

Mr. President, I yield the floor.

TRIBUTE TO ROBERT JULIANO

Mr. DURBIN. Mr. President, I rise today to take note of the 65th birthday of Robert Juliano.

Robert Juliano has spent more time working on Capitol Hill than most Members of Congress. He is a longtime political adviser, labor representative, and champion of philanthropic causes.

He recently received the Sons of Italy in America 2006 Humanitarian Award for his support of charitable causes, including the National Coalition for Breast Cancer, the Lions Club, and the Crusade of Mercy.

I am proud that Bob hails from the city of Big Shoulders, the son of an Italian immigrant. Bob grew up on the West Side of Chicago and worked in that great city's hotel industry in the 1960s and 1970s starting as an elevator operator. From there, he came to Washington, DC, to serve as legislative representative for the Hotel and Restaurant Employees International Union. He served as chairman and vice chairman of the U.S. Government's Travel and Tourism Advisory Board in the 1980s and 1990s. He has worked to protect the health care benefits of retired miners and worked on nearly every major piece of labor legislation over the last 30 years.

It is clear Bob Juliano never forgot his roots. And he never forgot the workers who need a strong voice for their values. One of the reasons Bob has been so successful is his ability to bring people of all political persuasions together to work on the most pressing issues we face. It is a skill that is in great shortage these days.

I wish Bob Juliano well on his 65th birthday.

HONORING OUR ARMED FORCES

SPECIALIST BOBBY WEST

Mrs. LINCOLN. Mr. President, I rise today in honor of our Nation's fallen, Army SPC Bobby West. He died defending this Nation so that others might have the same freedoms we cherish as Americans. For those who knew Specialist West, he will be remembered for the laughter he brought to the lives of those around him. He will also be remembered for acting on his conviction of defending and fighting for the values and liberties we hold so dear as Americans.

At 17, after graduating from Beebe High school, Bobby enlisted with the Arkansas National Guard. Like so many of us, he was deeply affected by the terrorist attacks that took place on September 11, 2001. However, he felt that the burden to defend our country rested squarely on his shoulders and shortly thereafter he enlisted in the Army with his older brother Patrick. Specialist West served our country in Egypt's Sinai Peninsula before being sent to Iraq. Tragically, he was serving

his second tour of duty in Iraq and was killed when a roadside bomb detonated while he was on foot patrol with his unit in Baghdad on May 30. His unit was scheduled to leave Iraq in the fall.

I am honored to stand here today and pay tribute to a great soldier and more importantly a loving son, brother and friend. His loved ones remember how much laughter he brought to their lives with his quick wit and sense of humor. His fellow soldiers will remember him not only for the burden he carried with him to defend this Nation and bring freedom to others, but also for the competitiveness he brought to everything he did in life. His fellow soldiers tell the story of the fierce competitiveness he brought to a pickup basketball game while stationed in Egypt. Regardless of the fact that they were playing in a tin building in 125-135 degree heat, Bobby wouldn't let his opponents leave until they could beat him. It is this sense of commitment and dedication that he brought to his military service. He also believed in what he was doing and loved being a soldier. It is people like Bobby West who make our military the strongest in the world.

I am grateful for the service of Bobby West. I am also reminded of the tragic human cost of war and am saddened at the death of another Arkansas soldier. In the words of his brother, Bobby "was born to defend the greatest Nation on Earth." He gave his life defending the greatest Nation on Earth and we owe him and all others who have made that sacrifice an enormous debt of gratitude. Our prayers are with his father Ricky West, his mother Linda Wiggins West, and his older brother Patrick West, and we all pray for the safe return of Patrick who is serving in Iraq with the 101st Airborne Division.

FLAG DESECRATION AMENDMENT

Mr. REED. Mr. President, yesterday I opposed Senate Joint Resolution 12, which would have created a constitutional amendment allowing Congress to ban desecration of the flag.

As a graduate of the U.S. Military Academy and a former officer in the Army, I am deeply offended when people burn or otherwise abuse this precious national symbol.

I also believe, however, that the values and beliefs that the American flag represents are more important than the cloth from which this symbol was created. Prominent among these beliefs are the right to voice views that are unpopular, and the right to protest. In fact, these fundamental values, preserved by our Constitution, have distinguished our Nation for more than 200 years. The Framers understood that democracy cannot thrive, or even survive, without freedom of expression. Colin Powell has rightfully said, "The first amendment exists to ensure that freedom of speech and expression applies not just to that with which we agree or disagree, but also that which

we find outrageous. I would not amend that great shield of democracy to hammer a few miscreants. The flag will be flying proudly long after they have slunk away."

I oppose this amendment not because I condone desecration of our flag, but because I celebrate the values our flag represents. Flag burning is despicable. However, the issue is whether we should amend our great charter document, the Constitution, to proscribe it.

In *The Federalist*, James Madison declared that the Constitution should be amended for "certain great and extraordinary occasions." Except for the prohibition amendments, since the adoption of the Bill of Rights, we have only amended the Constitution for "great and extraordinary occasions:" abolishing slavery and giving African Americans the right to vote; extending voting rights to women; and regulating elections and the tenure of the Presidency. Of the 27 amendments, 17 protect individual rights and liberties. In fact, we have never amended the Constitution to constrict rights that other amendments already guarantee.

So are we facing a "great and extraordinary occasion" justifying the use of a constitutional amendment? I would argue no.

First, an amendment permitting government restraints on free expression cannot compel loyalty to or love for either our country or our flag. The proposed amendment would pronounce to the world that we value free speech, except when it offends, that we tolerate free expression, except when it is demoralizes.

Second, is this a problem needing such strong medicine? Are we facing an epidemic of flag burnings? In fact, over the past 10 years, only 7 incidents of flag desecration have occurred per year on average, most of which have been successfully prosecuted under laws prohibiting vandalism, theft, disorderly conduct, and disturbance of peace. Indeed, passing such an amendment would probably do more to promote flag burning by malcontents than any other action this Congress could take.

Third, proponents of such an amendment declare that it would boost the morale of our troops and help restore some of the American values so basic to the fabric of our country. But, as one veteran recently wrote, "I did not believe then, nor do I believe now, that I was defending just a piece of geography, but a way of life. If this amendment becomes a part of our Constitution, this way of life will be diminished." I cannot help but believe that a more appropriate expression of support for our troops would be providing them with the equipment they need in the field, better benefits for their families, and an adequately funded medical system at home.

Although I oppose a constitutional amendment, I did support an alternative approach offered by Senator DURBIN. Senator DURBIN's amendment contained two elements. First, it would