONSISTENT APPLICATION.—The rules of the Secretary under this subsection shall, to the extent practicable, apply the provisions of this title to providers of group life insurance in a similar manner as those provisions apply to an insurer otherwise under this title.

“(3) CONSIDERATIONS.—In determining the applicability of this title to providers of group life insurance, and the manner of such application, the Secretary shall consider the overall group life insurance market size, and shall consider the establishment of separate retention amounts for such providers.

“(4) RULEMAKING REQUIRED.—Not later than 90 days after the date of enactment of the Terrorism Risk Insurance Extension Act of 2005, the Secretary shall issue final regulations to carry out this subsection.

“(5) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect or otherwise alter the applicability of this title to any insurer, as defined in section 102.

“(6) DEFINITION.—As used in this subsection, the term ‘group life insurance’ means an insurance contract that provides term life insurance coverage, accidental death coverage, or a combination thereof, for a number of persons under a single contract, on the basis of a group selection of risks.”.

#### SEC. 5. RECOMMENDATIONS FOR LONG-TERM SOLUTIONS.

Section 108 of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note, 116 Stat. 2328) is amended by adding at the end the following:

“(e) RECOMMENDATIONS FOR LONG-TERM SOLUTIONS.—The Presidential Working Group on Financial Markets shall, in consultation with the NAIC, representatives of the insurance industry, and representatives of policy

holders, not later than June 30, 2006, submit a report to Congress containing recommendations for legislation to address the long-term availability and affordability of insurance for terrorism risk.”.

#### MEASURE PLACED ON CALENDAR

Mr. BURR. Mr. President, I ask unanimous consent that H.R. 310, which is due for its second reading today, be considered as having been read the second time and that the bill be placed on the Calendar under General Orders.

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

#### ADJOURNMENT UNTIL 2 P.M. MONDAY, FEBRUARY 28, 2005

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned pursuant to the provisions of H. Con. Res. 66 until 2 p.m. on Monday, February 28, 2005.

Thereupon, the Senate, at 10:54 a.m., adjourned until Monday, February 28, 2005, at 2 p.m.

#### NOMINATIONS

Executive nominations received by the Senate February 18, 2005:

##### DEPARTMENT OF VETERANS AFFAIRS

JONATHAN BRIAN PERLIN, OF MARYLAND, TO BE UNDER SECRETARY FOR HEALTH OF THE DEPARTMENT OF VETERANS AFFAIRS FOR A TERM OF FOUR YEARS, VICE ROBERT H. ROSWELL.

##### DEPARTMENT OF HOMELAND SECURITY

MICHAEL JACKSON, OF VIRGINIA, TO BE DEPUTY SECRETARY OF HOMELAND SECURITY, VICE JAMES M. LOY, RESIGNED.

##### DEPARTMENT OF THE INTERIOR

PATRICIA LYNN SCARLETT, OF CALIFORNIA, TO BE DEPUTY SECRETARY OF THE INTERIOR, VICE J. STEVEN GRILES, RESIGNED.