

1988. Only 2 years later, he fulfilled his dream of becoming a police officer when he joined the Los Angeles County Sheriff's Department. Deputy Ortiz's strict work ethic and dedication quickly made him a well-respected member of the Department and earned him a position with the elite antigang unit at the Lakewood Station. Although this was a formidable task with great responsibilities, he knew that in this capacity he could truly make a difference in the community and help at-risk youth. Deputy Ortiz did just that.

Jerry Ortiz was an important part of the Sheriff's Department family. He was well known for his sense of humor, positive attitude, and athleticism on the Department boxing team. Over his 15-year career, he became an integral part of the fight against gang crime in the area and went above and beyond to protect the innocent citizens caught in the unfortunate gang violence in their communities. Days before his tragic murder, Deputy Ortiz received word that he was being promoted to detective.

All who knew him said that he loved his job but that he was first and foremost a family man. Ortiz spent most of his free time with his two sons, Jeremy, 16, and Jacob, 6. He was a sports fan and enjoyed sharing this passion with his sons. Only three weeks before his death, Jerry Ortiz married his wife, Chela, and those close to him say he was happier than ever.

I am truly saddened to lose this remarkable public servant. Deputy Jerry Ortiz died doing what he loved—providing protection for his community. He was a leader, an inspiring mentor, a hero, and a wonderful father and husband. We will always be grateful for Deputy Ortiz's heroic service to the Los Angeles County Sheriff's Department and the community that he so bravely served.

#### 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 year, a man was arrested after he and another suspect yelled derogatory insults and hate speech toward a group of five lesbian women and one transgender man. While one of the men later fled the scene, the other continued harassing the group and subsequently physically attacked them. Some of the victims sustained injuries including a broken nose, black eyes, and injuries around the head and face.

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.

#### PERSONAL EXPLANATION

Mr. LIEBERMAN. Mr. President, I regret that I was unable to be present and cast votes the week of June 27. My mother, Marcia Lieberman, passed away on June 27 and her funeral was June 28, and I observed a period of mourning in Connecticut for the remainder of that week. While, as I stated to Senator REID, I would have returned to the Capitol and voted had my vote been determinative of the outcome, that did not become an issue regarding votes that week. Before I address the various pieces of legislation that the Senate considered during my absence, I would like to express my gratitude to my colleagues and their staffs for their acts of kindness and words of sympathy during this difficult time for me and my family.

I have set forth below for the RECORD, for the information of my constituents, my positions on the legislation and key amendments considered the week of June 27.

Had I been present for vote on H.R. 6, the Energy Policy Act of 2005, I would have voted yes.

The bill is far from perfect; indeed, it does next to nothing to address the challenge of climate change and leaves us much work still to do in creating the kind of robust and diverse fuel mix for our cars and trucks needed to provide America with true energy security.

What the bill does do, however, to stimulate the development and use of technologies that can help us address these challenges—or at least to get a start—justifies supporting it.

I was disappointed that when Senator MCCAIN and I offered the Climate Stewardship and Innovation Act as an amendment to bill, the Senate turned down the opportunity to adopt a truly comprehensive program to reduce economy-wide greenhouse gas emissions using a market system. My disappointment was tempered, however, when the Senate adopted a bipartisan resolution, which Senator MCCAIN and I cosponsored with Senators DOMENICI and BINGAMAN and several others calling for a mandatory market-based emissions reduction program for greenhouse gases. I am hopeful that over time the Senate will come to see that the legislation that Senator MCCAIN and I have been pushing for provides just the right vehicle for producing the legislation called for in the resolution.

At the same time, I believe that the bill will help nudge our energy system towards a cleaner, more efficient future. In addition to including a renewable portfolio standard for electric utilities, the bill includes a range of in-

centives and other support for businesses and consumers to develop and use clean technologies and clean fuels in their businesses and homes and on our highways.

Finally, I appreciate the fact that the bill—for the most part—does not include provisions that would weaken environmental protections for our air, water and land that, in the past, some have mistakenly believed to be necessary to advance energy policy.

On Thursday, June 29, the Senate voted on H.R. 2361, the Department of the Interior, Environment, and Related Agencies Appropriations Act. Below are comments on the amendments that were offered and the vote on final passage of the bill.

I would have voted "nay" on the motion to waive the Budget Act with regard to Senator COBURN's amendment No. 1019. Combating diabetes and alcohol and substance abuse in Indian country must continue to be a priority for Congress, the Department of the Interior, and the Department of Health and Human Services. It is also important that we continue to support Federal land acquisition programs that preserve the environment in its natural state. I believe that the Appropriations Committee has looked at these programs and made difficult but sound decisions about the funding levels for both of them, and therefore oppose the motion. I also note that I would have voted for Senator DORGAN's subsequent amendment No. 1025.

I would have voted for Senator COBURN's amendment No. 1003 because this amendment and similar sunshine laws would make it easier for Americans to understand how and what the Federal Government does on their behalf. By requiring that all limitations, earmarks, and directives be explicitly stated in the conference report, this amendment would have forced Congress to do a better job explaining to the American people where their tax dollars are being spent.

While I preferred Senator BOXER's amendment No. 1023, I would have voted for Senator BURNS's amendment No. 1068 because it at least ensures that the Environmental Protection Agency will undertake the specific tasks of reviewing this very serious public health issue and reporting its findings to Congress. The amendment also confirms the EPA's rulemaking process, which I believe should be a necessary prerequisite before any human pesticide testing should be allowed to continue. I look forward to reviewing the EPA's final recommendations, and after doing so, will be able to make a decision as to whether any human pesticide testing should be allowed.

In the meantime, I strongly support the moratorium imposed by Senator BOXER's amendment on all pesticide testing involving humans and the use of such studies until the EPA conducts and completes what I expect to be a thorough investigative and rulemaking process that ensures the safety of all

involved. I believe the government should steer clear of even being perceived as sanctioning these types of tests until there is a complete review of the risks involved. A moratorium like the one provided for in Senator BOXER's amendment is the prudent and reasonable course for us to take at this time.

As noted earlier, I would have supported Senator DORGAN's amendment No. 1024 because it finds additional funding in an otherwise unnecessary account for health care on tribal lands. There is a need for additional money to meet the increasing demands for mental health care and other health care programs designed to meet the unique concerns of Indian Country. Though the motion to waive the Congressional Budget Act to make this amendment possible did not pass, I look forward to working with Senator DORGAN and my colleagues on this very important issue.

I would have supported the efforts of Senators SUNUNU and BINGAMAN in amendment No. 1026 to halt Federal subsidies for logging roads in the Tongass National Forest.

I also support the efforts of Senators MURRAY and SANTORUM in proposing legislation that meets the critical and immediate needs of our veterans. Providing health care to our veterans is a promise we make to our servicemen and servicewomen when they agree to protect our country. We must continue to fulfill that promise by fully funding the veterans health care system at a level that meets the medical needs of all of those who have so valiantly and bravely served our country in the war on terror, in Iraq, in Afghanistan, and in all previous wars and conflicts.

I would like to thank the Appropriations Committee for their work on this legislation and join my colleagues in supporting its final passage.

On Thursday, June 30, the Senate voted on S. 1307, the implementing bill of the Dominican Republic and Central American Free Trade Agreement, DR-CAFTA. Had I been in Washington on June 30, I would have voted for the motion to proceed to consider and for the bill, because I believe that, as is the case with most free-trade agreements, DR-CAFTA overall is good for Connecticut and good for the country.

I must raise two concerns that affect not only this bill, but our future efforts to expand trade. My first concern is with the way in which this agreement addresses—or fails to address—labor and environmental standards. Second, we may need to adjust our priorities when it comes to trade in order to resolve certain key issues in our relationship with China.

When NAFTA was negotiated in the early 1990s, labor and environmental issues were dealt with in a side agreement; the parties' treaty obligations were that they enforce their own labor standards. When, in 2001, the Jordan Free Trade Agreement was adopted, the labor and environment provisions

were included in the body of the agreement. As a result, they were fully subject to sanctions through the agreement's dispute resolution process. This was the culmination of crucial progress through the 1990s, not just for workers in Jordan who happened to benefit from the Jordan trade agreement, but also for import-sensitive industries in the U.S.—and for fostering broad bipartisan support for trade expansion. Unfortunately, the more recent trade agreements have retreated from the strong provisions in the Jordan Free Trade Agreement and I believe that in order to garner support of Congress, at a minimum, future trade agreements must include strong enforcement provisions that would prevent countries from backsliding or ignoring labor and environmental standards.

As to my second concern, while we now focus on DR-CAFTA, our constituents continue to be concerned about China. They are right to do so since China is a country with almost ten times the gross domestic product of the Dominican Republic and Central American countries combined. Trade with, and support for, the democracies in Latin and Central America is important. That said, we must focus on the growing need to address trade pressures from China, including China's approach to manipulating its currency and subsidizing its manufacturing sector, as well as its failure to enact strong labor standards. The lack of a comprehensive U.S. trade policy results in a reactive, muddled trade agenda, rather than a focus on issues that will grow our economy, lower the trade deficit, and create jobs.

On Friday, July 1, the Senate voted on H.R. 2419, The Department of Energy and Water Development Appropriations Act. Here are my positions on the amendment that was offered and on the vote on final passage of the bill.

I would have supported Senator BOXER's amendment No. 1085 because the administration has failed to make the case for why the mission of this potential weapon can not be achieved by current weapon systems and America's nuclear arsenal already serves as an effective deterrent. We do not need to launch a new nuclear weapons program at this time.

I would have supported final passage of the bill, which includes support for some important programs in my State.

#### HOMELAND SECURITY APPROPRIATIONS BILL

Mr. DODD. Mr. President, I rise to discuss the fiscal year 2006 Homeland Security appropriations bill. The Senate passed this measure nearly unanimously and I voted in support of it.

I would like to begin by thanking the principal authors and managers of this legislation: Senator GREGG and Senator BYRD. It is no easy task to write a bill that provides for our domestic security needs. I commend both of our colleagues and their staffs for the hard

work they put into crafting this legislation.

The bill that passed the Senate funds our country's homeland security activities at \$31.9 billion for the upcoming fiscal year. These activities include port security, rail security, truck security, aviation security, emergency first responders, customs and border patrol, immigration, the Coast Guard, and counter-terrorism research. Taken together, these initiatives form the foundation upon which our country depends for its internal security.

In an age when terrorism continues to be a growing threat to our Nation, one would think that the Congress of the United States would be doing everything it could to shore up that foundation—to make it as impregnable as possible against those who wish us harm. Yet, when we look at the legislation passed by the Senate, I do not believe it does enough to protect our people from terrorism. We are simply not investing the resources that are required to make this Nation as safe as possible. Instead of filling in the gaps that continue to exist within our homeland security foundation, we are letting those gaps and cracks grow in several critical respects.

One does not have to look further than protecting our critical infrastructure and funding our emergency first responders. These 2 areas arguably form the backbone of our efforts to prevent and effectively respond to terrorist attacks at home. They encompass protecting our ports, our railroads, our transit systems and our commercial vehicles. They encompass quickly and effectively responding to real or perceived threats in all parts of our country.

The bill that passed the Senate provides \$3.9 billion to protect our critical infrastructure, equip our first responders, and assist local governments in planning and coordinating their homeland security activities. While this may seem like a large number to many Americans, it has been cited by numerous national security and public health experts, along with first responders themselves, as being wholly inadequate to meet the homeland security demands of the twenty-first century. Furthermore, the number is actually less than what has been provided in the past. It is approximately \$500 million less than what was provided last year and approximately \$700 million less than 2 years ago. Clearly, we are heading in the wrong direction—doing less to protect our country adequately when we ought to be doing more.

As we have seen in Madrid last year, in London 2 weeks ago and in Iraq almost every week, terrorists have become adept at exploiting weak points in critical infrastructure, particularly transportation systems. I question what it will take for us to realize that we need to be investing more in our domestic critical infrastructure and in our first responders.

Although we have taken steps to boost our homeland security since the