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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable LISA MURKOWSKI, a Senator from the State of Alaska.

The PRESIDING OFFICER. Today's prayer will be offered by guest Chaplain Rabbi Ellen Bernhardt, Headmaster of Albert Einstein Academy, Wilmington, DE.

### PRAYER

The guest Chaplain offered the following prayer:

God, Creator of the universe, source of all goodness and mercy, we thank You for the bounty that is ours in this world. Help us to live so that we may be worthy of Your love as we strive to do Your will. You have created each one of us with uniqueness and implanted within us a spark of the divine.

We come from many backgrounds and ancestries, and we are bound together in these great United States of America with its cherished values and high ideals. Let us remember the gifts and responsibilities that God has given us as we strive to perfect the world in our days and for generations yet unborn.

We beseech You to give strength and wisdom to our Senators so that they will continue to do their work in this great Chamber and in every cubicle across this land. May they have the patience to listen to the voices of others, the vision to see within the hearts of each person, and the tenacity to continue to strive to make this world a better place for all humanity. And let us all say, Amen.

### PLEDGE OF ALLEGIANCE

The Honorable LISA MURKOWSKI, a Senator from the State of Alaska, 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, May 20, 2004.

To the Senate:

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

TED STEVENS,  
President pro tempore.

Ms. MURKOWSKI thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes, with the first half of the time under the control of the majority leader or his designee and the second half of the time under the control of the Democratic leader or his designee.

### RECOGNITION OF THE ACTING MAJORITY LEADER

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

### SCHEDULE

Mr. BROWNBACK. Madam President, this morning the Senate will conduct a

period of morning business for up to 60 minutes, with the first half under the control of the majority leader and the second half under the control of the Democratic leader. Following morning business, the Senate will resume consideration of the Department of Defense authorization bill. Senators WARNER and LEVIN will continue working on amendments today and rollcall votes are expected on amendments to the bill throughout the day. Senators will be notified when the first vote is scheduled.

The majority leader announced last night that the fiscal year 2005 budget resolution conference report may become available and we may consider that conference report before the week concludes. Votes will occur over the next 2 days. Members should plan accordingly.

### RECOGNITION OF THE ACTING MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada, Mr. REID.

### ORDER OF PROCEDURE

Mr. REID. Madam President, if the distinguished Chair would allow me a unanimous consent request, at the time the Democrats' morning business hour begins, I ask unanimous consent that Senator SCHUMER be recognized for 12½ minutes and Senator BILL NELSON be recognized for 12½ minutes.

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

The Senator from Kansas.

### MASSACHUSETTS COURT SAME-SEX MARRIAGE DECISION

Mr. BROWNBACK. Madam President, I take a few minutes of the leader's time to speak in morning business on one of the issues this week that has

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



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drawn, obviously, the attention of everybody across the country. It has happened in Massachusetts where, 3 days ago, in keeping with the rulings of four Massachusetts Supreme Court justices last November, the State of Massachusetts started issuing marriage licenses to same-sex couples, as thousands descended on the State.

This event has significant repercussions for all Americans. According to news reports, local officials across the State were giving licenses to all who requested them, without asking for proof of State residency. This is in open defiance of Massachusetts law, which bars out-of-State couples from marrying in the State if the union would be illegal in their home State.

Let there be no mistake about this. The stakes in this battle over the future of our culture are enormous. This attempt by an imperious judiciary to radically redefine marriage by a few people is both a grave threat to our central social institution and a serious affront to democratic rule in our Nation.

Our reaction to this threat hinges on not only the future of marriage, which is a foundational unit for building a strong society, but our future as a self-governing people as well—whether the people here rule or a few on the judiciary. The actions of the Massachusetts Supreme Court in *Goodridge v. Department of Public Health*, to mandate homosexual marriage, is simply the latest instance of arrogant judges riding roughshod over the democratic process and constitutional law alike, in a quest to impose a radical social agenda on America.

The decision in this case could not have been more radical. The court declared that our society's longstanding, historical understanding of marriage as between a man and a woman was irrational or completely lacking a foundation in reason. As such, according to the court, the only possible explanation for the State denying marriage licenses to homosexual couples is prejudice, which the court compared with racial prejudice of the past that opposed interracial marriages. This analogy, of course, is false. It is misleading. The vast majority of African Americans recognize that. The vast majority of all Americans recognize it. All America should have the right to marry whomever they choose, regardless of race. But while most Americans believe that homosexuals have a right to live as they choose, they do not believe that a small group of activists or a tiny judicial elite have a right to redefine marriage for the entire society and to impose this radical social experiment on the culture.

Almost every benefit that is being sought can be attained through contract or power of attorney. But let us be clear, this is not a battle over civil rights. It is a battle over whether marriage will be emptied of its meaning in contradiction to the will of the people and their duly elected representatives.

This is a key issue. I look for this body to take up the issue in a constitutional amendment defining marriage as between a man and a woman. This is going to be a very difficult discussion. I hope we can have a good, healthy discussion about the importance of marriage as a foundational building unit in this society, a marriage between a man and a woman bonded together for life. That, indeed, is the best place to raise children according to all of our sociological data. This institution has been in disrepair for 40 years—has had difficulty for a long period of time—but this is not the answer to curing it. This will harm it.

While this is going to be a difficult debate and discussion for us as a country, it is a valuable and important one for us to have. I look forward to this body, later this year, voting on a constitutional amendment defining marriage as between a man and a woman.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Madam President, I yield up to 10 minutes to the Senator from Colorado.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

#### ACCOMPLISHMENTS OF THE LAST FOUR YEARS

Mr. ALLARD. Madam President, I thank the Senator from Texas for yielding.

I want to talk a little bit about what has happened during the last 4 years after the President assumed office, and after we have had a Republican Congress.

I think there were problems within the world and within this country that nobody wanted to admit were happening.

For example, when this President took office, the economy was going down. The previous President—President Clinton—didn't want to admit that, but it was a fact. And that is an accepted fact today which everybody understands.

Look at what the economy was doing when President Bush assumed office. The economy was going down. This President and this Congress, instead of putting the problem off to future generations and putting out a lot of rhetoric, did something. We cut the tax burden to stimulate this economy, and today the economy is doing much better. Employment is growing. We have a strong economy; it is getting stronger. People are being productive. We are getting people into homes. Right now, we have the highest home ownership rate in the history of this country, which means people of all races and ethnic backgrounds are getting an opportunity to own a piece of America. That is where the strength of this country is.

Because of this President and this Congress working on those kinds of issues, there is a real difference in people's personal lives.

The other thing that was not recognized and which some people wanted to ignore is the fact that we are much more secure today than we were 4 years ago. We didn't realize, 4 years ago, the threat that was happening as far as America.

I recall an opportunity where I was interviewed on BBC. This was an interview that happened a couple or 3 years back. There was an individual on the other side who was from the Middle East.

He said: Senator, what you don't realize is that you have been at war in America for 5 years already because of what is happening in the Middle East. They have already declared war on you.

If you look at it historically, we had a few terrorist attacks on small areas that were rather insignificant. We ignored them. Then we had terrorist attacks on our embassies. We ignored them. We had a terrorist attack on Khobar Towers, and we ignored it. We had the attack on the USS *Cole*, and we ignored that. Then we had the World Trade Center in New York, and basically that was ignored. Finally, it took the attacks by terrorists on the Twin Towers and the Pentagon of the United States for people to wake up, and this President and this Republican Congress stepped to the plate and we dealt with those security issues. We provided the money to make this a modern military. This President said we needed a more modern military; that is, more mobile because times are changing.

Our threat is terrorism throughout the world. We need to be prepared to address that. This President and this Congress didn't put that off to the next generation. We didn't put it off until somebody else would make a decision—some future Congress or some future President. We addressed that problem immediately. We got after it. We are continuing to get after it. We still have a concern.

I am excited about the fact that we are now talking about sovereignty for Iraq where they are going to be their own leaders. That doesn't mean necessarily that we are going to have less involvement as far as the conflict is concerned.

But we need a leader in this world who is trying to promote world peace. And we need a leader who is trying to secure the economic health of this country and the world, too.

If we look back at the accomplishments of the last 4 years, there is a lot to be proud of. I am glad we had some real leadership in the White House. I am glad we had some real leadership in both the House of Representatives and the Senate that took on those issues. They are not easy issues. They are difficult issues.

But the good message to the rest of the world is, America is stepping to the plate.

I am looking forward to continuing the fight and the work with my other Members to make sure we have a strong economy. That is a challenge.