

and the Kentucky Distinguished Service Medal. His commanding officer, Captain Todd Lindner, made clear to all that the 617th Military Police Company had lost an outstanding soldier. "Bill worked hard to keep high morale in his team," Capt. Lindner said, "and was a catalyst for the morale in our entire company."

To fully appreciate the impact Bill Allers had on those around him, however, it helps to know something about how he grew up. Billy, as he was known as a kid, was an adventurer. His father, William Allers II, has said that if there was a puddle of water, you would find Billy playing in it. A neighborhood friend of Bill's added, "if you [went] to look for Billy, you found him up in a tree."

Through this sense of adventure, Billy earned his childhood nickname. One day when Billy was about 4 or 5, his dad brought home a truckload of mushroom soil for the vegetable garden. Out of pure luck, this pile was deposited at the end of the long driveway of the Allers' home—and to Billy and his best friend, it had all the makings of a great jump ramp.

Before Mr. Allers had time to finish a glass of ice water inside the house, the two boys lined up their Big Wheels, sped down the blacktop and launched themselves nearly six feet into the air. Ever since that intrepid stunt, whenever they were seen together, the two were called the "Dukes of Hazzard" Boys. Billy's father jokes that this experience taught him that his son was a true "country boy."

Growing up, Bill Allers impressed people not only with his daredevil Big Wheel jumps, but also with his big heart and ability to lead others. During Bill's 4 years on the Fallston High School track team, in Fallston, MD, where he grew up, his strength of character began to shine through. His high school track coach put it this way: "As we went through the 4 years, he molded into a leader, and he wanted to be part of the team, and he wanted the team to do as well as possible, and [he] would always encourage the younger participants when he became one of the seniors."

Coach Greg Thompson went on to say, "He was selfless. He just was for everyone else and he wanted to see everybody else excel. And he wasn't worried about himself."

A truly gifted athlete, Bill mastered the high jump. He was also the "anchor" of the two-twenty and four-forty relay teams, meaning he was the one to carry the baton for the final stretch toward the finish line. If the relay team was behind, they trusted Bill to make up the ground and win the race.

Bill took pride in his team and his role on it, and he worked very hard to become the best competitor he could be. Evidently, he mastered that too, because Bill's relay team won medals at the Maryland High School State Championships in 1994.

When he was not running track, Bill worked part-time for a local land-

scaping and nursery company in Fallston. Part-time might not be a fair description, however, since it was all his parents could do to keep him from working 40 hours a week. Bill loved digging his hands into the soil and working to improve the environment that surrounded him.

In Iraq, that urge to build and create gave Bill his greatest joy—the gratitude the Iraqis had for the work he and his squad were doing to restore their country. A few months before Sergeant Allers reached his final resting place in Arlington National Cemetery, on a peaceful slope in a section reserved for those honored soldiers who have fallen in Iraq, he told his family about the work he was doing to restore that desert nation.

Bill's father said that Bill took great comfort from the gratitude the children of Baghdad showed to the American soldiers. His younger brother, Dave Allers, added, "He told us the kids over there really adored seeing soldiers out there. The soldiers handed out stationery, candy and gum. It opened up a whole new world to them. [Bill] was ecstatic that he was doing something good."

Sergeant Allers's love of the great outdoors also explains his affinity for the Commonwealth of Kentucky. Bill may have grown up in Maryland, but he was first exposed to the Bluegrass State when he was assigned to Fort Knox, KY, to learn the tradecraft of the cavalry scout.

After serving a tour of duty that took him around the world and back, Bill decided to leave active-duty Army life and make Leitchfield, KY, his home. He was captivated by our rolling hills, champion horses, and friendly people. Wanting to continue his service to our country, he also decided to join the Kentucky National Guard, where he served with distinction until his final sacrifice.

Mr. President, in just these few short words I think I've made clear that this was a young man who gave so much of himself to better the lives of those around him. Now he is gone. We wish we could ease the grief of his family: his father, William, his brother, Dave, and his grandmother, Virginia, who have joined us today in the gallery, and his 9-year-old son, Gregory.

I hope their heartache is tempered by the knowledge that America will forever celebrate Sergeant Allers's heroism, and his sacrifice. As will the Iraqi children he safeguarded. And his courage, his bonds of love and friendship, and his spirit will not be forgotten.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination on today's Executive Calendar: Calendar No. 525. I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

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

The nomination considered and confirmed is as follows:

Reginald I. Lloyd, of South Carolina, to be United States Attorney for the District of South Carolina for the term of four years, vice J. Strom Thurmond, Jr., resigned.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

Mr. FRIST. Mr. President, 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. BYRD. 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. BYRD. Mr. President, I should first propound an inquiry of the Chair: What is the situation? What is the order of business?

The PRESIDING OFFICER. The Senate is in a period of morning business, and Senators may speak for up to 10 minutes each.

The Senator has 9 minutes remaining.

## WIRETAPPING OF AMERICAN CITIZENS

Mr. BYRD. Mr. President, in his radio address on December 17, 2005, President Bush disclosed that after September 11, 2001, he authorized the National Security Agency, NSA, to undertake wiretapping of American citizens to try to prevent terrorist attacks. The President argued that his actions were, in his words, "fully consistent" with his constitutional responsibilities.

The President wrongly asserted—Mr. President, the President wrongly asserted—that his authority to order warrantless electronic surveillance of U.S. citizens on American soil is supported by his inherent Presidential powers and the joint congressional resolution that authorized the use of force after September 11.

A huge swath—a huge swath—of America, including many expert legal minds, does not—I say, does not—agree