

one State that has an increase in the amount of natural gas it is producing. That is Wyoming. The rest of them are declining.

Let us see what happens if the use slows up and the supply goes down. Oh, the price goes up. You could be seeing the lowest prices in energy that you are ever going to see if we could use some of that U.S. ingenuity and figure out ways to make hydrogen out of the coal or other things. But I do have a lot of faith in U.S. ingenuity, provided we don't regulate them out of business.

#### OVERTIME

Mr. ENZI. Mr. President, I will take 1 last minute to thank Secretary Chao for the work she did on overtime. We had a lot of discussions about the proposed overtime rule that was put out for comment. What you saw on this floor was an action to try to stop reviewing the 80,000 comments that have come in. We allowed her to look at those 80,000 comments. I commend the Secretary for the work she did in paying attention to what people were saying. We don't see much of that in the Government, but the Department of Labor, under Secretary Chao, took a look at what people have been saying and made corrections in the rule before the final rule was published.

She raised the amount to the maximum. We had already raised the amount on the minimum. She made sure that first responders would not lose overtime; that nurses would not lose overtime; and that veterans trained and going into the job force would not lose overtime.

I commend her for reading those 80,000 letters. I commend her and the Department for taking the corrective action. Doing the process makes a difference. She did the process and she made sure they responded.

I yield the floor. I reserve the remainder of our time.

The PRESIDING OFFICER. The Senator from Alaska.

#### THE ROTATION OF U.S. FORCES INTO AND OUT OF IRAQ

Mr. STEVENS. Mr. President, I rise today to inform the Senate of an undertaking that has, in my view, not received adequate attention in the press or by the American public. This undertaking has required tremendous planning, and has been on a massive scale.

As the news from Iraq dominates our attention, an important and notable success story has gone largely unnoticed. I refer to the massive troop rotation in the Iraq theater that is now nearing completion by our Armed Forces. This is the largest U.S. troop rotation since World War II—more than 250,000 U.S. service members have been involved.

Planning for this rotation of forces in Iraq has been underway for many months. The meticulous quality of that planning, the absolute attention to de-

tail by thousands of military planners, logisticians, and transportation specialists has resulted in a near flawless rotation of forces.

Consider for a moment the sheer size of the logistics effort involved in rotation over a quarter million combat troops, in mobilizing them, in transporting them by sea or air, supplying them, and in simply keeping them sheltered and fed. And now, consider doing all of that in a place that is nearly half a world away, and at the same time, continuing the pace of military operations and combat in Iraq, without skipping a beat.

New units began flowing into the region in December of last year, and to date, over 95 percent of the service members deploying to Iraq have arrived in the region.

I would like the Senate to consider some of the facts and figures for the deployment and redeployment, or return, of forces in that area.

Over 900,000 short tons of equipment and supplies have been shipped to support operation Iraqi Freedom.

Over fifty-seven sealift ships have sailed, delivering more than 426,000 short tons into theater, and 13 ships have returned 88,000 short tons back stateside.

Nearly 3,000 airlift missions have been completed, and over 63,000 flight hours.

Ninety-seven thousand soldiers scheduled for redeployment have returned home from Iraq.

Over 91,000 reserve component soldiers were mobilized for Operation Iraqi Freedom 1, and over 54,000 for Operation Iraqi Freedom 2.

Last month I was privileged to travel to the Central Command Theater to see first hand the magnitude of this effort. I traveled with my good friends the chairman of the Armed Services Committee, and JOHN WARNER, and the senior Senator from South Carolina, FRITZ HOLLINGS. We saw our forces in Baghdad and in Balad, Iraq and traveled into Afghanistan to visit our forces there.

I simply cannot say how absolutely impressed we were with the fighting spirit and combat power displayed by these young Americans.

We spent some time with the 1st Armored Division in Baghdad, and MG Martin Dempsey's absolutely impressive forces. General Dempsey's forces are providing stability and security in a dangerous part of Baghdad. They know they have an important mission. You could see the dedication and courage in each of their faces. They know why they are there.

We also spent some time with Joint Task Force 180, in Baghram, Afghanistan. MG Lloyd Austin, a really impressive commander of the 10th Mountain Division. His soldiers are pursuing Taliban and al-Qaida remnants in the mountains of Afghanistan. His forces, too, are remarkably bright and dedicated young men and women. Spending time with them was inspiring to us all.

We had planned to visit the 1st Battalion of the 501st Parachute Infantry Regiment from Alaska. They are deployed to Khost, Afghanistan, in the rough mountains near the Pakistan border.

Unfortunately, an aircraft malfunction required that we change planes, and that delay meant we were unable to make that stop to see those Alaskan forces. We are terribly proud of them and all of the forces there around the country in that area.

My friends and I also went to Kuwait and saw forces moving into and out of Iraq. Kuwait is where much of the logistics operation for the troop rotation is based. The level of this effort is nothing short of remarkable to see.

In Kuwait, we visited with troops from the 4th Infantry Division, the division that captured Saddam Hussein, as they were moving home and preparing their gear for return. We visited with these troops at the "wash rack" where each vehicle is cleaned from top to bottom before returning home so there is no contamination from the wartime area.

It takes nearly 8 hours to fully clean a vehicle of all the dirt, sand and wear that accumulate. Dozens of these wash racks were operating day and night, 24/7, until every last piece of gear is cleaned and ready to return home.

Many of the division's vehicles were staged and lined up, ready to return home. That was truly a sight to see—rows of rows and rows of all types of military vehicles, scores of vehicles. I saw the remarkable size and scope of our logistics effort to rotate these forces in Iraq, and the magnitude of that effort is simply amazing.

General Robert Barrow, a former commandant of the Marine Corps, in 1980 said: "Amateurs talk about tactics, but professionals study logistics." That statement has again been proven true by the nearly flawless rotation of U.S. forces in and out of Iraq. That rotation is now nearly complete, and it is a remarkable achievement. This massive movement of forces and equipment, the largest since World War II, has largely gone unreported and little noticed by the American people. However, it is a true success story and one that needs to be told, and needs to be told on the floor of the Senate.

This rotation of forces is an absolute testament to the will, dedication and commitment of our men and women in uniform. They are to be commended for what they do for all Americans, and once again, they have made us proud.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I ask to proceed as in morning business.

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

#### OVERTIME

Mr. GREGG. I join the senior Senator from Alaska, the chairman of the Appropriations Committee, in his excellent statement congratulating our

military, our troops; specifically, the men and women who serve in Iraq and the extraordinary job they are doing there. This incredible rotation the Senator reflected on, the logistics being an exercise of extreme complexity, was accomplished with great professionalism.

His knowledge of this is unique and special, and we turn to him in the Senate about military affairs. I join in the acknowledgment of what the men and women of our services have done in this area. I thank the Senator for bringing it to our attention.

I rise briefly, however, to address the new regulations proposed relative to white-collar overtime issues presented by the Department of Labor. We, as a Senate, have for literally months been hearing from the other side of the aisle that they wanted to stop the procedure of regulatory activity in this area; they wanted to foreshorten the proper and appropriate approach to governance; that is, to issue proposed regulations and take information and comment on the regulations and bring forward any sort of clarification of the law in the area of overtime activity, of which the law has been on the books for 50 years.

Unfortunately, it has become confused and arcane in many ways. In fact, the law as presently structured was put together in a time when this country had people who were called straw bosses, leg men, and keypunch operators, things which no longer are relevant. Yet the law still has these categories of individuals and their rating systems are affecting how overtime is paid.

It has become a fertile ground, regrettably, because of this confusion. Because it is a law that has not been adequately reformed and kept up to date, it is a fertile ground for lawsuits.

The United States Bar Weekly, a lawyers' weekly USA newspaper headline, summed up the salaries in the workplace across America by saying in a headline: "Boom In Overtime Suits, A Danger For Employers But A 'Gold Mine' For Plaintiffs' Lawyers."

Unfortunately, that is all we have gotten from the regulation in the last 2 years—lawsuits. We do not have a more efficient marketplace, or people who deserve overtime getting overtime. We have not had a settled issue as to who has a right to overtime.

Secretary Chao said we should do something about this proposal. Secretary Chao stepped forward and said this is an issue, a problem, we need to do something about. She put forth proposed regulations which I, as chairman of the committee that has jurisdiction, said there are some issues. We have questions. Let's look at them. That is why those proposed regulations received 80,000 comments. The Department has been reviewing those.

Again and again people have come to the Senate from the other side of the aisle and used the excuse of trying to foreshorten and stop and undermine

the process of regulatory reform and the comment period as a means to try to stop other legislation. How many pieces of legislation have been held up interminably, and some simply not passed, because the other side of the aisle says we cannot have the proposed regulations out there; we have to stay with the law as it is.

Now it has shown the folks were absolutely wrong. The folks came to the Senate and tried to use this proposed regulation as a stalking-horse to obstruct other legislation on the floor. It was a stalking-horse because the Department of Labor has come forward now with a new set of regulations which have grown out of and evolved out of the work that was done as a result of reviewing and listening to the input from the 80,000 comments.

The final set of regulations has some extremely good proposals. It guarantees 6.7 million Americans who today are not guaranteed overtime will receive overtime. People up to \$23,000 of income will receive overtime. That is up from the present threshold today of \$8,000. That means 6.7 million people who today are in a gray area are no longer in a gray area and they will get overtime.

In addition, it makes unalterably clear this overtime regulation applies to white-collar areas. That was never an area for concern. People were concerned. The Department has made it clear the overtime of groups such as first responders, nurses, veterans coming back from serving overseas, licensed practical nurses, and registered nurses would be protected.

That was never the intent of the original regulations, I don't think. But clearly, it is definitively addressed in this final rule.

Furthermore, the people whose overtime may be at risk have to have an earning that exceeds \$100,000, and they have to be in a white-collar activity, not a blue collar. If a blue-collar person happens to make more than \$100,000, their overtime stays in place. The overtime of a white-collar person making more than \$100,000 may be impacted by this. The Department estimates that is less than 120,000 people who may be impacted by that part of the regulation.

In this final regulation, 6.7 million in the gray area will get overtime who are not getting it. They may be getting it, but they do not know they have a right. And people who are concerned about overtime, working blue-collar jobs, or working in areas such as law enforcement and firefighting or nursing, will absolutely be assured of their overtime rights, although they probably were.

It means the business community, especially small businesses, will have a clear understanding of who has the right to overtime and who does not have a right to overtime—not clear, but a clearer understanding of who does and does not have a right to overtime. That means instead of ending up with small businesses especially having

to spend a lot of money defending lawsuits which are arbitrary in many cases and which are class action in other cases, they will be able to spend their money on creating new jobs.

Instead of having a litigious atmosphere out there, we will have an atmosphere where people can understand what their responsibilities are to pay people. Those people who are receiving this overtime will benefit significantly from this clarity, and other folks who will be getting jobs as a result of businesses having money to invest, rather than having to pay lawyers to defend these lawsuits. It is a step in the right direction.

I believe that opposition today, should it still continue, can only be defined as political. We know that opposition, in light of these regulations coming out in final form, was probably highly political before, but clearly in light of the definitiveness and the constructiveness of the changes which have come forward with the final regulations, any additional opposition is partisan, political, and driven by an election year attitude, or it is simply a desire to be a stalking-horse to promote lawsuits versus promoting efficient use of resources in our society, especially by small businesses.

I congratulate the Department of Labor for doing the job which they are paid to do, which is to try to make our laws more understandable and constructive. As a result, they have made a very strong step forward to assisting people in getting overtime who may not be getting it today.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Ms. MURKOWSKI). Morning business is closed.

#### FAIRNESS IN ASBESTOS INJURY RESOLUTION ACT OF 2004—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2290, which the clerk will report.

The legislative clerk read as follows:

A motion to proceed to the bill (S. 2290) to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, this is one of the most important bills in many decades because this bill will determine whether or not 8,400-plus companies go into bankruptcy, with a loss of jobs, pensions, and opportunities for people all over this country—and all because of an out-of-whack tort system that has been manipulated by some voracious lawyers who should know better but who are too addicted to being able to milk the system for billions and billions of dollars, \$20 billion thus far in legal fees and transaction costs.