

emphasizes, in graphic and forceful terms, the problem. I hear him when he talks about Libby, MT. We have been addressing it with a special provision. We will do more if we possibly can. I have talked to Senator BURNS off the floor on many occasions and heard the serious problems the people of Montana face in Libby. And I have heard the problem that these hotspots create around the country. We will do everything we can. I compliment the Senator from Montana for his thoughtful statement and thank him for his support on the motion to proceed.

Again, anybody who has listened to Senator BURNS, who doesn't think we ought to proceed and take up this problem, simply has his or her head in the sand. It would be unconscionable to vote against the motion to proceed.

Senator SANTORUM was in the Chamber a few moments ago. He proposes to speak on the Steelers' great victory. I am due at the swearing in of the Ambassador to Finland so I will have to leave the floor in a few moments.

(The remarks of Mr. SPECTER and Mr. SANTORUM are printed in today's RECORD under "Morning Business.")

Mr. SPECTER. In the absence of any other Senator in the Chamber, let me say I again invite any Senator or any constituent who has a problem with this bill to come see me. I know Senator LEAHY feels the same way. With all the outstanding work he has done, and our staffs, we want to do what we can to answer all of the problems. As we get ready for the vote on the motion to proceed this afternoon, we have certainly outlined the seriousness of the issue.

Since I spoke earlier, I have been reviewing the testimony or the argument yesterday of Senator DURBIN who spoke about the problem. No doubt there is a problem that has to be addressed. That is the issue on the motion to proceed. Senator DURBIN made a comment that he didn't know how the \$140 billion was arrived at. It was arrived at by his leader, then-Senator Daschle, in collaboration with Senator FRIST. He said he hadn't been able to find out where the money is coming from. He could if he would make an inquiry. We had to subpoena the records, but there is transparency. We know where the money is coming from. I haven't had a chance to read his statement in full, but I will no doubt have more to say about it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SPECTER. Mr. President, I have been asked by representatives of leadership to ask unanimous consent that the time be charged equally to both sides. I am reluctant to make that re-

quest in the absence of any Senators representing the Democrats so I will not make it, but I would ask—I have heard from the leader of the Democrats saying it is OK. So I ask unanimous consent that the time under the quorum call be charged equally to both sides.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

WAR ON TERROR: PROGRESS AND OUTLOOK

Mr. ALLARD. Mr. President, as the U.S. Senate gets started for the second legislative session of the 109th Congress, I would like to take this opportunity and concentrate our attention on the milestones achieved in the global war on terror and take a look at the road ahead.

Since the attacks of September 11, 2001, we and many others in the international community have been united in our effort to defeat terrorism wherever it has taken hold in the world. September 11 proved without a doubt that a network of extremists preaching hate and oppression were determined to cause our Nation great harm. It is clear these extremists were and continue to be committed to nothing less than the total destruction of our Nation and our way of life. This network of terrorism is embedded in many countries. It has penetrated hard working communities, valued institutions of education, and sacred places of worship.

As in any previous world conflicts, the global war on terror cannot be successfully prosecuted without extensive cooperation of the members of the international community. Given the potential catastrophic consequences of terrorist attacks, President Bush worked with our international partners and allies to identify terrorist networks, reduce their ability to communicate and coordinate their plans, and disrupt attacks before they occur.

With America in the lead, a full scale international campaign began in 2001. A total of 136 countries, including members of the European Union, Russia, Pakistan, Saudi Arabia, Australia, countries of Asia and Africa provided and, in many instances, still continue to provide a range of intelligence and/or military assistance. As a result of this unprecedented multilateral cooperation, we have been able to kill or capture more than one half of the known al Qaida leaders and prevent possible terrorist attacks both in the U.S. and abroad.

Despite the many difficulties in this war, our Nation has not retreated nor walked away in the face of adversity. We sought out terrorists, cut off their funding, and disrupted their plans. Under the steadfast leadership of President Bush our country has taken the battle to the enemy and achieved significant successes.

In October 2001, the coalition forces launched a military campaign against the Taliban regime in Afghanistan. The regime was successfully removed from power and all known al Qaida training camps were destroyed.

With the help from the international community, the people of Afghanistan, many for the first time in the history of their nation, tasted the initial seeds of freedom. Let me pause here for a second. For the first time in history millions of people in Afghanistan are now able to express their opinions without a fear of retribution or punishment.

After several national elections, the people of Afghanistan adopted a new constitution, elected a president and held successful parliamentary elections. Efforts to revitalize Afghanistan's economy and education system have already produced significant results. Agricultural production, which is a way of life for 70 percent of Afghanistan's people, has nearly doubled. New roads are being built. Teachers are being trained and an increasing number of people, including women, have access to education.

Afghanistan was devastated by decades of war and neglect and is now being turned into a young democracy that will be an example to others in the troubled region.

A year after September 11, the President challenged the United Nations to confront another protector of terror: Saddam Hussein. Saddam Hussein failed to comply with more than a dozen of United Nations Security Council resolutions and he gave every appearance of continuing to hide large stockpiles of weapons of mass destruction.

Based on Saddam's reported weapons of mass destruction and support for terrorism, Iraq represented a dangerous nexus that the international community could no longer ignore. President Bush bravely made the decision to liberate Iraq from the most brutal regime in the country's history and plant the seeds of freedom in the land that had only known decades of tyranny and oppression.

It is clear today that the terrorists view Iraq as the major battleground against the coalition forces, against the rule of law, and against peace and prosperity. During the last 2 years they have tried to derail the democratic process and threatened to kill those participating in it. Undeterred, the majority of the Iraqi people have bravely ignored this threat and joined the emerging Iraqi political process.

By the millions, Iraqis lined up to choose a transitional government that

drafted the most democratic constitution in the Arab world. By the millions, Iraqis approved that constitution in a national referendum. And by the millions, Iraqis elected a new Iraqi government under the Iraqi-written constitution for the Iraqi people. Let there be no doubt about it: the establishment of a meaningful political process and lasting democratic institutions will decide Iraq's future.

We can be proud of the fact that each national vote in Iraq has experienced less violence and produced bigger and broader voter turnout. President Bush put it best when he stated:

In all three aspects of our strategy—democracy, security and reconstruction—we are learning from our experiences, and we are fixing what hasn't worked. . . . we have witnessed a transformation in Iraq that is virtually without precedent.

Iraqi security forces continue to show improvements in defending their fellow countrymen. In October of last year, Iraqi police and army personnel secured polling sites around the country, quickly suppressing any incidents of violence.

Growing in size and strength, Iraqi military units have become more capable and able to defend their country's emerging democracy. Today, Iraqi security battalions have assumed control over entire sectors of Iraq. These accomplishments demonstrate the willingness of Iraqis to stand up to insurgents and protect their fellow countrymen. Iraqis are gradually taking over the frontline in defense of their communities.

With each Iraqi soldier trained and equipped to carry out the mission, Iraq draws closer to being able to stand on its own and protect its own freedom.

A free society cannot exist without an independent and impartial judicial system. With slow but steady progress on all fronts, the Iraqi people are carefully building one of the country's most important institutions: its judiciary. With the help from the international community, the Iraqi people have begun the trial of one of the most brutal dictators in history, Saddam Hussein. Although none of Hussein's victims had a luxury of due process, the new Iraqi government decided to adhere to the highest standard of the rule of law and allowed its former dictator to stand trial by his peers.

None of these successes would have been possible if not for the sacrifice of America's finest men and women in uniform. Their pride, patriotism and perseverance have been the deciding factor on the battlefields far away from home. They have answered the call of duty in a noble but difficult task. Some have made the ultimate sacrifice. Their families will always be in our thoughts and prayers. We should honor their lives by defeating the terrorists.

The successful strategy for prosecuting the global war on terror set forth by President Bush is steadily moving forward. The road ahead will require additional sacrifice from Amer-

ica's leaders, members of the military and the American people. We must continue to unite behind our Commander-in-Chief, make the necessary adjustments, and move forward on the path of complete victory. The Global War on Terror demands nothing less.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURR). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from North Carolina, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. The Senate now stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:18 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BOND).

FAIRNESS IN ASBESTOS INJURY RESOLUTION ACT OF 2005— MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Chair, in its capacity as a Senator from Missouri, suggests the absence of a quorum. The time will be charged equally.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CARPER. Mr. President, I yield myself such time as I may consume.

The PRESIDING OFFICER. The Senator is recognized.

Mr. CARPER. Mr. President, later this afternoon, in fact about 3½ hours, we will gather in the Senate to vote on a motion to proceed to take up and begin debate on legislation that is designed—imperfect legislation but well intended—to ensure that people who have been exposed to asbestos who become sick, whose breathing is impaired from that sickness, will have an opportunity to be compensated for their impairment. As their impairment worsens, if it does, they would be in a position to be compensated further. The legislation also is intended to try to ensure that more money that is paid—if you go by defendants and insurance companies—ends up in the pockets of those victims and of their families.

The question is, Why are we taking this up now? One of the reasons we are taking this up now is because the Supreme Court has been saying, at least since 1997, with Justices including, I believe, Justice Ginsburg and maybe more recently Justice Souter, that the issue of asbestos litigation is one that needs to be resolved by Congress, not

by the Court. It is appropriate that finally we are taking this on.

My own experience and involvement with asbestos litigation reform goes back to 2001, when I was called upon by an old friend who had ended up becoming a CEO of a company I had never heard of called Federal-Mogul. Federal-Mogul is a company headquartered in Michigan that manufactures, among other things, Champion spark plugs and a lot of other products. He had become CEO in 2001 and was in Washington and told me about it. I congratulated him and said good luck, and said if I can be of service, let me know. He called me back in about 6 months. He said: Remember, you said if I could ever be of assistance to let you know. We have a problem at Federal-Mogul. And he came back to explain what it was all about.

Apparently, Federal-Mogul acquired a number of years before, long before my friend became CEO, a British company that had an exposure to asbestos, and because of that exposure, Federal-Mogul was drawn into asbestos litigation lawsuits by folks whose health had been damaged, I believe, by the British subsidiary that I think was owned and sold by Federal-Mogul in a relatively short period of time.

At the time, I took my friend around to meet with the two Senators from Michigan, Senator LEVIN and Senator STABENOW. They were good enough to meet with him. I also took him over to meet with the then-chairman of the Senate Judiciary Committee, PATRICK LEAHY of Vermont, and asked Chairman LEAHY to meet with the CEO from Federal-Mogul. He did. The long and short of it is Federal-Mogul went into bankruptcy. They have come out of bankruptcy, but a lot of the shareholders who owned stock in the company lost a good deal. Folks who had been employees, pensioners who had their money in 401(k) plans, lost a fair amount of their money if it was invested in company stock. The company ended up with fewer employees than it had in the first place.

Along about the same time I had another visit, this from a trial lawyer who represented, and I presume still represents, people who have been exposed to asbestos in their work and have developed a fatal disease called mesothelioma. This attorney came to say that the system, as it existed in either 2001 or 2002, was not working, and the folks he represented who were sick and dying, many who die within a year or so, were not receiving the help they and their families needed—at least not promptly. And a good deal of the monies paid by defendants ended up in the pockets of people such as him, the attorney.

He said people who are sick and dying ought to get the money they need, generously; they should get it now. The folks who have been exposed to asbestos but who are not sick and do not have an impairment should not get anything now and folks such as I,