sense, all decency, any appreciation for the magnitude of the sacrifice given by any veteran under any circumstances.

She ought to apologize. She ought to be ashamed. How low does political discourse in this country have to go before somebody says ''enough''? How could you possibly say things like this for political gain, recognizing that this isn't just an affront to one soldier but to all soldiers? To minimize sacrifice, and to minimize the extraordinary circumstances of one's life as a result of that sacrifice, is just inexplicable.

I am grateful to the Senator from Rhode Island for his passion, his words, and for the effort he has made tonight to set the record straight.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant journal 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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.

ENERGY PACKAGE CONSIDERATION

Mr. FRIST. Mr. President, I want to take a minute to let colleagues known what the Democratic leader and I have discussed with respect to consideration of an energy package.

The Chairman of the Energy Committee has been working hard, along with others, to put together a slimmed-down energy package that addresses some of the concerns that members of the Senate had with the conference report last fall. While there was some interest in addressing energy amendments on the highway bill, the Democratic Leader and I agreed that we will instead consider energy separately from highways.

Under this agreement, I will Rule 14 an energy package and put it before the Senate in an expeditious way. We will consider it as quickly as possible, in a constrained manner, with as few amendments as possible. Senator DASCHLE and I will seek to get an agreement to limit amendments, but if that is not possible, we understand that it my be necessary to file cloture to move the process along. The goal would not be to preclude any Member's right to offer an amendment, but to ensure that the Senate has an opportunity to decide: do we want to consider a slimmed-down energy package, or not?

So, for the information of colleagues, that is how Senator DASCHLE and I have agreed to handle energy issues in the immediate future. I would now yield to the Democratic leader for his comments.

Mr. President, this is indeed how the Majority Leader and I have agreed to proceed with respect to the consideration of an energy package.

I believe this is the most appropriate way to proceed, and I appreciate working with the Majority Leader to reach this understanding.

THE DEFICIT OF DECENCY

Mr. MILLER. The Old Testament prophet, Amos, was a sheep herder who lived back in the Judean hills, away from the larger cities of Bethlehem and Jerusalem. Compared to the intellectual urbanites like Isaiah and Jeremiah, Amos was just an unsophisticated country hick. But Amos had a unique grasp of political and social issues, and his poetic literary skill was among the best of all the prophets.

That familiar quote of Martin Luther King, Jr.:

> Justice will rush down like waters and righteousness like a mighty stream. . . .

Those are Amos's words.

Amos was the first to propose the concept of a universal God and not just some tribal deity. He also wrote that God demanded moral purity, not rituals and sacrifices.

This blunt-speaking moral conscience of his time warns, in Chapter 8, verse 11 of the Book of Amos, as if he were speaking to us today:

> The days will come, sayeth the Lord God, that I will send a famine in the land. Not a famine of bread or of thirst for water, but of hearing the word of the Lord.
>
> And they shall wander from sea to sea and from the north even to the east. They shall run to and fro to seek the word of the Lord, and shall not find it.

''A famine in the land,'' has anyone more accurately described the situation we face in America today? A famine of ''hearing the word of the Lord.'' Some will say Amos was just an Old Testament prophet who lived 700 years before Christ.

That is true. So how about one of the most influential historians of modern times, Arnold Toynbee, who wrote the acclaimed 12-volume ''A Study of History.'' He once declared:

> Of the 22 civilizations that have appeared in history, 19 of them have collapsed when they reached the moral state America is in today.

Toynbee died in 1975, before seeing the worst that was yet to come. Yes, Arnold Toynbee saw the famine, ''the famine of hearing the word of the Lord,'' whether it is removing a display of the Ten Commandments from a courthouse or of a nativity scene from a city square, whether it is eliminating prayer in the city schools or eliminating ''under God'' in the Pledge of Allegiance, whether it is making a mockery of the sacred institution of marriage between a man and a woman, or, yes, telecasting around the world made-in-the-USA filth masquerading as entertainment.

The culture of far left America was displayed in a startling way during the Super Bowl's now infamous half-time show, a show brought to us on behalf of the Value-Les Moonves and the pagan temple of Viacom-Babylon.

I asked the question yesterday: How many of you have ever run over a skunk with your car? I know the President has, somewhere over there around Frog Hollow. I have, many times. I can tell you that the stink stays around for a long time. You can take the car through a carwash and it is still there. So the scent of this event will long linger in the nostrils of America.

I am not talking just about an exposed mammary gland with a pull-tab attached to it. Really, no one should have been too surprised with that. Wouldn't you expect a bumping, humping, trashy routine entitled ''I'm Going To Get You Naked'' to end that way?

Does any responsible adult ever listen to the words of this rap-crap? I would quote you some of it, but the Sergeant at Arms would throw me out of this Chamber, as well he should.

Then there was that prancing, dancing, strutting, rutting guy, evidently suffering from jock itch because he kept yelling and grabbing his crotch. But, then, maybe there is a culture of crotch grabbing in this country I don't know about. But as bad as all that was, the thing that yanked my chain the hardest was seeing this ignoramus with his pointed head stuck up through a hole he had cut in the flag of the United States of America, screaming about having ''a bottle of scotch and watching lots of crotch.''

Think about that. This is the same flag to which we pledge allegiance. This is the same flag that is draped over coffins of dead young uniformed warriors, killed while protecting Kid Crock's boney butt. He should be tarred and feathered and ridden out of this country on a rail. You talk about a good reality show? That would be one.

The desire and will of this Congress to meaningfully do anything about any of these so-called social issues is nonexistent and embarrassingly disgraceful. The American people are waiting and growing impatient with us. They want something done.

I am pleased to be a cosponsor of S.J. Res. 26, along with Senator ALLARD and others, proposing an amendment to the Constitution of the United States relating to marriage; and S. 1558, the Liberties Restoration Act, which declares religious liberty rights in several ways, including the Pledge of Allegiance and the display of the Ten Commandments.

Today, I join Senator SHELBY and others with the Constitution Restoration Act of 2004 that limits the jurisdiction of Federal courts in certain ways.

In doing so, I stand shoulder to shoulder, not only with my Senate cosponsors and Chief Justice Roy Moore of Alabama, but more importantly with our Founding Fathers in the conception of religious liberty and the terribly wrong direction our modern judiciary has taken us.

Everyone today seems to think the U.S. Constitution expressly provides for separation of church and state. I guess you could ask any 10 people if

that is not so and I will bet you most of them will say, well, sure that is so. And some would point out that is in the First Amendment.

Wrong. Read it. It says:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

Where is the word ''separate''? Where are the words ''church'' and ''state''? They are not there; never have been, never intended to be. Read the CONGRESSIONAL RECORD during the 4-month period in 1789 when the amendment was being framed in Congress. Clearly their intent was to prohibit a single denomination in exclusion of all others, whether it was anglican or Catholic or some other.

I highly recommend a great book entitled Original Intent by David Barton.

It really gets into how the actual Members of Congress, who drafted the First Amendment, expected basic Biblical principles and values to be present throughout public life and society, not separate from it.

It was Alexander Hamilton who pointed out that ''judges should be bound down by strict rules and precedents, which serve to define and point out their duty.''

''Bound down.'' That is exactly what is needed to be done. There was not a single precedent cited when school prayer was struck down in 1962.

These judges who legislate instead of adjudicate do it without being responsible to one single solitary voter for their actions.

Among the signers of the Declaration of Independence was a brilliant young physician from Pennsylvania named Benjamin Rush.

When Rush was elected to that First Continental Congress, his close friend Benjamin Franklin told him ''We need you . . . we have a great task before us, assigned to us by Providence.''

Today, 228 years later there is still a great task before us assigned to us by Providence. Our Founding Fathers did not shirk their duty and we can do no less.

By the way, Benjamin Rush was once asked a question that has long interested this Senator from Georgia in particular. Dr. Rush was asked, Are you a democrat or an aristocrat? And the good doctor answered, ''I am neither''. ''I am a Christocrat. I believe He, alone, who created and redeemed man is qualified to govern him.''

That reply of Benjamin Rush is just as true today in the year of our Lord 2004 as it was in the year of our Lord 1776.

So, if I am asked why—with all the pressing problems this Nation faces today—why am I pushing these social issues and taking the Senate's valuable time, I will answer: Because, it is of the highest importance. Yes, there is a deficit to be concerned about in this country, a deficit of decency.

So, as the sand empties through my hourglass at warp speed—and with my time running out in this Senate and on this Earth—I feel compelled to speak out for I truly believe that at times like this, silence is not golden. It is yellow.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I wish to compliment the Senator from Georgia, Senator MILLER, for his statement and for his outrage over some of the decline in morality which was evidenced by not only by Super Bowl halftime but also by the Supreme Court decision just made in the State of Massachusetts where basically four individuals tried to legalize same-sex marriage. It was not a vote of the people.

IMMIGRATION REFORM, GUEST WORKERS, AND AGJOBS

Mr. CRAIG. Mr. President, this afternoon the Judiciary Committee's Immigration and Border Security Subcommittee, on which I serve, held an important hearing on immigration and guest worker reform. The hearing focused on broad issues related to temporary guest worker, and especially on the framework for reform proposed recently by the President of the United States. Our chairman, the Senator from Georgia, Mr. CHAMBLISS, also welcomed statements from several Senators who have introduced bills in this area.

Before this President came into office, the Federal Government led the way as our Nation remained in denial, ignoring both the rapidly growing number of undocumented persons in this country and the increasing dependence of critical sectors of our economy on undocumented workers. Some would say, with justification, that the Nation actually spent the last four decades looking the other way.

Then, a real wake-up call came on September 11, 2001, on the need to manage our borders effectively, and of the failure to do so for many years before.

In the last 2½ years, we have made progress. President Bush has demonstrated tireless leadership on and since September 11. The new Department of Homeland Security has been established to bring rationality to our border, immigration, and homeland security efforts. With the hard work of the administration, our men and women in uniform, and the Congress, our borders are more secure and our homeland is safer.

However, a lot of work remains to be done, as recognized at this hearing.

The President has proposed a framework for guest worker reform. I applaud the administration's repeated assurance that it is not taking any position on any one bill and has no intention to preclude any bill. The President has said he wants to work out the details with Congress, and we are ready to work with him.

I also appreciated the opportunity to highlight the fact that one bill already introduced in Congress is ready to move. We have a vehicle ready to road-test key principles in the President's framework. I also believe this bill is consistent with the broad goals and principles of several of our other colleagues who have introduced broad reform bills.

That bill is AgJOBS—the Agricultural Job Opportunity, Benefits, and Security Act, introduced as S. 1645 and HR 3142. The ranking member of the Immigration Subcommittee, the Senator from Massachusetts, Mr. KENNEDY, is the bill's other principal sponsor in the Senate. The principal difference from other bills is that AgJOBS deals with one industry—agriculture.

AgJOBS is a thoroughly-developed product, fitted for the unique needs of agriculture. It represents more than 7 years of work on these issues. It reflects 4 years of tough, bipartisan negotiations. A majority of the Senate are now cosponsors.

This bill gives us the opportunity to use reform in agriculture as the demonstration program that will help us work out the details, anticipate challenges, prevent problems, and fine-tune the mechanics of an economy-wide reform package down the road.

Agriculture also has a unique history of guest worker programs and migrant employment. We have the necessary data and experience to draw on. There is no doubt in the minds of most of us that there really are few American citizens today who want to work, on a seasonal and migrant basis, at the hard physical labor of agriculture. In contrast, in some other industries, there remains the controversy over the availability of willing and qualified domestic workers and concern about their displacement by guest workers.

Agriculture is the industry most impacted by dependence on undocumented workers—not by anyone's design, but by circumstance and necessity. The government's own data—based, incredibly, on self-disclosure by workers, themselves—indicates that more than half of the agricultural work force is undocumented. Responsible private estimates run as high 75 to 85 percent. Farmers are going out of business today because they cannot find legal workers at the times they are needed.

With AgJOBS, we could begin immediately to improve our homeland security—and especially ensure the safety and security of our food supply—by knowing who is planting and harvesting our crops, where they came from, and where they are working.

With AgJOBS, we do not need to wait to start putting an end to the inhumane risks and exploitation suffered by these most vulnerable of workers. Every year, more than 300 persons die in the desert, or in boxcars, or being smuggled in other hazardous transportation. That is not tolerable in a humane society.

AgJOBS takes the same long-term approach consistent with the President's framework and other bills—an