

When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Kyle's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Kyle.

FIRST LIEUTENANT EDWARD D. IWAN

Mr. NELSON of Nebraska. Mr. President, I rise today to honor First Lieutenant Edward D. Iwan of Albion, NE.

First Lieutenant Iwan was a man who led by example and his leadership deserves the utmost honor. He was raised on a farm near Albion, NE and was a 1994 graduate of Albion High School where he was active in Future Farmers of America and Student Council. First Lieutenant Iwan valued his church, family, and country; and following high school he served 3 years in the United States Army. He then returned to Nebraska and earned a Bachelor of Science degree in Criminal Justice. During college he remained active in the Armed Forces including the ROTC, National Guard and Army Reserve. In December of 2001, First Lieutenant Iwan returned full-time to the Army.

During his last tour of duty to our country this soldier was promoted from Second to First Lieutenant, served in several locations, and was deployed to Iraq in January of 2004 with the 2nd Battalion, 2nd Infantry Regiment, 1st Infantry Division. First Lieutenant Edward D. Iwan was killed in action on Friday, November 12, 2004 during sustained combat in Fallujah, Iraq. This brave soldier led by example to the very end, when even as his unit was under attack, he continued to guide his troops. He was killed when a rocket propelled grenade struck his Bradley Fighting Vehicle. His final heroic moments resulted in the posthumous awards of a Purple Heart and Bronze Star.

I offer my sincere thoughts and prayers to the family and friends of First Lieutenant Iwan. His service to our Nation will forever be appreciated. He was an outstanding American, Nebraskan, and soldier who embodied the bravery, spirit, grace and values of our grateful Nation.

MARINE LANCE CORPORAL SHANE E. KIELION

Mr. President, I rise today to also honor Marine LCpl Shane E. Kielion of La Vista, NE.

Lance Corporal Kielion, a young man with a bright future, heroically served our Nation. As a 1999 graduate of South High School he attended Peru State College and was employed before deciding to enter the United States Marine Corps in 2002. He wed his high school sweetheart, April, while being stationed in San Diego. Lance Corporal Kielion was assigned 3rd Battalion, 5th Marine Regiment, 1st Marine Division, 1 Marine Expeditionary Force, Marine Corps Base Camp in Pendleton, CA.

Lance Corporal Kielion died November 15, 2004, from injuries sustained from small arms fire as a result of enemy action. On that same day, Lance Corporal Kielion's son was born. Shane Jr. is a living remembrance of his father who was a brave and dedicated son, brother, friend, husband, and Marine.

I would like to extend my sympathy to all those who were blessed to know Lance Corporal Kielion and remind them that he will always be remembered as a brave and dedicated U.S. marine. Loyal and honorable are two appropriate descriptions of LCpl Shane Kielion who will forever remain in the hearts and minds of those he left behind including his wife and son.

SERGEANT NICHOLAS S. NOLTE

Mr. President, I rise today to honor Marine SGT Nicholas S. Nolte of Falls City, NE.

As a 1998 graduate of Falls City Sacred Heart, Nicholas S. Nolte demonstrated honor, dignity, and bravery in his decision to join the Marines after graduation. Sergeant Nolte was so dedicated to his service that he reenlisted after his original 4-year commitment and was assigned to the 2nd Low Altitude Air Defense Battalion, 2nd Marine Aircraft Wing, II Marine Expeditionary Force, Marine Corps Air Station, in Cherry Point, NC. He was also a member of the Presidential Helicopter Squadron HMX-1 where he honorably guarded and served President Clinton and President Bush.

On November 9, 2004 while serving in Iraq, Sergeant Nolte was injured as a result of enemy action when a roadside bomb hit his vehicle in Al Anbar Province, Iraq. He later died from his wounds on November 24th at the National Naval Medical Center in Bethesda, MD.

Sergeant Nolte left behind his wife Melina and daughter Alanna. He is survived by many family, friends, and countrymen who honor his bravery for serving our Nation and fighting for our freedom. I would like to express my heartfelt thoughts and prayers for Sergeant Nolte's family. Sergeant Nolte will be remembered as a Marine who fought and died for liberty and freedom for all Americans and Nebraskans.

#### TRIBUTE TO STAFF SERGEANT DONALD D. GRIFFITH, JR.

Mr. GRASSLEY. Mr. President, I rise today to remember a fallen soldier, SSG Donald D. Griffith, Jr., a member of B Troop, 2nd Squadron, 14th Cavalry Regiment, 25th Infantry Division, Fort Lewis, WA. Staff Sergeant Griffith died on March 11, 2005, in Tal Afar, Iraq, when his dismounted patrol was attacked by enemy forces using small arms fire. My heart goes out to his parents and family, who reside in Mechanicsville, IA, and his wife in Lakewood, WA.

Today, this Nation remembers and honors a man who sacrificed his life to defend his fellow soldiers and his coun-

try. With the death of Donald Griffith, this Nation lost a hero.

We know that there is no greater gift than the laying down of one's life for another. Staff Sergeant Griffith has given us that gift and we are forever grateful for his sacrifice. I ask that my colleagues join me reflecting on the memory of Donald D. Griffith, Jr. as we extend our thoughts and prayers to his family and friends.

#### TRIBUTE TO SENATOR HOWELL HEFLIN

Mr. LEVIN. Mr. President, it is with deep sadness that I learned this past week of the passing of a dear friend and former colleague, Senator Howell Heflin.

My thoughts and prayers today and those of my wife, Barbara, are with his loving wife, Elizabeth Ann "Mike", and his family.

Everyone thought of Howell as "Judge" Heflin, even as he served in the Senate, because he forever looked and acted the part of the "country judge". He came to the Senate, as I did, in the class of 1978. Howell was then already a distinguished jurist, having served 6 years as chief justice of the Alabama Supreme Court. He went on to build a solid reputation and to play an important role in the life of the Senate over the next 18 years.

Howell Heflin, a man of not only intellect, but warmth and good-humor, tackled some of the more thankless tasks in the Senate, including the arcane issues involving bankruptcy and administrative practice, and serving as the chairman of the Senate Ethics Committee in particularly turbulent times. He could always be counted on to approach difficult issues with careful thoughtful analysis, and to apply his balanced judgement objectively. For this reason, and others, Howell Heflin was respected on both sides of the aisle. In fact, he frequently served as a bridge between Democrats and Republicans in a way sorely needed in today's Senate. He was a true moderate, moderate in politics and by temperament. His demeanor, his objectivity, as well as his expertise, diligence and attention to the facts, have been missed and are among the very elements most needed now in this Chamber if we are to hope to remain the world's most deliberative body.

Senator Heflin served the people of Alabama, proudly. He served our nation with genuine dignity. And, today, as I look back on the life and career of Howell Heflin, I reflect on how proud I am of having had the opportunity to serve with this very special man, and to call him my friend.

#### LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate

crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

Last month, a 19-year-old gay man from New York was brutally murdered. The victim's dismembered limbs were found throughout Brooklyn, including inside a subway tunnel.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

Mr. LEVIN. Mr. President, I am pleased to join Senator LAUTENBERG in introducing the Terrorist Apprehension Record Retention Act. I cosponsored the Terrorist Apprehension Record Retention Act because I believe it is commonsense legislation which will strengthen our homeland security.

According to the Brady Handgun Violence Prevention Act, anyone seeking to purchase or obtain a permit to possess, acquire, or carry firearms must undergo a background check through the National Instant Criminal Background Check System, or NICS. This process requires the applicant to provide a variety of personal information including name, date of birth, current residence, and country of citizenship which is then compared with data in the NICS system to determine whether the person is prohibited by law from receiving or possessing firearms. Disqualifying criteria include felony convictions and fugitive or illegal alien status. If no disqualifying information is found within 3 business days, the transaction is allowed to continue.

As part of the background check, applicants are also checked against known terrorist watch lists. However, under current law, membership in a known terrorist organization does not automatically disqualify an applicant from receiving or possessing a firearm. In cases where a positive match is made, Federal authorities search for other disqualifying information. If no disqualifying information can be found within 3 business days, the transaction is permitted to continue. In addition, all records pertaining to a positive match of an applicant to a terrorist watch list must, under current law, be destroyed within 24 hours if no disqualifying information is found.

A report released by the General Accountability Office on March 8, 2005, found that from February 3, 2004, through June 30, 2004, a total of 44 firearm purchase attempts were made by individuals designated as known or suspected terrorists by the Federal Government. In 35 cases, the transactions were authorized to proceed because Federal authorities were unable to find any disqualifying information.

Federal Bureau of Investigation counterterrorism officials stated "receiving all available personal identifying information and other details from terrorism-related NICS transactions could be useful in conducting investigations." Currently, counterterrorism officials do not have access to the majority of these records because they are destroyed within 24 hours of the transaction in the absence of disqualifying information.

The Terrorist Apprehension Record Retention Act addresses this issue by requiring that in cases where an NICS background check turns up a valid match to a terrorist watch list, all records pertaining to the transaction be retained for 10 years. In addition, the bill requires that all NICS information be shared with appropriate Federal and State counterterrorism officials anytime an individual on a terrorist watch list attempts to buy a firearm. Learning about a suspected terrorist's purchase of a firearm could potentially be critical to counterterrorism investigators working to prevent a terrorist attack.

This bill takes a commonsense approach to assisting Federal authorities in monitoring and apprehending suspected terrorists without compromising the privacy rights of law-abiding citizens. I am hopeful that the Congress will take up and pass this legislation to give Federal and State counterterrorism officials the information they need to help keep our families and communities safe.

#### AFRO-COLOMBIANS AND THE LEADERSHIP OF THE CBC

Mr. OBAMA. Today I wish to commend Congressman BOBBY RUSH and other members of the Congressional Black Caucus for their work on behalf of Afro-Colombians. The consistent advocacy of the CBC on this human rights issue has been critical to increasing consciousness and activism in the U.S. and Colombia. Significant progress has made through this alliance, and I look forward to working with the CBC and other community groups on this issue.

Throughout Latin America, Afro-Latino communities remain marginalized—socially, economically and politically. In the case of Colombia, the violence and disruption of the country's 40-year civil conflict have disproportionately affected Afro-Colombians. Many are now refugees in their own country after being forced to leave their homes, and they face widespread racial discrimination as they try to rebuild their lives. Although Colombia's 1991 Constitution granted Afro-Colombians territorial rights to the land they historically held, these rights are now being increasingly violated, as this land is taken from them. With little or no economic and educational opportunities available, many Afro-Colombian youths have turned to coca cultivation or joined guerrilla forces.

With the rise of Afro-Colombian advocacy groups and NGOs in Colombia, I believe it is possible to foster meaningful partnerships and alliances for positive change in this region. In addition to the CBC, there are many members of the religious community—in my home State of Illinois and across our country—who are working on behalf of Afro-Colombians. I commend them on their dedication to this important cause. Together we can and will make a difference.

#### BUDGET ESTIMATE—S. 600

Mr. LUGAR. Mr. President, when the committee report (109-35) to accompany S. 600 was printed, the Congressional Budget Office's cost estimate was not yet available. I ask unanimous consent that it now be printed in the CONGRESSIONAL RECORD. Also, the same report contained a table with a clerical error. I ask unanimous consent that the corrected table be printed in today's RECORD as well.

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

Congressional Budget Office Cost Estimate for the Foreign Affairs Authorization Act, Fiscal Years 2006 and 2007

#### COST ESTIMATE

In accordance with rule XXVI, paragraph 11(a) of the Standing Rules of the Senate, the committee provides the following estimate of the cost of this legislation prepared by the Congressional Budget Office.

#### U.S. CONGRESS, CONGRESSIONAL BUDGET OFFICE,

Washington, DC, March 18, 2005.

Hon. RICHARD G. LUGAR, *Chairman,*  
*Committee on Foreign Relations, U.S. Senate,*  
*Washington, DC.*

DEAR MR. CHAIRMAN:

The Congressional Budget Office has prepared the enclosed cost estimate for S. 600, the Foreign Affairs Authorization Act, Fiscal Years 2006 and 2007.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sunita D'Monte.

Sincerely,

DOUGLAS HOLTZ-EAKIN, *Director.*

Enclosure.

cc: Hon. Joseph R. Biden, Jr., *Ranking Minority Member*

#### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 600—FOREIGN AFFAIRS AUTHORIZATION ACT,  
FISCAL YEARS 2006 AND 2007

*As reported by the Senate Committee on Foreign Relations on March 10, 2005*

#### SUMMARY

S. 600 would authorize appropriations of almost \$30 billion in 2006 and such sums as may be necessary in 2007 for the Department of State, international assistance programs, and related agencies. The bill also contains provisions that would raise the cost of discretionary programs for famine and reconstruction assistance, debt relief, public diplomacy, personnel, and other programs over the 2007-2010 period. CBO estimates that those provisions and the indefinite authorizations for 2007 would require appropriations of \$34 billion over those four years. CBO estimates that implementing the bill would cost about \$59 billion over the 2006-2010 period, assuming the appropriation of the necessary amounts.