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House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, September 6, 2006, at 2 p.m.

Senate

TUESDAY, SEPTEMBER 5, 2006

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord and Creator of humanity, bless this legislative body today. Give Senators, during these challenging times, the calmness of Your abiding presence. Break the tensions of partisan divisions with the soothing music of unified effort. Teach our lawmakers the importance of slowing down long enough to seek Your wisdom, to hear Your voice, to connect with each other and to send their roots deep into the soil of life's enduring values.

Empower each of us to grow toward the stars of our greater destiny.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

RESERVATION OF LEADER TIME

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 5631, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 5631) making appropriations for the Department of Defense for the fiscal year ending September 30th, 2007, and for other purposes.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, I have a short statement to make, and then I will reframe what I expect to happen over the course of this week and in the near future.

Similar to many of my colleagues, I spent the month traveling the country. I began in Tennessee and ended in Tennessee. I visited a number of States, from the west coast to the east coast, from Washington State to Florida. At each stop, I spent a lot of time doing what I hope, and I am sure, all of my colleagues did, listening, listening very carefully to what the American people are thinking and what they are feeling.

As I summarize and step away from the messages that were sent to me, it is pretty clear how we need to spend the next 4 weeks in the Senate before taking a break before the elections themselves. I will recite a few of the items and point out the direction that will lead us into the next several weeks.

I listened carefully, and again and again people confirmed what I already knew: The Republican-led policies that we put into place are, indeed, working. To begin with, although despite derision from my colleagues on the other side of the aisle, the economy continues to grow. As we saw yet again last week, month after month we consistently have added new jobs. Productivity, the driving impetus that raises the standards of living, continues to accelerate, continues to go up. We have faced down many adverse developments, many adverse events in the past few years, including the 2001 recession, the terrorist attacks of September 11, corporate governance scandals, and more recently, the devastating hurricanes and substantial increases in the cost of energy.

People do feel the rising cost of energy at the pump each day. They feel the rising cost of health care.

As Federal Reserve Bank Chairman Ben Bernanke pointed out last week, despite all of these obstacles, our economy continues to advance and continues to grow. I am convinced, as are the constituents I met with during each stop across the country, the economic security we enjoy is due in large part to the Republican-led policies of tax relief and fiscal restraint we have implemented.

What is forefront in the minds of the American people is the economy; even more so is security—yes, economic security but security in general.

From Georgia to California, and each stop in between, the people I met want reassurance. They want to know when their family boards a plane, for example, on vacation or going to Disneyland, that plane will be safe.

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

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They want to know, when they hop on the subway or the Metro to go to work, that train will be safe. They want to know, when they fill up their gas tank, the money in their wallet is not going to end up in the hands of some terrorist overseas.

I share these same concerns. That is why we have set a very aggressive agenda for the remainder of this session that does focus on fighting and winning this war on terror.

Last week, one of my colleagues said that 99 percent of Democrats want to fight a strong war on terror. This week we will hold this Senate to that as we continue to debate Defense appropriations.

Our troops provide us an invaluable service. They fight daily on behalf of those enduring principles of freedom and liberty. For their invaluable service, we owe them the very best of resources.

The Defense appropriations bill is crucial to fighting a strong war on terror and to winning it. The bill provides our soldiers with the resources, the training, the technology, the equipment, the authorities they need to win the war on terror.

I encourage each of my colleagues to demonstrate their commitment to fighting and winning a strong war on terror by engaging in a productive debate, a debate that is on point and focused on how we can keep our troops strong to win this war.

At the end of the debate, I hope each and every one of my colleagues will join me in demonstrating our commitment to our troops, our commitment to strengthening and maintaining and enhancing our security at home and their commitment to winning the war on terror by voting to pass the Defense appropriations bill.

But there is more we in the Senate can and will do to help alleviate the concerns and fears the American people have about security and winning the war on terror. We need to strengthen port security. After months of negotiations on this critical issue, it is time to act. We need to pass the Homeland Security appropriations conference report. We need to confirm critical security nominees such as John Bolton, U.S. ambassador to the U.N.; Alice Fisher, DOJ's Assistant Attorney General for the Criminal Division; Kenneth Wainstein, first Assistant Attorney General for DOJ's new National Security Division.

We need to address the Supreme Court Hamdan decision, authorizing military commissions for terrorist combatants.

We need to send an energy package to the President so we can reduce that dangerous dependence on foreign sources of oil. Let's face it, we have a serious threat to our national security when nearly 60 percent of the oil we consume comes from foreign countries.

We need to strengthen the Terrorist Surveillance Program by modernizing the important Intelligence Surveillance Act definition of ''electronic surveillance'' and ''communication'' and by enhancing congressional oversight. We need to consider legislation that builds on the progress we made last year with the bioterror bill, by further refining and enhancing our defenses against nontraditional terrorist attacks. We need to secure America's prosperity by bringing budget process reform to the Senate and by finalizing a very exciting bipartisan competitiveness agenda package.

We need to continue securing America's health by bringing health information technology legislation to conference. We must continue to secure America's values by promoting sound Government that begins with fulfilling our constitutional duty of advice and consent by bringing more judicial nominations to the Senate for confirmation.

And it continues with addressing Internet gambling. As it is now, this industry threatens to undermine the quality of life of millions of Americans by bringing an addictive behavior right into our living rooms.

As you can see, we have a lot on our plate. Bipartisan support on each of these issues is absolutely necessary. It is election time. The tendency is to make everything political. For the American people, we need to rise above this. We need to come together. We need to work together on these important issues that so dramatically impact the security of the American people, the security of our homeland.

As we learned last year with Hurricanes Katrina and Rita, on September 11, almost 5 years ago, complacency and passiveness have no place in the Senate. We must work together to ensure that we anticipate and address the problems facing everyday Americans. We must work together to keep America moving forward. We must work together to fight and, yes, win the war on terror.

Mr. President, let me take a final minute and update our colleagues on the specific schedule for today.

Under the order, we are to immediately return to the consideration of the Defense appropriations bill. We began this important funding measure prior to our adjournment. We were unable to finish it prior to that recess. Although we do not have a unanimous consent agreement on the bill, the Democratic leader agreed prior to the recess that we would finish the bill no later than Wednesday of this week, although discussions prior to our beginning today's session indicate it may be Thursday.

Chairman STEVENS is here today occupying the chair and is ready to consider amendments and make progress during today's session. I understand no one is ready, at this point, to offer an amendment.

ORDER OF PROCEDURE

Therefore, I ask consent there be a period of morning business until 2:30 today, with the time equally divided in the usual form; and further, that at the conclusion of that period, we resume consideration of the Defense appropriations bill.

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

Mr. FRIST. Mr. President, as an additional reminder to Senators, this afternoon at 4:30 we will proceed to executive session for the consideration of Kimberly Ann Moore to be a U.S. circuit court judge. A vote will occur at 5:30 on the confirmation of this judicial nomination.

Having said that, I expect a productive week as we wrap up our business on the Defense appropriations bill.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

DOD APPROPRIATIONS

Mr. REID. Mr. President, as I indicated in conversation with the Presiding Officer and the majority leader, I indicated that we, the Democrats, would complete this bill in 2 days. We will do that. It will be Thursday because today, for a lot of reasons, not the least of which is the weather, we will not have much time to work on it. We will finish it Thursday. I indicated that to the manager of the bill and to the distinguished majority leader.

THE SENATE FAMILY

Mr. President, we are a family in the Senate. That includes not only the 100 Senators but the staff we have. Although he is off the Senate floor now, Jack Hickman, who has worked for the Senate for many years and sits right in front of me, had knee surgery or knee replacement. As a result of some things that do not work out as well as one could expect, he became gravely ill. We are so happy that all worked out, that he is now strong and healthy, and his knee works well, although the surgery was very traumatic, especially the side effects.

We are glad Jack is back and he is healthy. He represents the Senate family that works long Senate hours with little recognition. This morning you got a little recognition, which you deserve.

LEGISLATIVE PRIORITIES

Mr. President, the Chaplain, this morning, said the thoughts that were on my mind before coming here, and I certainly could not say them as well as he did, so I will read what he said in his own prayer:

> Bless this legislative body today. Give Senators, during these challenging times, the calmness of Your abiding presence. Break the tensions of partisan divisions with the soothing music of unified effort.

That phrase in the prayer says it all. We need to work together. I want to focus on one thing, on one number, and that is 12. Twelve is very likely the number of legislative days remaining in this Congress, the 109th Congress. With the schedules we have kept in the past, we basically work 3 days a week. We have 4 weeks, counting today. That leaves 12 days. In a normal year, in a

normal Congress, it would be an enormous challenge to complete the work we have ahead of us in 12 days.

In this Congress, which I have not said but which pundits and editorials have called the do-nothing Republican Congress, it is mission impossible. Think about all that remains to be done.

On the domestic front, the start of the new fiscal year is just days away. The Senate has yet to pass a single appropriations conference report. There has not been a single appropriations bill sent to the President. There are 13 of them. Normally, we would have basically completed them by now, or at least have them all in conference. We in the Senate have completed one appropriations bill.

With millions of children returning to school this week, this Republican-controlled Congress has yet to pass an education funding bill. In addition, there are middle-class tax breaks that have been sidetracked. There has been a big detour. These need to be extended. Why aren't they extended? There was an agreement before we left between the House and the Senate conferees to have the so-called tax extenders passed. They agreed. But someone came up with an idea, as absurd as it now sounds, that they would stick the tax extenders on a flawed minimum wage increase and, of course, estate tax repeal. It came here. We wasted a significant amount of time on it. The extenders were not passed. People are still waiting to have them passed. These are not extenders that help only Democrats, they help the country.

I had the head of the Business Roundtable call me. He said it is so important we pass the research and development tax credit. It was one of the extenders that did not pass because of this crazy idea to lump them all together. As a result, we have nothing. We have no minimum wage increase. We did not do the extenders. And, of course, the American people, they are not out there fighting for 8,100. That is who benefits from the estate tax repeal. The American people knew this was a foolish idea, and the Senate responded by making sure that so-called ''trifecta,'' that we named ''defecta,'' did not pass.

The Medicare prescription drug bill needs to be fixed. Are we going to do that? Not likely. We have a crisis in health care. I used to talk about 40 million people having no health insurance during this administration. In these 6 years it has gone to 47 million Americans with no health insurance, and millions more who are underinsured.

Energy: Because of the demand being lessened, energy costs have dropped a little bit in the last few weeks. But that has not taken away from the fact that we use 21 million barrels of oil every day in America 7 days a week, and we import more than 60 percent of that. Are we doing anything about that? No. Twelve days to do all these things.

On the national security front, just as much work remains to be done, if not more. We are a nation at war. We are still vulnerable 5 years after 9/11, and we have yet to pass the Defense and Homeland Security bills. We are going to pass the Defense appropriations bill. We are going to do that sometime on Thursday. But we have to take that bill to conference, along with the other 12 appropriations bills before we can send them to the President.

Because of delays by this Republican Congress, our borders remain open and immigration reform remains stalled. There is also port security to be considered, a phase II investigation where we had the assurance from the Republican leaders of the Intelligence Committee that they could complete phase II. They have not done that. We still do not know how the intelligence information was manipulated in an effort to take us to war in Iraq. The American people are entitled to that information.

Twelve days to finish all this work. And do you know what. It appears we are not even going to try to finish the work. The Republican-dominated Congress is not even going to try to finish this work.

Today's New York Times has the headline: ''GOP Lawmakers Set Aside Work on Immigration.'' Sunday's Washington Post had a similar article entitled: ''GOP Focus on Security Issues to Sideline Other Matters.''

The papers report that Republicans plan to leave in September with immigration undone, Medicare undone, ethics reform undone, and a budget undone. We do not have a budget. Then, after leaving here with nothing done, they are going to go out and try to convince the American people that after years of getting it so wrong, they now have the right prescription for our Nation's security.

Democrats welcome a national security debate. I hope we can have one. America needs one. There is no excuse for the Senate not completing its work. And I say, referring back to the Chaplain's prayer:

> Give Senators, during these challenging times, the calmness of Your abiding presence. Break the tensions of partisan divisions with the soothing music of unified effort.

We want to work on a bipartisan basis to resolve the Hamdan decision. That is how we bring these terrorists to justice. We want to work with our colleagues on the Republican side of the aisle to work something out on the domestic spying front.

There is no excuse for the Senate not completing its work. But if Republicans want to work with Democrats during the next 4 weeks to address the mistakes of national security, we welcome that. It is about time. There is a reason the Senate faces this predicament. It is a reason we stare in the face: September 5. None of the people's legislative priorities have been addressed in this Congress. It is because this do-nothing Republican Congress has wasted 20 months avoiding the people's priorities so they could play partisan games instead.

Think back over the last 2 years. Just take 2 years, not 4 years. We began, first of all, with a month-in and month-out debate dedicated to the so-called nuclear option, the Republicans' attempt to rewrite Senate rules so we would be another House of Representatives; that we would throw away the Constitution of the United States so the Federal courts could be packed.

Then, instead of addressing the crisis in health care or the crisis in energy, the Republican Senate moved to pet issues of their political base, such as the Terri Schiavo affair—a very personal issue that took an inordinate amount of time of the Congress. And, of course, we have spent weeks and weeks on a billion-dollar giveaway to repeal the estate tax to the richest of the rich.

This past summer was no different. The weeks in June and July were given to the marriage amendment and then flag desecration—two of the least pressing issues facing Americans today. In fact, I was stunned to read in the Washington Post today that Circuit Judge Wilkinson, who was said to be in line to be the President's selection to go on the Supreme Court, wrote an editorial saying: Do not amend the Constitution with the marriage amendment. It is unnecessary. It is wrong. Let the States take care of it.

Judge Wilkinson did that, one of the President's own: a waste of time, the marriage amendment.

Then, the 1 week we worked in August was given to the Republicans' infamous ''trifecta'' bill that I have spoken about earlier, the ''defecta'' bill, as we call it. In the words of Republican Congressman ZACH WAMP, Republicans tried to ''outfox'' the country into repealing the estate tax. Remember his famous quote: The only reason the Democrats are mad is we outfoxed them.

In the end, it was the Republicans who were outfoxed.

With 20 months wasted and just 12 days ahead of us, it is time for a new direction. We live in a very dangerous world. As we saw in Britain last month, there are terrorists around the world who want to do damage to Americans. Unfortunately, there are too many politicians in Washington who want to divide the country and play politics with national security instead of finding real solutions to keep America safe.

Again the Chaplain:

> Give Senators, during these challenging times, the calmness of Your abiding presence. Break the tensions of partisan divisions with the soothing music of unified effort.

That is what we need: unified effort. It time for a new direction.

Next week our country will mark a solemn anniversary: 5 years since 9/11. I remember where I was on 9/11, right across the hall. Every Tuesday Senator

Daschle had a leadership meeting. At 9 o'clock in the morning, September 11, the towers were on fire. I saw them, as did all of America. I remember where I was, and I will bet every American can remember where they were.

Five years after 9/11 America is less safe than it should be. Today, only 5 or 6 percent of our ports are secure; cargo containers, 5 percent. Our chemical plants are vulnerable to attack. Our first responders do not have the materials to be the best they could be.

Interoperability all over America is not there. The man responsible for 9/11, Osama bin Laden, remains on the loose. The recommendations of the 9/11 Commission have been ignored by the administration.

This is the Republican record of the last 5 years. It is no wonder, with elections looming, they want to try to fix it in the next 12 days. Democrats have a better plan to keep America safe. It is called real security. It is tough, it is smart, and, as we laid out in a letter to President Bush yesterday, it starts by doing what the other side has refused to do: change course in Iraq.

While Iraq was not part of the war on terror before we invaded, today it is emboldening terrorists and recruiting new ones. For 2 years, the Republicans have been content to say ''stay the course'' in Iraq. They have stood with President Bush when he says: We're not leaving Iraq as long as I'm President.

That is wrong. They may think it is smart political strategy, but we know from what is happening around the world it is a failed security policy. Each day this Republican Government stays the course in Iraq, America grows less safe.

Since we last met, 75 American soldiers have been killed. I do not know how many have been wounded. It is approaching 21,000. My friend, the distinguished minority whip, has focused on doing something about head trauma with our veterans. In articles written this past week: 10 percent of those wounded have head trauma—10 percent. That means 2,100 probably. And that is only those who now recognize they have it.

As we know, as all the articles have said, a lot of the problems dealing with one's ability to think come later. A lot of times you can't see these head injuries, but these explosions cause the brain to do things it is not capable of handling. Yet we have been turned down in getting financial help for these people who have been wounded in Iraq.

Since we last met, I don't know how many Iraqi civilians have been killed, well over 1,000. I don't know how many have been damaged for life by their wounds. And since we last met, we have spent $12 billion of the taxpayers' money in Iraq on this mismanaged war. The Pentagon now believes all the conditions exist for a civil war in Iraq. We have a civil war in Iraq. When this many people are killed, it is a civil war. The administration's most recent report to Congress says it is only going to get worse.

Our military faces shortages of equipment and personnel that haven't been seen since Vietnam. Not a single Army nondeployed combat brigade is currently prepared to meet its wartime mission, and the chief of the National Guard has said the Guard is ''even further behind or in an even more dire situation than the Army.'' At the same time, the war has emboldened regimes in North Korea and Iran, two countries which have grown their nuclear arsenals during this administration's watch.

These are the consequences of staying the course in Iraq: We are less safe, we face greater threats, and we are less prepared to meet them. Throughout this Congress, Democrats have come to the floor to demand—we have done it on the Senate floor, in interviews, through speeches in our States, and press conferences—that the President change course in Iraq; fight a better, smarter war on terror and secure the homeland; get good grades for the recommendations of the 9/11 Commission, not failed grades, as this administration has received.

Republicans have obstructed our efforts. We have offered amendment after amendment, and they have turned them down on a separate, party-line vote—amendments to protect nuclear plants, chemical plants, nuclear-power-generating facilities, amendments to help first responders—party-line votes, no. Republicans have obstructed our efforts and chosen to rubberstamp President Bush's failed security strategy.

With just 12 legislative days left before the end of this Congress, I once again ask my Republican colleagues: Is now the time for the Senate to hold President Bush accountable for his failed policies and demand a new direction? With the 5-year anniversary of 9/11 fast approaching—next Monday—it is time for America to refocus its efforts in the war on terror by implementing the recommendations of the 9/11 Commission, changing course in Iraq, and taking a smarter, better approach to hunting terrorists and preventing the next threat. We have 12 days to work together, not as Democrats and Republicans but as Americans doing everything we can to keep America safe.

On this side of the aisle, we are willing to work on these national security issues that we have read in the papers is what the Republicans want to focus on. We welcome that. But let's do it on a bipartisan basis so that when we finish our work, we are safer than when we started; not political diatribe, not an effort to embarrass one another but reflecting on what the Chaplain said today:

> Give Senators, during these challenging times, the calmness of Your abiding presence. Break the tensions of partisan divisions with the soothing music of a unified effort.

We look forward to a unified effort. We take the challenge of spending this month debating national security issues, if that is what the majority chooses. In the meantime, we recognize what has not been done with the domestic agenda, which is also extremely important.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent to be recognized as in morning business.

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

AN AMPLE AGENDA

Mr. DURBIN. Mr. President, I salute the Democratic leader for his opening remarks. This is the beginning of the September session of this Congress, as we roll toward the election. The majority leader has suggested we will be here for perhaps 3 or 4 weeks. I hope we can work together, as Senator REID suggested, in a bipartisan fashion. There is certainly an ample agenda before us, a lot of things we should be considering.

I spent most of August traveling up and down Illinois, in the city of Chicago and cities large and small. It is clear to me that there is much we need to do.

Yesterday was Labor Day. Yesterday I noted in the State of Illinois that 330,000 workers are making less than what we are proposing as an increase in the minimum wage. That means 330,000 individuals got up this morning and went to work in Illinois, taking on some of the tougher jobs, some of the dirtier jobs, some of the jobs that demand more time away from your family, and they are faced with a wage which cannot sustain their families.

Imagine living in a State governed by the Federal minimum wage of $5.15 an hour—the same wage, the same level of wage it was 9 years ago. For 9 straight years, the Republican Congress and the Republican President have refused to increase the minimum wage for the lowest paid workers in America. This breaks with tradition.

Historically, this was a bipartisan issue. We didn't quarrel between Democrats and Republicans. We said: For goodness' sake, justice and fairness require that you give people who are working so hard for so little money an increase once in a while. The cost of living goes up; we know that. But for 9 years, the Republicans have said no, no increase in the minimum wage.

But there is an interesting thing to note. During that same 9-year period, when we have said that the lowest paid workers in America should be stuck at making around $10,000 a year, Congress has voted itself an increase in pay of $31,000 a year. We say no to millions of American workers, some of them single moms trying to raise their kids as best they can. We say no to increasing their minimum wage, and we increase the salary of Members of Congress.

We have taken a stand on the Democratic side. It is not going to happen this year. If the Republican majority

refuses to increase the minimum wage for millions of these workers, there will be no increase in congressional pay. It is a small thing, maybe only symbolic, but it is an important symbol. Finally, Members of the Senate and Members of Congress have to realize there are consequences to their actions.

Yesterday, on Labor Day, I went to Rock Island, IL—one of our better Labor Day parades. Former Senator John Edwards was there. My colleague LANE EVANS, who is retiring from the House of Representatives, and a number of local people all came out to speak to those who gathered to recognize the contributions of every working American. The No. 1 issue was the minimum wage. We are lucky our Governor, Rod Blagojevich, has raised the minimum wage in Illinois by State law. Some States have done that. They have given up on waiting for the Federal Government to do it.

If we want to do something before we leave for the November election, wouldn't it be good to return to those days when there was bipartisan support for an increase in the minimum wage? Couldn't we pass even this week an increase in the minimum wage to $7.50 an hour phased in over a few years? Shouldn't we at least say to these hard-working Americans that we are going to give them a helping hand to raise their children and keep their families together, pay for daycare, pay for medicine, and food and clothing? That is something we could do.

There is something else we could do. We have a Medicare prescription Part D which provides the possibility of lowering the cost of prescription drugs to millions of seniors across America. Before we leave, on a bipartisan basis, why don't we say that the Medicare Program can bargain with the pharmaceutical companies to get the best low prices for seniors across America? That was a glaring omission in the original bill. As a result, our seniors under this program are paying more today than they should. How do we know this? Because under the Veterans' Administration policies, they bargained with the drug companies, and for the 22 most frequently prescribed drugs for seniors, the VA price for those drugs is substantially lower than what seniors are paying today under the Medicare Program.

So why don't we, on a bipartisan basis, say that we will give to seniors across America the same benefit, the same helping hand that we give to our veterans; that we will give them lower drug prices? Most of these people we are talking about are on fixed incomes. They are trying to get by, and the cost of prescription drugs is going up. A helping hand for these Americans is something we can achieve, something we can do. It is something we ought to focus on in a bipartisan effort in the closing days of this session to really help those Americans.

There are so many other things we can do, and I sincerely hope that we do. When you consider the national energy situation, we have noticed in the Midwest the price of gasoline started coming down again. I don't know if other Members have noticed that. Interesting timing, isn't it? As the vacation season ends and Americans are no longer driving across the country with their families, burning up more gasoline, the price is starting to come down. I would like to believe that this is a trend that will continue and the prices will get much lower, but I am not confident because what we have seen is that the oil companies that are recording the highest profits in their history have the ability to raise these prices just as they raised them at gasoline stations around your hometown. And we don't have any control in Washington. The best we could get was a comment from the President and some of the Republican congressional leaders about how unhappy they were with gasoline prices but nothing more. There was no serious effort to penalize the oil companies that have run up these profits at the expense of families and businesses and farmers across America. We need a national energy policy.

As I travel around my State and the country, it is very clear that elements of that policy are obvious to most people. We need to have more fuel-efficient cars and trucks. The fuel economy of the vehicles we drive will do more to lessen our dependence on foreign oil than anything else. Sixty percent of the oil we import goes right into the tank. So if we want to have a serious effort toward reducing our dependence on foreign oil, we need to have more fuel-efficient cars and trucks.

I have tried three different times over the last 4 years to put in a new CAFE standard for America so that the makers of these cars and trucks will start building better cars and trucks with better technology that use less fuel. I can't get a majority, but I think the numbers are starting to change. For the first time I am noting that some of my Republican colleagues are seriously considering that possibility. We should do it. We could put in a new CAFE standard before we leave for the election and say to America: This is the important first step in moving us toward less dependence on foreign oil.

Today, as we fill up our tanks, hand over our cash and credit cards to pay for it, understand that a portion of the money that we pay at the gas station ends up in the hands of foreign governments, some of which are not on the same wavelength or on the same agenda as the United States when it comes to foreign policy. Sadly, some of the countries that we are sending money to for oil are using the proceeds from that oil to support terrorism. That is unacceptable. We need to have an energy policy which reduces our dependence on foreign oil and, in fact, burns less fuel when we drive our cars and trucks, not only saving us money as individuals and families and businesses but also reducing pollution in the process and reducing the threat of global warming.

A lot of families across Illinois come up to me and talk about the cost of health care. It has reached a point for some that is sad and painful and many times embarrassing. At one of my town meetings, a man came up afterwards and said: I am one of those families, those uninsured families. I have a sick child. I worry about him. Anyone would.

To think that we have reached a point in America where it is acceptable that more and more people have no coverage, no health insurance, is something that is not consistent with the values of our Nation. We should be working on a bipartisan basis to extend health insurance—affordable, quality health insurance—to every American family. Estimates are that 48 million Americans are without health insurance today, which is roughly 1 out of 6 Americans. That doesn't count the millions who have health insurance that is worth little or nothing.

Why are we not taking this on? Why isn't this an issue on which Congress focuses? It could be a good bipartisan issue for us to work on. When I think of what we have been considering over the last several months before the August recess, it is very clear to me that instead of a clarion call from Capitol Hill to unite behind an inspired program that really moves us forward as a nation, what we have heard is the death rattle of a Congress that is dominated by special interest groups and those who are looking for a political advantage as we approach the November 7 election.

The first special interest domination is obvious by the trifecta bill. If you go to a racetrack—and I have been to a few in Illinois—and you bet $2 on a trifecta, you know your odds of winning are very low. It is a high-stakes bet. It is a high-risk bet. Many more people will lose than will win. So it is the right name for the Republican program—the trifecta bill—that would give a tax break to the wealthiest families in America. Two-tenths of 1 percent—that is, 2 families out of every 1,000—would get a tax break, and they are the wealthiest families in America.

Senator FRIST and his colleagues on the Republican side have said this is our highest priority. In the midst of a war when we are asking for sacrifice from our brave soldiers, in the midst of a war in Iraq when we are asking the families of those soldiers who pray every night for their safety to stand by our country, in the midst of a war in Iraq where we have spent over $300 billion, with no end in sight, as we fight a war that costs us up to $3 billion a week, which requires that we cut back on spending at home for education and health care, in the midst of this situation, this President and his Republican counterparts in Congress have identified as their highest priority cutting taxes for the wealthiest people in America.

This is the first President in the recorded history of the United States of America to ever ask for a tax cut in a war, for obvious reasons. If you have a budget for the country and then a war on top of it, every other President in our history has understood that you cannot cut taxes. Most of them have raised taxes to try to pay for the war. But not this President, not this Congress; they are cutting taxes in the midst of a war, driving us deeper and deeper into deficit—a debt which our children and their children will carry for generations. That is not fiscally sound. It doesn't add up. To think that is a much higher priority to many in the leadership on the other side of the aisle is an indication of how far we have moved away from mainstream thinking in America.

A lot of people are dissatisfied with this country's direction. A recent poll announced last week that two out of three people in America say our Nation is on the wrong track, that we need a new direction, that we can do better. We asked them: What is it you are thinking of when you speak of this? They say, No. 1, the war in Iraq. Something is wrong here. This is not what we were told we would get into. We were promised by this administration that removing Saddam Hussein would result in the Iraqi people greeting us with open arms, that we would see them move toward a democracy and set a standard for the rest of the world. Well, here we are in the fourth year of this war, having lost so many of our brave soldiers, and we are not close to that goal. There is no end in sight. The President's answer is a throwaway phrase: ''Just stay the course.''

The President has said that there won't be a serious discussion of removing American troops under his watch. That is up to the next President, he said. That means waiting more than 2 years to really start bringing American troops home. Is it any wonder the American people are upset with that, that they think we need a new direction in Iraq?

They understand that when it comes to the war on terrorism, we were attacked on 9/11 by al-Qaida, Osama bin Laden, and the al-Qaida terrorists. I served on the Senate Intelligence Committee at that time. The best estimates we had were that there were 20,000 of these willful killers around the world who launched that attack on the United States. Our intelligence agencies report today that they estimate there are 50,000 members of al-Qaida around the world. We know that before our invasion of Iraq, there was virtually no evidence of al-Qaida in the nation of Iraq. Today, al-Qaida has become a potent force, sowing seeds of discord within Iraq and launching attacks against American soldiers. Al-Qaida's franchise has arrived in Iraq since we invaded.

So we have a big job ahead of us to make America safe in a dangerous world, protect against terrorism. We should go back to where we started, when the overwhelming majority of the Senate voted to go after al-Qaida and the Taliban in Afghanistan. That is a mission not yet accomplished. We need to do more to go after al-Qaida. Unfortunately, this administration has not focused the resources necessary. They have disbanded the effort to find Osama bin Laden in the CIA, a special group put together for that purpose. I believe it is time to renew that effort, that commitment toward removing al-Qaida to make America safe.

Mr. President, as we see the agenda before us in the next few weeks, there are several things we can move forward with on a bipartisan basis: the minimum wage, doing something about Medicare prescription Part D, and making certain we move toward a nation with an energy policy that will sustain the growth of our economy and not destroy the environment in which we live. We can accomplish these things—and we should—in the days ahead.

THE TOBACCO INDUSTRY

Mr. DURBIN. Mr. President, when I came to Congress years ago, I had no idea that one of the major issues I would face and be involved in was the tobacco industry. Now, I knew what tobacco had done to my family. I lost my father when he was 53 years old. He died of lung cancer. He smoked two packs of cigarettes a day. I was just a sophomore in high school when he died. I stood there by his bed at his last breath and thought to myself, I hope I am smart enough to never be addicted to tobacco, because I have seen his young life destroyed by it.

I didn't swear to go against the tobacco companies. That sure wasn't the reason I ran for office. But the time came, as a Member of the House of Representatives, when issues started presenting themselves involving tobacco. As they presented themselves, I recalled my personal and family experience with death and disease from tobacco, and I decided to get involved.

About 15 or 16 years ago, I introduced a bill to ban smoking on airplanes. I was a Member of the House and didn't know any better, and I was told by the experts: You are going to lose; nobody beats the tobacco lobby; they are too powerful in this town. All of the leadership on both sides of the aisle in the House opposed my amendment. To my great surprise, it passed anyway. It turns out that Members of the House of Representatives, and ultimately Members of the Senate, are frequent fliers. They knew how ridiculous it was to have smoking sections on airplanes and nonsmoking sections. Eventually, we reached a point where there was no smoking on airplanes. My colleague from New Jersey, Frank Lautenberg, carried this bill successfully in the Senate. Together, we worked and banned smoking on airplanes.

A lot of things have happened in America since. Once we established that it was unsafe to be exposed to secondhand smoke on airplanes, people started asking the obvious questions: Is it safe in an office? Is it safe in a hospital? Is it safe on an Amtrak train or on a bus? America started moving toward a new standard over the last 16 years, and I am happy to say there are now fewer and fewer places in America where you are exposed to secondhand smoke. Most smokers who are still addicted at least ask permission before lighting up. Most know it is better to go outside. That is a changing standard in America and one that I believe has led to a healthier nation.

Make no mistake, while we have made progress in dealing with tobacco, the tobacco companies have still been selling their deadly product. As they sell that product, we learn more and more about their corporate strategy. Let me read to you the opening line in an editorial last week written in Newsday, a publication in New York:

> Lying is as natural to tobacco executives as breathing once was to their customers.

They were reacting to last week's stunning disclosure that the tobacco industry is up to its same old tricks. During the last 6 years, cigarette manufacturers have steadily increased the level of nicotine smokers inhale every time they smoke. Nicotine, of course, is that addictive chemical in the cigarettes which leads people to smoke even more. During the same 6-year period of time, more and more cities and States have been expanding protections for people to play and work away from secondhand smoke, while the industry has been loading up their product with more nicotine so that it is tougher to quit.

The Surgeon General of the United States found definitively that secondhand smoke is dangerous. Of the 45 million Americans who still smoke today, 70 percent say they want to quit. It is tough to quit. It is made even more difficult because the cigarette manufacturers put more of the addictive nicotine chemical in the cigarettes. We know that now. The tobacco industry was found guilty of racketeering, of intentionally manipulating nicotine levels to create more addiction to cigarettes. While they are running this advertising about how dangerous it is to smoke, to talk to your kids—while you see those ads on television and see what is going on in newspapers and magazines, all this advertising notwithstanding, they are pumping more and more of this addictive nicotine into their product.

We passed in the Senate a provision that would have given the FDA the authority to regulate cigarettes. It died in conference. Once it went into a conference with the House of Representatives, they stopped it. So this deadly product of tobacco and cigarettes continues to be the only product in America that is widely sold and is not regulated by our Government. It is not regulated in terms of its contents or its marketing or advertising. You would think that in a situation such as this, the tobacco industry would have spent

the last 6 years cringing over the feeling that their product was so deadly. No, they decided to crank up the nicotine levels in popular brands of cigarettes. They made their deadly product even harder to quit using. If you are one of the 70 percent of smokers who really want to quit, tried to quit and haven't been able to, thank the manufacturers of that cigarette you are smoking; they made sure there is enough nicotine in every pack so that it is tough for you to stop your addiction.

Of course, the cigarette industry won't even consider informing their customers of the higher levels of nicotine. Instead, the companies ran ad campaigns promoting ''light'' and ''low tar'' brands—descriptions that were meaningless and only misled people into buying and smoking more cigarettes.

Newsday wasn't the only publication to speak out on this issue. The New York Times wrote:

> It is stunning to discover how easily this rogue industry was able to increase public consumption of nicotine without anyone knowing about it until Massachusetts blew the whistle. . . .It is long past time for Congress to bring this damaging and deceitful industry under Federal regulatory control.

You have to hand it to the cigarette makers. It is a great business plan. Every day, 4,000 teenagers take their first cigarette and start smoking. They don't need to smoke very long before their bodies have absorbed a lot of nicotine and they are on to an addiction. If you are addicted to cigarettes, of course, you want more of them.

The latest stand came several weeks after a Federal court found the cigarette makers guilty of racketeering. The Washington Post says of Judge Kessler's opinion that it:

> . . . is moving and powerful. It is exhaustive in scope, detailed and utterly convincing that the industry sought for five decades to mislead the American people and Government concerning the deadly consequences of smoking.

After several years of litigation against the industry by the U.S. Department of Justice, Judge Kessler found:

> Defendants have marketed and sold their lethal product with zeal, with deception, with the single-minded focus on their financial success, and without regard for their human tragedy or social costs that success exacted.

Two weeks after the strong rebuke of the industry's practices, the cigarette makers filed a motion with Judge Kessler. Do you know what they wanted to know? They asked if her directive to stop misleading customers about light and low-tar labels on their cigarettes meant they had to stop deceiving people overseas. They wanted to know if they could still practice their deception of their products they sell around the world, even though they have been told not to do it in the United States. What a great industry.

The Washington Post this morning said:

> (I)n a sign of the boundless rapaciousness of these companies in marketing death, they had the temerity to ask [the judge] not to apply her order ''to sales wholly outside the United States.'' If we can't continue to defraud Americans into killing themselves, they effectively asked, can we at least keep suggesting to billions of people abroad that some cigarettes are safer than others?

Think about that. They had the nerve to ask if they could sell this product overseas and continue to deceive when they have been stopped from doing so in the United States. If any doubts remain about this ruling and the willingness of this industry to play fair, last week's news put it to rest.

Nicotine levels spiked even while this trial was underway, and there was no one—no industry representative, no Federal agency, no consumer group with access to the information—no one to question the cigarette makers. If it were not for the State law and diligent health requirements in Massachusetts, we still would not know.

The very helpful nicotine replacement products people use to help them quit smoking are not very effective if the cigarettes they are trying to give up are delivering much more nicotine.

Who is going to tell the consumers?

The cigarette makers have gotten away with this latest spike in nicotine, as they have gotten away with lies and deceptions in the past.

I have proposed, along with others, regulating this industry. It is time for us to know the contents of this product, to market it in an honest fashion, and to put meaningful warning labels on cigarette packages in the hopes that we can stop young people from taking up this habit.

I have said, in my entire life, I have never heard a single parent come to me and say: I have the greatest news in the world: My daughter has decided to smoke. I have never heard that because parents know intuitively—and we all know intuitively—that it is the beginning of an addiction which can lead to compromised health and death.

I urge my colleagues who have turned their back on this tobacco issue for too long to acknowledge what has happened with these decisions and with this disclosure by the Massachusetts health department. We need to do more. We need to regulate this product, and we need to protect American consumers.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CORNYN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THOMAS. 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. THOMAS. I understand we are in morning business; is that correct?

The PRESIDING OFFICER. That is correct.

ISSUES FACING AMERICA

Mr. THOMAS. Mr. President, it is nice to be back after having nearly a month break. It is a good opportunity to come back and see what the rest of the world is like. I think we have a lot of great challenges before us, and I hope we can accomplish a great deal. To do that, we are going to have to have some agreement among the folks here.

I am compelled to come to the Chamber because there has been a great deal of criticism on the floor today of the Congress and the lack of activity in the Congress over time, and certainly all of us agree we could do more and we need to do more. In order to do that, we have to come to some sort of an agreement.

One of the problems with getting things done with 55 votes is that anyone can object, and it takes 60 votes to override that, and we have had a lot of that experience from our friends on the other side of the aisle. So we need to do a great deal more than we have been able to do.

I am hopeful we can begin to talk more about issues. There is a difference of view about issues. That is what the Senate is all about. There are differences of views everywhere. We ought to talk about the issues and not just talk about politics. So I hope we can address those issues in a more direct way and not just simply be critical in order to talk about the future in terms of the Congress. I am here to say we haven't done all we would like to do. No one would argue with that. On the other hand, we have accomplished quite a number of things over a period of time. We have a great deal to do and a great many challenges.

Securing the homeland has been one of the top issues, of course, because of the threats we have going back to 11 September and the continuing threats we hear about, whether it be in London or whether it be in the Middle East. There is a terror problem in this world. We have a PATRIOT Act that gives us much more strength to be able to deal with the kinds of things that are going on. We have secured the borders much more than we have in the past. Is there more to do? Absolutely. We have 14,000 agents and 25,000 beds to deal with the problem at the border.

I am one who believes we ought to be doing something on immigration. I believe we ought to continue to tighten the border. We ought to initiate efforts to define who is illegal and who isn't. We should be able to get employers to report whom they have as illegal and so on, and we need to do some of those things. I am not for giving amnesty, but we can deal with the problems we have, and I hope we can come together and do some things. We have funded the war on terror, and there is a war on terror.

Securing America's prosperity. We have heard a great deal about the economy in the last few days with the latest reports. We have created 5.3 million

jobs over the last couple of years. That is a lot of work. That is a lot of jobs. We have had a reduction in unemployment. We have had a good deal more activity in the economic sector, and there is no question about that.

Now, some places are different from others. In my State, we have had a great deal of economic opportunity. We have lower unemployment than we have had for a very long time.

We have managed to reduce taxes. I think that is a good thing. That is what has encouraged the economy. That is what has created these new job opportunities.

We cut taxes by $70 billion. Most of us agree that we ought to be able to keep the taxes as low as we can and continue to provide the services.

We have cut entitlement growth in terms of trying to deal with the deficit. We need to do much more with the deficit, but we have cut entitlement growth—$100 billion in the 10 years to come.

There are things that we are doing. We have accomplished a good deal, although there is much more to do. There is no question about that. But we ought to do it by planning together, by deciding together. The idea of just making this criticism doesn't get much done.

We have worked on energy. We have done a great deal on energy. Certainly we wish prices were still lower, but the fact is, we have had the energy, and that is an interesting thing. With all the dislocation there has been in the Middle East, with all the dependency we have had on energy in the Middle East, we have still been able to keep our energy supply going.

Now, interestingly enough, gas prices are going down. There are new discoveries in the gulf coast which we in the Congress opened recently. That is a very important thing to help us with energy. It could create a real opportunity for us to have lower energy prices. But the fact is, over time we have to find some new sources of energy.

We have an energy bill that is in place, an energy policy passed in this Congress for the first time in years. Now, of course, we are working on alternative sources.

Those do not happen overnight, so it will be 15 or 20 years before some of these new sources become important, but they will be, and that is the kind of looking forward that I believe we have to have.

As a result of this Congress, we have an energy policy that is working out for alternative sources, working out for more efficiency and more conservation in our use. We have to do that over time. There is no question about that.

These are very important things that have been done. If you just listen to the media and listen to what sometimes is said here, as it was this morning, you would think nothing has been done, and it has. As much as we want? Of course not. Everything we want? Of course not. Nevertheless, a good deal has been done.

We have done some things in education. We increased the Pell grants for math and science competitiveness. We continue to strengthen our schools. More funding has gone to education. We have done that here. Those are positive things that are changing our country.

We have had a good deal of trouble with lawsuits over a period of time. We had some class action reform this past year, and bankruptcy reform, so people are treated better under the law.

We have had gun liability reform, which means a lot to many people.

I guess I continue to repeat myself, but I think it is so unfair to say that things haven't been done, that we haven't done anything, the do-nothing Congress. It is not true. Could we do more? Of course.

As I said, one of the reasons we have not done more is because, under the system, the minority can object and can stop things from happening, and has a great deal.

We have done a good deal more with our infrastructure, with highways. We have had great changes in that.

On health care—one of the things that is most important to us and which has great challenges—we have done a great deal with drugs, the Part D drug benefit. That gives more opportunities—83 percent of the people in Wyoming who are eligible have signed up for the Part D health care. I happen to work as cochairman of the group on rural health care. Rural health care is a little different, and we have to take a look at some of the problems that are different from metropolitan areas. We have accomplished a great deal, having more providers be there. We have made the cost payments equal in rural areas. So we have done a good deal there. We have worked on adult stem cell therapy with cord blood. We have done those things. There has been work on technology, work that needed to be done.

On the Supreme Court, of course, two judges have been put on the Supreme Court, 14 circuit judges, and 34 district court judges. Does that mean we have done nothing in the Congress? I don't believe that is true.

We have more to do. There is always that thought. I am disappointed we have not moved faster on the appropriations bills. Traditionally, we should be further along than we are. Part of the problem, of course, is there are real problems with spending. We have to do something about spending. We can't continue to spend at the rate that we had to spend because we had emergencies, such as Katrina and such as the war on terror and Iraq. When you do that in your business or your family, you have to change; go back and make the changes to pick up what you had to do in the emergency. That is where we are now, seeking to make those differences.

Within Government we have done some lobbying reform. It needed to be done. We have done some of that. We have worked on the Voting Rights Act.

I guess I am a little impatient, coming back from having worked in my State where people are reasonably happy with what is happening, and then listening to the total negative reaction we have on the floor this morning about having done nothing when that is not the case. Could we do more? Of course, we should do more.

I will not take much more time, although it looks as if I could take as much time as I choose this morning. I am sure we will get on into it.

We have a lot of challenges. There is no question about that. Homeland security is one of those challenges. We have other things we need to deal with. I wish we could deal with immigration. That is one of the things I would like to do.

I am very much involved in energy, in the Energy Committee. My State is an energy State. We have a lot to do there to move forward.

In any event, I guess I am really saying we need an attitude that is a do-something attitude. We absolutely disagree about some of the issues. That is part of the system. We are going to have that as we are getting into an election. That is part of the system. But we need to be honest about the fact that we have done some things. We have things to do, and we need to work together to get them done. It seems to me that is our challenge.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

THIRD WAY

Mr. CARPER. Mr. President, it is good to see you, and it is good to be back in the Senate with you and our colleagues. With tongue in cheek, people ask me what I like about the Senate. I draw an analogy about when I was in elementary school. What I liked most about elementary school was recess. Now that I serve in the Senate, I am still quite fond of recesses. It is a great time to go back home—whether it is Texas, Delaware, or anywhere—and reconnect with the folks we serve and with our families.

I just had an opportunity to talk to the Presiding Officer about what he did. It is good to be back and to recharge the batteries and to focus. Now that we are back, I look forward to doing that with you, Mr. President.

Twelve years ago this summer, six Democratic centrist Senators pulled together to provide support for the founding and launching of something called Third Way. Third Way is a think tank which seeks to find a third way to

deal with some of the issues and some of the challenges that face us today—not necessarily a Democratic or Republican approach but a different approach. Thinking outside of the box, every month or so Third Way presents smart people who come to work there with their ideas and their thoughts on what we might do or should be doing differently to move our country forward.

Just a few months ago, in one of the rooms outside of the Senate floor, a number of our colleagues, joined by General Wesley Clark, Congressman STENY HOYER, the Democratic whip from the House, and a woman named Sharon Burke from Third Way, joined together to talk about the path and the course our country is on and whether it is time for us to continue the course or stay the course or whether it is the right time, in some ways at least, to change course.

Third Way has done great work, working particularly with the situation in Afghanistan and Iraq, and offered some of their thoughts to us which are actually found in this document. It is not all that long. It is a very well documented and very sobering assessment. Given the source of their comments, I think it bears special attention. The world changed on September 11. I know that, and I think we all know that. In addition, the world has changed a whole lot since September 11.

This report from Third Way shows in ways which I think are sobering and compelling that some of those changes have not been for the better.

I think if you ask most people in the Senate, both Republicans and Democrats, what they think about me, among other things they might say, I think a number of them would say they have found me to be someone who goes out of his way to try to bring people together, to try to find common ground, to try to come up with a better solution to the challenges that we face day in and day out in this country and in the Senate.

I wish I could honestly say the same thing today about our President, but I am sorry to say that I cannot. I wish that instead of trying to politicize the war on terror and the situation in Iraq, or to insinuate that Democrats don't have the strength to stand up to our enemy, that he would sit down with us and talk about how we might move forward in Iraq and around the world.

I am reminded of the 8 years when I was Governor of Delaware. Every week that the Delaware Legislature was in session I would host, as my predecessor, Governor Mike Castle, and my successor, Governor Ruth Ann Minner have hosted every Tuesday, a bipartisan lunch for the leaders of the house and senate. We would meet in the Governor's house, which was close to the capitol, where we may have lunch together and talk for an hour or so, and then we would go to work for the legislative day. Sometimes we would talk about our families, sports, or the weather. A lot of times we talked about the issues that were before us.

One of the questions I would often ask of Democratic and Republican leaders in the house and senate who were gathered there in the Governor's house that particular day was whether they had criticism of a policy or an issue that we would propose. I would ask them: What do you think we should do? What do you like about what we are proposing and where do you think we could improve on our policies?

And with respect to some of the policies of this administration—the President's policies—in too many instances they haven't worked. At least with respect to what is going on in Iraq today, they have not made us any safer.

As one who served 23 years on active duty with the Reserve as a Naval flight officer, I served in a hot war in Vietnam and a Cold War for many years after that. I love our troops. I love the folks in the Army, Navy, Air Force, and Marines, people in the Guard and Reserve who serve with great distinction and honor. Anything I said or, frankly, we said as a group a few minutes ago when we released this report should be viewed as expressing our support and our thanks and gratitude for those serving us in harm's way together.

Back in 2003, it was estimated there were roughly over 5,000 insurgents in Iraq. That was 3 years ago. Now we believe there are more than 20,000 insurgents in Iraq. In Afghanistan, the number of Taliban attacks has skyrocketed in the past 3 years.

We learned this week that opium production is up almost 60 percent from last year. Listen to this: Afghanistan is now producing a third more opium than the world's heroin addicts are crying out for. They are producing more heroin in Afghanistan than this country and the rest of the world can consume. Who is profiting from this drug trade? The Taliban and the Afghan insurgency who are trying to destabilize the government we put in place.

Meanwhile, Iran and North Korea, emboldened by our distractions in Iraq and the lack of effective diplomacy by the United States, are now defying the international community in their pursuit of nuclear weapons.

It is clear, at least to me and I believe to a lot of the people I talked to back in Delaware over the course of the last several weeks, that we need a new direction from this President, from this administration. At least so far we have not seen or planned to correct some of the mistakes we have made to put us back on the right track.

None of us have all the answers. I don't; I don't believe any of us do. But I do know one thing: Our President needs to get over his ideological aversion to diplomacy if we are going to solve the other problems facing us in Iraq and around the world.

As one of our American Ambassadors said to me not long ago when I was overseas: Just because we ignore someone doesn't mean they are going away.

With all due respect, I believe our President needs to reach out to the international community, to moderate Arab governments, to broker an agreement between sectarian governments in Iraq to head off civil war.

When I was abroad this last December, I met with officials from Israel, Jordan, Saudi Arabia, Kuwait, and Iraq. I heard from a number of folks from a number of the countries, and the leaders of those countries that we visited, that they have tribal relations—tribes in Saudi Arabia, for example; Jordan has tribal relations with the tribes in the country of Iraq. Saudis, Egyptians, and others are majority Sunni, and they have relations there as well. Some of those countries have a lot of money. A good deal of it is our money because we buy their oil products. They have a number of incentives not to want to see that part of the world devolve into terrorism, to see Iraq become a hotbed of terrorism and to be destabilized. It is not in the interests of any of the countries I have mentioned and some I have not mentioned.

We have to be smart enough as a country and with our administration to call on the other countries to bring to bear not just their money to help the situation in Iraq but the relationships that their people have with the tribes in Iraq and, frankly, with the Sunnis and with other elements of those of the population in Iraq. We need to work with our allies to establish a real and credible roadmap to peace in the Middle East.

I remember having lunch about 15 months ago, in Washington on the other side of the Capitol, with Palestinian President Abbas, along with some of our colleagues. He had been in office for 5 months. He was elected in January of last year. Over lunch, I asked: President Abbas, when do you think it would be an appropriate time for us, for this country, to put in the Middle East a high-level, full-time envoy, to work every day to implement the roadmap to peace? When would be a good time to do that?

This was June of last year. He had been elected January 6 last year. I will never forget what he said to me. He said: Five months ago.

I was convinced that day, convinced when I have gone to the Middle East, I am convinced today that we have let a great opportunity slip through our fingers. One of the reasons the Taliban, al-Qaida or the other terrorist groups were able to recruit people to blow themselves up, to terrorize those countries and to try to kill the rest of us is because of their ability to point to the Middle East and say: Look at the Americans, they are only for the Israelis. They have no interest in the Palestinians having a homeland of their own.

To the extent we could have brokered over the last couple of years and put

the kind of energy, time, and investment into getting a negotiated settlement in the Middle East, as we have put other kinds of investments in Iraq and in Afghanistan, both we and those countries and, I think, our people and other people would be better off, but we have missed that opportunity. My fear is we are missing it again today. The roadmap for peace has become in the Middle East, at least for now, a roadmap to war.

Let me close by saying what is needed in this capital, in this country, is leadership that fosters a cooperative spirit. That may be a tribal man's hope over peace, triumph over reality as we approach an election 2 months out, but I believe that is what is needed—the kind of leadership that fosters a cooperative spirit. If we cannot get that leadership now before the election, my God, I hope we can find it when this election is over. I hope our President can give us that kind of leadership and work with those who are anxious and willing to truly make this country and the world a safer place during his 2 remaining years in office.

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

The PRESIDING OFFICER (Mr. BURR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. 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. CORNYN. I ask unanimous consent to speak for a minimum of 15 minutes in morning business.

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

CONFRONTING TERRORISM

Mr. CORNYN. Mr. President, I was delighted to hear my friend and our colleague from Delaware speak a few moments ago. I like and admire him a great deal. I take him at his word when he says we ought to work more closely together in a bipartisan spirit to solve the Nation's problems.

While I have said how much I have admired and respected him, I disagree with him. That is what we are certainly at liberty to do in the Senate. I hope we do not degenerate into disagreements being personal or that disagreements, particularly when it comes to security matters, cast aspersions on one's patriotism.

I certainly do not doubt the patriotism of those who disagree with our current policy in the global war on terror, but there are some important reasons why their policies would lead us down a path—assuming they have a policy or a plan—dangerous to this country's security.

It is imperative for Members of the Senate, those who have been entrusted with this sacred responsibility to represent the American people, the people of my State of Texas, all 23 million, it is imperative to explain to the American people the threat that confronts our Nation today from a national security perspective and the consequences of our failing to deal with that threat in a way that will be likely to accomplish peace and stability in troubled regions of the world such as the Middle East.

I fear the big disagreement between some of my colleagues and I on this issue has to do with a different perception of the threat and perhaps a different perception of what the consequences would be for failing to deal with that threat, so I will talk about that for a moment.

Contrary to what some of our colleagues have said, this threat that our Nation confronts is not limited to Iraq. It is not limited to Afghanistan. Indeed, some have spoken about the need to bring our troops home from Iraq, as if, if we did so, all of our problems would go away and the threat with which our Nation is confronted would simply evaporate. That is simply wishful thinking.

Indeed, some have said this is not a war at all, this is more of a police action; this is something that is certainly not like World War II, when we knew who the enemy was and we knew the threat, or at least after a while we finally learned what the threat was to civilization as we know it.

This war is not limited to Iraq. So if we were to leave Iraq, the war would not be over but merely take place in a different location—unfortunately, right back in the United States.

The threat is that of those who believe in an extreme version of one of the world's great religions and who believe this extremism—some have called it Islamic fascism—this hijacking of one of the world's great religions has justified in their minds the killing of innocent men, women, and children and the establishment ultimately of a theocratic or religious State. It does not respect individual rights. It does not respect the right to worship according to the dictates of your own conscience. It certainly does not recognize freedom of speech and freedom of expression and certainly does not recognize the rights of women as equal members of society.

The important point I make is that some of our colleagues on the other side of the aisle who doubt we are at war, who doubt the global nature of the war, and who say if we were merely to bring our troops home from Iraq the threat would evaporate, one of the mistakes they make is they fail to perceive when this war started.

If you were to ask, I bet many of them would say the war started on September 11, 2001. However, the war had long been raging against America before September 11, 2001; America had simply failed to realize it. One useful date for identifying when the start of this war began would be November 4, 1979. That was the date that 66 American citizens were kidnapped and held hostage in the American embassy in Iran for a period of 444 days. Or you might say the war started in 1983, when 241 marines were killed in the Marine barracks in Beirut, Lebanon, by Hezbollah—the same terrorist organization, a proxy of Iran through Syria, that recently rained down Katyusha rockets on northern Israel, this same terrorist organization that has killed more American citizens than any other in world history, save and except for al-Qaida. Or you could say the war started in 1993, when al-Qaida engineered the bombing of the World Trade Center in a failed attempt to bring down that trade center, which they successfully accomplished 8 years later.

You could say part of that war that started, perhaps as far back as 1979, continued when 17 American sailors were killed when the USS *Cole* was bombed. And yes, the date we focus on the most, that had the most dramatic impact on us right here at home, was September 11, 2001, the fifth anniversary of which will be coming up in the next few days.

But some people act as if September 11, 2001, was the single and solitary event that defined this war of Islamic extremists who hate our way of life and simply want to eliminate it from the face of the Earth, along with our ally in the Middle East, Israel. They do not connect the dots to what happened in Beslan, Russia, at that school; Bali; Madrid; London; Mumbai—places where individuals, driven by this extremist ideology, which says that men, women, and children are simply fair game in pursuit of their agenda—are driven with such hatred that they will make no distinctions between armed citizens, military, people who can defend themselves or not—and, yes, these are the same individuals driven by the same ideology that recently rained down more than 2,000 rockets out of southern Lebanon into northern Israel. Hezbollah, supplied by Syria and Iran, delivered these very rockets.

Some wonder why America is so determined to make sure Iran does not get nuclear weapons. One reason why it is so critical we stop President Ahmadi-Nejad and his regime from getting nuclear weapons is: Do you doubt for a minute that if Iran had nuclear weapons they could have supplied Hezbollah to carry out those attacks on Israel they would have withheld their hand, that they would have failed to use them? I have no doubt in my mind that, based on this war against the West and against America, and specifically that has been raging since 1979, that if terrorist states, and those who support Islamic extremism, Islamic fascism, if they had it within their power to supply biological, chemical or nuclear weapons to terrorists in order to accomplish their goals, they would use them.

That is the challenge we must meet. A few months ago, my wife and I visited the battlefield at Gettysburg,

where 50,000 American casualties suffered from wounds. Many died as a result of that great conflict so many years ago. I was reminded at the time that one of the greatest challenges Abraham Lincoln had at the time of that battle was convincing the American people that the desire to maintain the Union, the need to maintain the Union, justified continuation of war until it was successfully concluded.

Our job, in some ways, is exactly the same today because there is no military force on the face of the Earth that is more powerful than that of the U.S. military. We are simply the best, and no one else even comes close. The only way the U.S. military can be defeated is if they lose the support of the American people and we simply tell them to quit and to withdraw.

I believe the consequences of our quitting and withdrawing or giving up in Iraq and in fighting this global war against Islamic extremism would be disastrous to the American people. Rather than celebrating the 5-year anniversary since September 11 with no other terrorist attacks actually successfully occurring on American soil, I am sure the tale would be far different because we have chosen, through a number of different measures, that we have undertaken—whether it is passing the PATRIOT Act; whether it is through the use of a terrorist surveillance program that intercepts international phone calls between terrorist organizations and their allies in the United States; whether it is rooting out terrorist financing networks, which take the money out of the networks that actually fund terrorist attacks; whether it is the capture and interrogation of unlawful enemy combatants and getting good actual intelligence from them in the Guantanamo Bay facility; whether it is the information gathering, intelligence gathering and sharing we have done—all of these efforts since 9/11 have, I believe, contributed, in large part, to America not suffering another terrorist attack on our own soil in the last 5 years.

I also believe the fact we are fighting this radical ideology abroad in places such as Afghanistan and Iraq is part of the reason we are not fighting that battle right here at home.

I believe we are in a time of choosing, certainly in a time of testing. But we simply have a choice whether we want safety or we are willing to live with the danger of terrorists able to strike at virtually any time they wish, whether we believe strongly enough in our American values of freedom or whether we are willing to cower under this threat and live under tyranny, whether we believe strongly enough that open, transparent societies and self-determination are important or whether we are willing to live in some sort of prisonlike lockdown. This is a time for testing our determination. And this is a time of choosing what kind of America we want.

I know one of the most basic impulses of every parent is to hope for a better life for their children and grandchildren than they themselves perhaps had. That is one of the reasons why parents have worked so hard and pushed their children so hard to achieve and be successful, so that they may enjoy the standard of living and the opportunities that living in the United States has to offer.

I certainly know that was the reason my parents worked hard, that my father flew B–17s in World War II and knocked out Hitler's war machine before being captured as a prisoner of war. I believe the threat confronting our country and our way of life—indeed, the entire Western civilization—is equally as great as the threat faced by the ''Greatest Generation,'' people such as my mother and father.

If we fail to point out to the American people what the threat is and give it a name and to let the American people understand how the various conflicts in the Middle East and the terrorist attacks that occur around the world are not disparate and isolated events but, rather, part of the threat of Islamic extremism that will endanger the next generation—which will change the very way of life of our children and grandchildren—unless we meet that threat, we will have failed to live up to our responsibilities.

Some of our colleagues say we should merely leave Iraq, bring our troops home as soon as possible. There is no one who wants our troops home any faster than I do. But we have to do so based upon the ability of the Iraqis to provide their own security. That is why we continue to train hundreds of thousands of Iraqi police officers and soldiers so they can provide that security. Sure, we could leave. We could leave today. But as General John Abizaid said, the head of Central Command: If we leave now, they will follow us here.

If we were to leave before we had a reasonable opportunity for the Iraqi people to provide for their own security and provide for their own government and self-determination, what would that say about the sacrifices of so many who have given so much to liberate the Iraqi people from a terrible dictator, to provide the people of Afghanistan an opportunity to vote in free and fair elections for their own leaders? Would that have all been in vain?

What would come of America's word and our commitment, when we ask brave Iraqis to step forward and to volunteer to serve in the police or in the army or to try to go about their life as much as possible by participating in free and fair elections, if we were to leave prematurely before they were able to provide for their own security, before they would be able to continue on the glidepath to self-determination and a better life?

Does anybody have any doubt that the criminals, that the jihadists, that the sectarian violence would lay claim to those individuals, those brave individuals who have allied themselves with America in an attempt to provide a peaceful and democratic Iraq?

What would it mean if we left immediately? Well, I think it would mean that, like Afghanistan—which was the launching pad for al-Qaida, with a friendly government such as the Taliban—we would have another failed state where terrorists could plan, finance, train, and then export their terrorist attacks to places such as the United States.

Yes, I believe this is the test of our generation, just like my parents' generation, the ''Greatest Generation,'' met their test in World War II. And for the sake of the next generation, and generations beyond, I pray we pass that test.

Some have said, and our colleagues earlier today said: What do we want? We need to change. But they ask for change without any plan, without articulating what they would do differently, other than to criticize the hard effort being undertaken by our men and women in uniform to bring about a peaceful and secure Iraq.

They say we need a new direction, but they are unwilling to identify what direction we ought to go. They claim the President has politicized the war on terror. Well, I beg to differ. I believe this President has done what he believes is his duty by identifying the threat and confronting the threat and trying to make America a safer place. That is not politicizing the war on terror. That is telling the American people what the facts are.

Some have suggested we ought to sit down with the terrorists and talk to them. Well, I think we have seen what kind of threat this ideology breeds and why that is not an idea likely to be successful.

Some have gone so far as to say what has happened in Iraq has not made us safer. But as I went down the various places where terrorists have hit since September 11 all around the world, is there any doubt, but for the efforts we have undertaken in this country, both here and abroad, and taking the fight on the offensive, that we would not be celebrating the fifth anniversary of September 11 without another terrorist attack but, rather, we would be looking backward and saying, if we had only taken the threat more seriously, maybe we would have avoided that terrorist attack which would have occurred but for those acts?

Some have said there have been a lot of mistakes in Iraq. Well, perhaps that is true. I am not sure of any war plan that survives the first shot. I know we are fighting an intelligent and adaptive and resourceful enemy who manipulates the media, who has learned how to use the Internet to communicate, and who has attempted to attack our country and other countries time and time again.

I hope over this next month, before we recess for the November election season, we are successful in identifying the nature of the threat that confronts

our country, indeed, the free world, and we describe with clarity the consequences of our failing to deal with it and that we demand that those who are critical of what we are doing in fighting the global war on terror explain to us precisely: What would you do differently and how do you believe that would make us safer.

That is the debate I believe we owe the American people. That is the debate I believe we owe the next generations that come after us. And that is the debate we owe those who have worked so hard over the last 200 years to make America the place it is today.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. 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. WYDEN. Mr. President, I ask unanimous consent to speak in morning business until 2:20 p.m.

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

DEATH WITH DIGNITY ACT

Mr. WYDEN. Mr. President, after the Senate's unfortunate debate about the tragic case of the late Terri Schiavo, I thought the Senate was unlikely to debate this matter any time soon. Unfortunately, it seems there may be another discussion of this matter. In spite of the fact that the American people made it very clear that the Government ought to stay out of these tragic end-of-life matters, new legislation, S. 3788, has been introduced which would, in effect, throw Oregon's Death with Dignity Act into the trash can.

As a result of the introduction of this legislation and my concern that the last thing we need is more Government stepping into these very difficult end-of-life decisions, I am announcing this afternoon that I am placing a hold on S. 3788 which would overturn Oregon's unique Death with Dignity Act and would, in my view, do great damage to the cause of pain management all across our country.

In the past, the Senate has looked at this only in the context of what some describe as assisted suicide. Obviously, there are differences of opinion on this issue. The people in my State have been debating this for well over a decade and twice have made it clear that they believe these decisions ought to be left to the individual and to families trying to cope with these difficult circumstances. They have sent a strong message that death is an intensely personal and private matter and that the Government ought to leave our citizens alone. The Government ought not attempt to override or preempt the individual and family values, religious beliefs, and wishes.

What has been debated in Oregon is not all that different from what was faced in the Senate when there was a discussion about the case of the late Terri Schiavo. I objected on the floor at that time to consideration of the original Schiavo legislation, which was an extraordinary overreach of Federal power, and today I put a hold on S. 3788 which would overturn my State's law.

These are very difficult issues, and many of us are torn with respect to how to handle them. I, for example, opposed physician aid in dying both as an Oregon voter and as a Senator. When my State originally considered the Death with Dignity Act, I worried a great deal about the adequacy of the ballot measure safeguards to protect particularly the poor and the vulnerable. Now we have 8 years of experience with this legislation and, thankfully, my fears with respect to how the vulnerable would fare under this legislation have not been realized, and the realities are that the safeguards in the law have worked quite well in preventing potential abuses.

Had Oregon acted hastily or without thorough examination and debate, I might not be in a position to defend my State's law. But no one can accuse my State of acting precipitously in approving this matter. We have endured several ballot initiatives, court challenges, and, most recently, a challenge that was heard by the U.S. Supreme Court. Each time, the will of a majority of Oregonians prevailed. It is that will of my State's voters which S. 3788 would overturn.

During the 8 years the law has been in effect in my home State of Oregon, the opponents of the law have combed through the statute looking for potential pitfalls. The law still stands because the notion of opponents that there would be abuses and a stampede to Oregon have not been borne out. In fact, and this obviously could not ever be proved, my sense is that there are probably fewer assisted suicides in my home State, the only State with a statute, than there are in other parts of the country. That is because the real effect of Oregon's Death with Dignity Act has been to generate a significant increase in the use of hospice and to generate a significant increase in the number of people who spend their last days at home with family dealing with these issues on their own. So we have not seen this tidal wave of assisted suicides in my home State, but what we have seen as a result of all of the focus on end-of-life care is a significant increase in folks spending their last days through the compassionate services of hospice programs and help with their families at home.

The reality is there is no constitutional issue at stake in this discussion with respect to State rights. Historically, defining medical practice has been a matter left to the States. What is so ironic is that some who come to the floor of the Senate to talk about State rights are essentially saying they only believe in State rights if they think the State is right.

This is a matter which Oregonians have decided for themselves. It has historically been an issue which has been left to the States.

In my home State, there was a vigorous discussion around dinner tables and at the ballot box, and our State has spoken clearly with respect to where we stand on this difficult issue. I do not believe that a Senator from another State should seek to overturn another State's law based on his personal beliefs.

We are just a couple of months from Election Day in which local, State, and Federal elections will be held. Many States will have numerous ballot measures covering every issue imaginable. Voters need to know they can debate even the most emotionally wrenching issues through the ballot process and have their election results respected. The proposed legislation I have put a hold on, S. 3788, sends voters the message that if Congress doesn't like the conclusion your State comes to through a ballot measure, your vote really doesn't matter. I intend to make sure that the votes of the people of my State, on a matter that has historically been left to them, will count.

You can be opposed to physician aid in dying and be opposed to this legislation as well. The reason I conclude that, is because I believe this proposal will be a huge setback to the cause of pain management in every corner of the country, not just in my home State. Like efforts before it, S. 3788 seeks to undermine my State's law by amending the Controlled Substances Act in order to say that drugs which fall under the Controlled Substances Act cannot be used in physician aid in dying. The Controlled Substances Act, of course, is legislation Congress passed to go after drug kingpins and to make sure that those with access to drugs, including doctors and pharmacists and others, do not distribute them illegally. The penalties in the Controlled Substances Act are substantial. However, the bottom line is the Controlled Substances Act was not meant to throw the will of the people of my State or any other in the trash can with respect to a medical practice involving end-of-life care.

Like past efforts, the legislation I have put a hold on purports to create a safe harbor to protect physicians and others. Sadly, such a safe harbor is meaningless because of the realities patients, families, doctors, pharmacies, and others face when they are trying compassionately to assist a dying patient in that patient's last days. Medicine and the use of controlled substances, particularly in the case of the dying, is an art, not an exact science. It is not as if you can prove scientifically and medically that a dose of a drug in so many milligrams can always relieve pain and half a milligram more is going to result in death. People are different. Each of these medical tragedies is different. The dying often can

withstand doses of controlled substances that would kill a healthy person.

There are many examples that make it clear that interpretations after the fact by law enforcement give physicians great concern with respect to how these drugs are used. Second-guessing will deter physicians, even physicians who are opposed to assisted suicide, from moving into treating pain aggressively.

During the previous congressional effort to throw out my State's law, the New England Journal of Medicine editorialized against that attempt out of the very same concern I have reflected today about the impact on pain management. The New England Journal of Medicine said:

> Many doctors are concerned about the scrutiny they invite when they prescribe or administer controlled substances and they are hypersensitive to drug-seeking behavior in patients. Patients as well as doctors often have exaggerated fears of addiction and the side effects of narcotics. Congress would make this bad situation worse.

That is what independent medical authorities said the last time there was an effort to pass legislation like the new bill, S. 3788, and it holds true as well today.

I have appreciated Senator SMITH's leadership, my colleague from Oregon on the other side of the aisle, who joins me with respect to the concern about pain management. He and I have introduced the Conquering Pain Act to help provide families, patients, and health professionals with assistance so that no patient would be left in excruciating pain waiting for a doctor's office to open up.

The reality is, as we saw during the debate involving the late Terri Schiavo, Americans have dramatically differing views on this issue, and those views are passionately held. But there can be efforts, successful efforts, to bring both sides together on this issue. I mentioned the Conquering Pain Act Senator SMITH and I have sponsored. I also believe there should be changes in the Medicare hospice benefit to extend opportunities for end-of-life care there. Right now, the Medicare law almost forces someone to give up hope for the prospect of recovery in order to get the hospice benefit, and I believe that is unfortunate.

I am almost finished with my remarks. I see my good friend from the State of Kentucky here. I would ask unanimous consent at this time—and see what is convenient for my colleague from Kentucky—for 5 additional minutes to wrap up my remarks, and if that is convenient with the Senator from Kentucky, I would make that unanimous consent request.

The PRESIDING OFFICER (Mr. VOINOVICH). Without objection, it is so ordered.

Mr. WYDEN. Mr. President, again, just to complete that thought, there are ways that both sides in this end-of-life care debate can be brought together. I have mentioned several. What I think is clear, after the Terri Schiavo discussion, is that the American people don't want the Federal Government butting in, interfering, and preempting the ability of families and those in their last days to make these judgments. For the citizens of my State, the Death With Dignity Act has brought about improvement in many areas and encouraged conversations about a wide variety of end-of-life options. Those conversations probably wouldn't have even taken place if the people of my State hadn't voted for this twice. In my State, the end-of-life process has been decriminalized. Recognizing the deeply personal nature of this, the Federal Government should not decide again, as has been considered before, that this should be the province of the Federal Government and not left to individuals and families.

My State has chosen a unique path. Rather than the bitter and divisive debate over physician aid in dying—which this country would have, once again, if S. 3788 moved forward—I would offer that instead the Senate work together on a bipartisan basis to make the end of life a better period for all Americans.

So consistent with the policy I have held of publishing in the CONGRESSIONAL RECORD a statement whenever I put a hold on a piece of legislation, I am announcing today my intent to object to any unanimous consent agreement concerning S. 3788. The Senate should have learned during the debate over the tragic case of Terri Schiavo that the American people don't want the Government interfering during these very difficult days. S. 3788 would allow just this kind of interference, and that is why I will do everything I can to defend Oregon's law against this congressional overreaching and respect the message the American people sent during the Terri Schiavo debate that there ought to be a right to be left alone.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

THE CRASH OF COMAIR FLIGHT 5191

Mr. MCCONNELL: Mr. President, it is difficult to put into words what the citizens of Kentucky are feeling. Nine days ago, tragedy struck the heart of our Commonwealth when Comair Flight 5191 crashed shortly after takeoff at Blue Grass Airport, in Lexington, KY. Forty-nine people perished.

This single, devastating event is of course not one story but many. This crash has brought grief into scores of families and countless lives, all over Kentucky and beyond. Holes that cannot be filled have been created in places like Lexington, Georgetown, Somerset, London, Harrodsburg, and Richmond.

Funeral services have been conducted across Kentucky over recent days, and I know I am joined by all Kentuckians in extending heartfelt sympathy for the families and loved ones of the victims.

After a catastrophe as great as the crash of Comair Flight 5191, sorrow can be overwhelming. Many people in my state are feeling that way now. And the entire state is struggling for answers in the face of such an unexpected tragedy that is so unbearable.

Since the crash I have been learning, as many Kentuckians have, about the lives of the victims, who they were and where they were going that day.

Four Kentuckians on the plane worked for Galls, a Lexington-based company that makes public safety equipment and apparel. Three of them were flying to New Orleans to help deliver new uniforms to New Orleans police officers after Hurricane Katrina.

Jonathan Hooker, 27, and Scarlett Parsley Hooker, 24, spent only hours together as husband and wife before they both boarded Flight 5191 to fly to California for their honeymoon. The Reverend Terry Gabbard married them the night before the flight in a beautiful evening ceremony in Lexington. One week later, he would speak at their funeral.

The deaths of these two newlyweds so soon after starting their lives together devastated many in their hometown of London, Kentucky. Jon had a lot of friends after attending London's North Laurel High School, where he was a star athlete.

He went on to pitch for the University of Kentucky baseball team from 1997 to 2001, and then to work as a professional minor-league baseball player. In the last few months of his life, he helped others as a substance-abuse counselor. He liked to play golf, and worked with a youth baseball league in London.

Scarlett, his wife, was a 2004 graduate of Centre College, in Danville, Kentucky, and was attending the University of Kentucky to pursue a master's degree in communication disorders. An avid swimmer, among the many friends she leaves behind are the members of a local London swim team she helped found: the Barracudas.

My friend Lee Todd, the president of the University of Kentucky, put it well when he said that this young couple ''held all the promise that youth and love carry.'' Because of the tragedy of Flight 5191, we will never get to see that promise fulfilled.

A promise was also snuffed out in Lexington at the same time—the promise of a father to a young son to watch him grow up. Clarence Wayne Fortney II, called C.W. by his friends and 34 years old, died in Flight 5191, leaving behind his wife Sarah and their 16-month-old son Calvin James.

C.W. was flying to Atlanta to report for work as a pilot for AirTran Airlines.

C.W. grew up in Stanton, Kentucky, and always wanted to be a pilot. Both his father and his grandfather were private pilots. When he was 5, his mother

paid $35 for his first ride in a prop jet plane. C.W. realized his dream after graduating from Eastern Kentucky University with an aviation degree.

A kind man, during his and Sarah's courtship, C.W. helped care for her father with terminal cancer. As a pilot, he received commendations from Federal Aviation Administration officials who flew on his plane. A few days before the crash, he and Sarah celebrated their 8-year wedding anniversary.

This past Sunday, at C.W.'s funeral, 300 mourners pinned on pairs of pilot's wings. Mourners also got to see Mr. Lamb, a tiny stuffed lamb that C.W. bought for his wife on a whim about 3-years ago at an airport gift shop. Now, their toddler son Calvin James takes Mr. Lamb everywhere.

Sarah has said that as she raises Calvin James, she will be sure to teach him the words his father took as his motto: ''In dreams and in love, there are no impossibilities.'' We hope it is not impossible that one day, Calvin James will soar as high as his father did.

Last week's crash also robbed the world of Patrick Smith, 58, of Lexington. Pat's ultimate destination that morning was Gulfport, MS. That was only a short distance for him. Because of his volunteer work with Habitat for Humanity, Pat had traveled to Ghana, Sri Lanka, Northern Ireland, South Africa, Mexico, and India to build houses for those less fortunate than he.

Pat was a member of Habitat for Humanity International's Board of Directors, as well as the board of his local Lexington chapter, and had served with the organization for more than 15 years. He excelled at organizing fellow volunteers from Kentucky and leading them in their humanitarian efforts.

Under his direction, 80 Kentucky volunteers constructed 26 houses in small fishing villages in southern India for people who had lost everything in the tsunami of 2004.

He also helped those closer to home. Pat's final trip to Gulfport was to follow up on the work he had already done in 7 trips to Mississippi before, for a project to build 13 houses on South Carolina Avenue to replace the ones that were washed away by Hurricane Katrina.

Pat's wife Jean often accompanied him on his projects, although last Sunday on Flight 5191 Pat traveled alone. Pat had done so much good work for the organization that he was named Habitat's volunteer of the year in 2003.

Several of Pat's volunteer projects were sponsored by his church, Cathedral of Christ the King. He worked as a partner at a Lexington industrial automation company, Versa Tech Automation.

Pat once stated very simply the reason he had dedicated so much of his time and efforts to volunteer work: ''We have an obligation to help.'' Now his wife, Jean, and their children and grandchildren will rely on the help of others as grief sets in.

I am glad that newspapers all across Kentucky have printed details like these about the victims of the terrible crash of Comair Flight 5191. This way we can know not just how these people died, but also how they lived.

I am also grateful that even in such dark times, the generosity and kindness of Kentucky continues to shine through. Local volunteers have been invaluable to the relief and recovery effort, and to the families that have been left behind to grieve.

Volunteers from local chapters of the Salvation Army served as chaplains and grief counselors. They also served more than 1,000 meals and over 6,000 snacks and drinks to relief workers at the crash site.

The Bluegrass Chapter of the American Red Cross fielded dozens of volunteers, who helped arrange memorial services for the victims' families. They also worked as grief counselors and provided meals. Both groups say they will stay as long as there are workers at the crash site.

Local businesses pitched in as well with food, and toys for kids like Calvin James Fortney and others who lost a parent.

The National Transportation Safety Board is currently conducting an investigation into the cause of this crash. I intend to do everything I can to ensure that investigation proceeds smoothly, and that all of the questions we have can be answered as thoroughly as possible.

Mr. President, I have only been able to talk about a few of the 49 souls that were lost on a Sunday morning. If there is no objection, I ask unanimous consent that the names of every person who died on Comair Flight 5191 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMAIR FLIGHT 5191

Rebecca Adams,47, Harrodsburg, Ky.
Lyle Anderson, 55, Ottawa, Ont.
Christina Anderson, 38, Inglewood, Ont.
Arnold Andrews, 64, Tampa, Fla.
Anne Marie Bailey, 49, Vancouver, B.C.
Bobbie Benton, 50, Stanford, Ky.
Jesse Clark Benton, 48, Stanford, Ky.
Carole Bizzack, 64, Lexington, Ky.
George Brunacini, 60, Georgetown, Ky.
Brian Byrd, Richmond, Ky.
Jeffrey Clay, 35, Burlington, Ky.
Diane Combs, Lexington, Ky.
Homer Combs, Lexington, Ky.
Fenton Dawson, Lexington, Ky.
Thomas Fahey, 26, Leawood, Kan.
Mike Finley, 52, London, Ky.
Clarence Wayne Fortney II, 34, Lexington, Ky.
Wade Bartley Frederick, 44, Danville, Ky.
Hollie Gilbert, Somerset, Ky.
Erik Harris, 28, Lexington, Ky.
Kelly Heyer, 27, Cincinnati area
Jonathan Hooker, 27, London, Ky.
Scarlett Parsley Hooker, 24, London, Ky.
Priscilla Johnson, 44, Lexington, Ky.
Nahoko Kono, 31, Lexington, Ky.
Tetsuya Kono, 34, Lexington, Ky.
Charles Lykins, 46, Naples, Fla.
Dan Mallory, 55, Bourbon County, Ky.
Steve McElravy, 57, Hagerstown, Md.
Lynda McKee, Richmond, Ky.
Bobby Meaux, Harrodsburg, Ky.
Kaye Craig Morris, Lexington, Ky.
Leslie Morris, Lexington, Ky.
Cecile Moscoe, 29, London, Ky.
Judy Ann Rains, Richmond, Ky.
Michael Ryan, Lexington, Ky.
Mary Jane Silas, 58, Columbus, Miss.
Pat Smith, 58, Lexington, Ky.
Tim Snoddy, 51, Lexington, Ky.
Marcie Thomason, 25, Washington, D.C.
Greg Threet, 35, Lexington, Ky.
Randy Towles, 47, Watertown, N.Y.
Larry Turner, 51, Lexington, Ky.
Victoria Washington, 54, Richmond, Ky.
Jeff Williams, 49, Centerville, Ohio
Paige Winters, 16, Leawood, Kan.
Bryan Woodward, Lafayette, La.
JoAnn Wright, 56, Cincinnati, Ohio
Betty Young, 74, Lexington, Ky.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. STEVENS. Will the Senator yield for a moment?

Mr. ALLEN. I yield.

Mr. STEVENS. Is there not an order to lay down the Defense bill now?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007—Continued

Mr. STEVENS. What is the pending business?

The PRESIDING OFFICER. The Defense appropriations bill is pending.

Mr. STEVENS. May I ask what the Senator from Virginia intended to do?

Mr. ALLEN. Mr. President, I wanted to call up amendment No. 4883. I was waiting for our chairman to be here, and ask I be recognized to offer this amendment. It will take approximately 5 or 6 minutes to offer the amendment.

Mr. STEVENS. I might say to my friend from Virginia, when we left this bill, the understanding was Senator KENNEDY's amendment would come first. We will be happy to have the Senator offer his amendment with the understanding it will come up after the amendment of Senator KENNEDY, if that will be agreeable to Senator KENNEDY?

Mr. KENNEDY. That is fine.

Mr. STEVENS. Is Senator KENNEDY's amendment the pending amendment?

The PRESIDING OFFICER. There is no amendment pending.

Mr. KENNEDY. I have it ready to send to the desk.

Mr. STEVENS. I yield the floor to have the Senator propose his amendment and then Senator ALLEN propose his amendment and we will come back to his amendment.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

AMENDMENT NO. 4885

Mr. KENNEDY. Mr. President, I send an amendment to the desk on behalf of myself and our Democratic leader, Senator REID.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for himself and Mr. REID, proposes an amendment numbered 4885.

Mr. KENNEDY. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To include information on civil war in Iraq in the quarterly reports on progress toward military and political stability in Iraq)

On page 235, between lines 2 and 3, insert the following:

(E) A determination by the Secretary of Defense, in consultation with the Secretary of State, as to whether there is a civil war in Iraq.

(F) A description of the criteria underlying the determination in subparagraph (E) of the Secretary of Defense, in consultation with the Secretary of State, as to whether there is a civil war in Iraq, including—

(i) an assessment of levels of sectarian violence and an estimate of civilian casualties as a result of sectarian violence;

(ii) the numbers of civilians displaced;

(iii) the degree to which government security forces (including the army, police, and special forces) exercise effective control over major urban areas;

(iv) the extent to which militias are providing security;

(v) the extent to which militias have organized or conducted hostile actions against the United States Armed Forces and Iraqi security forces;

(vi) the extent to which the Government of Iraq has developed and is implementing a credible plan to disarm, demobilize, and reintegrate militias into government security forces; and

(vii) the extent to which the Government of Iraq has obtained a credible commitment from the political parties to disarm and disband the militias.

(G) If the Secretary of Defense, in consultation with the Secretary of State, determines pursuant to subparagraph (E) that there is not a civil war in Iraq, the following information (in unclassified format):

(i) A description of the efforts by the United States Government to help avoid civil war in Iraq.

(ii) The strategy of the United States Government to protect the United States Armed Forces in the event of civil war in Iraq.

(iii) The strategy of the United States Government to ensure that the United States Armed Forces will not take sides in the event of civil war in Iraq.

(iv) The progress being made by the Government of Iraq in disarming or demobilizing militias or reintegrating militias into government security forces.

(H) If the Secretary of Defense, in consultation with the Secretary of State, determines pursuant to subparagraph (E) that there is a civil war in Iraq, the following information (in unclassified format):

(i) A statement of the mission and duration of United States Armed Forces in Iraq.

(ii) The strategy of the United States Government to protect the United States Armed Forces while they remain in Iraq.

(iii) The strategy of the United States Government to ensure that the United States Armed Forces will not take sides in the civil war.

Mr. KENNEDY. Mr. President, as suggested by the Senator from Alaska, I am glad to yield without losing my rights. I yield to the Senator from Virginia so he may offer his amendment. As I understand it, there is an agreement to dispose of it.

Is it the understanding of the Senator from Virginia that they are going to accept the amendment of the Senator from Virginia?

Mr. ALLEN. I say to the Senator from Massachusetts, I hope that Senator STEVENS and the committee will accept my amendment. I would not want to speak for them. But I surely so urge them. I think our body would support it. It is a very good amendment to help out in the funding for our soldiers, the men and women who come back with head injuries.

Mr. KENNEDY. Mr. President, I have no objection, obviously, to—

Mr. STEVENS. If the Senator will yield without losing his right to the floor?

Mr. KENNEDY. Yes.

Mr. STEVENS. It is our intention to suggest to the Senator from Hawaii, when he arrives, that we accept this amendment of the Senator from Virginia, but we don't accept amendments without bipartisan approval so I would appreciate it if the Senator will discuss his amendment after Senator KENNEDY has discussed his and we will await an opportunity to discuss it with the Senator from Hawaii.

Mr. KENNEDY. Mr. President, I have not had a chance to see the amendment of the Senator from Virginia that deals with head injuries. There is also an amendment, I believe, from the Senator from Illinois, Mr. DURBIN, on this subject as well. It is a matter of enormous importance and consequence. Hopefully, our committees will take action to deal with it at an appropriate time.

Mr. President, next week marks the fifth anniversary of the vicious attack on America by al-Qaida terrorists.

Despite the passage of time, Americans still vividly recall with enormous pain and sorrow that dark and somber day. We recall the nearly 3,000 Americans who were killed by al-Qaida terrorists. We recall the brave firefighters and first responders who sacrificed their lives so that others could live. We recall the twin towers crumbling before our eyes, and the Pentagon ablaze beneath a plume of smoke. And we recall the pledge by the administration and all Americans that this type of attack will never, ever occur again.

As we approach this anniversary, there is little doubt that the President will, once again, resort to the politics of fear in an effort to convince the American people that the Iraq war is central to the Global War on Terror.

Nothing is further from the truth. Scare tactics may have worked in the elections of 2002 and 2004, but this time, the American people know better.

The American people know that the war in Iraq was a distraction from the real Global War on Terror and that Iraq had nothing to do with al-Qaida.

The American people know that America should have kept its eye on the ball and captured Osama bin Laden—rather than rushing headlong into a war that we did not need to fight.

The American people know that the administration should have implemented fully the recommendations of the 9/11 Commission to protect our ports and support our first responders—rather than spending more than $200 million each day on a failed policy in Iraq.

The American people know that the war in Iraq has made Americans more hated in the world, created more terrorists, and made it harder to win the real Global War on Terror.

The American people know that while we have been bogged down in Iraq, North Korea's nuclear stockpile has quadrupled and Iran has continued its pursuit of nuclear weapons.

The American people know that we never should have gone to war in Iraq when we did, and for the false reasons we were given.

Most importantly, the American people know that the President's stubborn insistence that we ''stay the course'' does not make victory any more likely and that we need to change our policy in Iraq.

At almost every stage of the Bush administration's conduct of the war in Iraq, we have seen major miscalculations and serious mistakes that place our troops at greater risk and jeopardize America's standing in the world.

Military leaders and retired generals know it. Middle East experts know it. Our allies know it. Both Democrats and Republicans in Congress know it. And most important, the American people know it.

They saw it when the Bush team disbanded the Iraqi Army after the fall of Saddam but allowed thousands to walk away with their weapons.

They saw it when the Bush administration waited a full year to begin training the new Iraqi security forces.

They saw it when the White House failed to see the insurgency spreading like a cancer through Iraq.

They saw it when the Bush team failed to see the danger of roadside bombs and improvised explosive devices yet sent our troops on patrol day after day, month after month, year after year.

They saw it when the White House failed to provide proper armor for our troops, until Congress finally demanded it.

Unfortunately, the administration's repeated failure to see each new threat in Iraq has put our troops and our security in greater peril.

Today, once again, the administration refuses to recognize another seismic shift in Iraq—the dangerous prospect that we are drawn into a deadly and divisive civil war.

While the President and DICK CHENEY and Donald Rumsfeld are on the campaign trail claiming progress in Iraq, military leaders and experts are urging the White House to heed the disturbing warning signs in Iraq.

The President and his cabinet may not believe the fears of civil war are justified, but some of our military leaders do. General Rick Sanchez, former commander of the multi-national forces in Iraq, said as long ago as January 7, ''The country's on the verge of a civil war.'' General Peter Pace, Chairman of the Joint Chiefs of Staff, said on March 13 that, ''Everything is in place if they want to have a civil war.''

Our Ambassador to Iraq, Zalmay Khalilzad, is concerned about the threat as well. On March 7, he said, ''The potential is there'' for sectarian violence to become civil war. ''We have opened the Pandora's box and the question is, what is the way forward?''

General Abizaid acknowledged the clear danger when he told the Senate Armed Services Committee on August 3, ''I believe that the sectarian violence is probably as bad as I've seen it, in Baghdad in particular, and that if not stopped, it is possible that Iraq could move towards civil war.''

General Pace, at the same hearing, agreed about the threat of civil war. He said, ''I believe that we do have the possibility of devolving to a civil war, but that does not have to be a fact.''

Others think that a civil war may have already begun. Former Iraqi Prime Minister Allawi said in March that Iraq is probably in ''an early stage of civil war.''

The British Ambassador to Iraq wrote in August, ''The prospect of a low intensity civil war and a de facto division of Iraq is probably more likely at this stage than a successful and substantial transition to a stable democracy.

Our colleague from Nebraska, Senator CHUCK HAGEL, concurred, saying, in August that ''We, in fact, are in probably a low grade, maybe a very defined, civil war.''

General William Nash, who commanded our troops in Bosnia after that country's civil war ended, stated on March 5, ''We're in a civil war now; it's just that not everybody's joined in.'' He said, ''The failure to understand that the civil war is already taking place, just not necessarily at the maximum level, means that our counter measures are inadequate and therefore dangerous to our long-term interest.''

These leaders see what's really happening in Iraq—not just the White House spin.

They know that the polarization of communities along sectarian lines is increasing. In fact, 80 percent of the Iraqi people voted along sectarian lines in the recent elections.

Civilian casualties as a result of sectarian violence have skyrocketed. According to the United Nations, 5,800 civilians were killed during May and June of this year and another 5,800 were wounded. An estimated 100 people a day were killed in Baghdad in July. Militia attacks continue unabated. The Shiite militia forces are growing in strength. The widespread infiltration of government security forces by those whose principal loyalty is to their sectarian militias, not the government, is well documented. Interior ministry detention centers have been used to torture inmates just because they are Sunnis. Too often we hear that men wearing Interior ministry uniforms have abducted Sunni men and boys, who later turn up dead.

The numbers of civilians displaced or fleeing the violence is increasing as Shiites are forced from Sunni areas and Sunnis from Shiite areas. According to the United Nations, approximately 150,000 Iraqis had been displaced as of June.

Despite these trends and the warnings of the experts, President Bush stubbornly continues to deny that civil war is even a real possibility in Iraq.

Last December, he said, ''I know some fear the possibility that Iraq could break apart and fall into a civil war. I don't believe these fears are justified.''

The President reiterated the same view on February 28 when he said, ''I don't buy your premise that there's going to be a civil war.''

Again in March, President Bush dismissed the notion, saying, ''They know that they lack the military strength to challenge Iraqi and coalition forces directly—so their only hope is to try and provoke a civil war . . . By their response over the past two weeks, Iraqis have shown the world they want a future of freedom and peace—and they will oppose a violent minority that seeks to take that future away from them by tearing their country apart.''

In August, President Bush still denied that there was a civil war. He said, ''You know, I hear people say, well, civil war this, civil war that The Iraqi people decided against civil war when they went to the ballot box.'' Again, on August 21, he said, ''You know, I hear a lot of talk about civil war. I'm concerned about that, of course. And I've talked to a lot of people about it. And what I've found from my talks are that the Iraqis want a unified country and that the Iraqi leadership is determined to thwart the efforts of the extremists and the radicals and al Qaida and that the security forces remain united behind the government.''

For a third time, on August 31, the President denied the possibility of civil war. He said, ''This cruelty and carnage has led some to question whether Iraq has descended into civil war. Our commanders and our diplomats on the ground in Iraq believe that's not the case. They report that only a small number of Iraqis are engaged in sectarian violence, while the overwhelming majority want peace and a normal life in a unified country.''

I just wish the President would take a little time to read this report that was put out by the Department of Defense, on Stability and Security in Iraq.

I come back to that in a few moments.

Vice President CHENEY, too, has long denied the possibility of civil war. On March 19, he stated, ''What we've seen is a serious effort by them to foment civil war, but I don't think they've been successful.''

Secretary Rumsfeld dismisses it as well. In March he said, ''I do not believe they are in a civil war.''

That same month, Secretary Rumsfeld said, ''The terrorists are determined to stoke sectarian tension and are attempting to spark a civil war. But despite the many acts of violence and provocation, the vast majority of Iraqis have shown that they want their country to remain whole and free of ethnic conflict.''

In April, he said, ''I don't think a full-fledged civil war will take hold of the country.''

In May, in an eerie echo of the past, when asked what political and military contingences would be in place if a civil war occurred, Secretary Rumsfeld responded, ''I don't think the scenario that you have described is going to happen, but life's filled with things you don't think are going to happen.''

That's vintage Rumsfeld. ''Stuff happens,'' he said, in response to the chaos that erupted in Baghdad after the first days of the invasion, as though no one could have anticipated such a possibility and it made no sense to waste time planning for such possibilities. That attitude has plagued our forces and our country throughout this misguided war, and it must stop.

This, July, as the situation took another turn for the worse, he said, ''There certainly has been an upsurge in sectarian violence; there's no question but that they're trying to incite a civil war. And they have been for a long time, and they have failed so far.''

Secretary Rice also refuses to see the possibility of civil war in Iraq. In February, she said, ''I don't think there is a brewing civil war in Iraq.'' Despite the escalating casualties and increasing sectarian violence, on August 4 she said, ''I don't think Iraq is going to slide into civil war.'' Two days later she repeated the claim and said, ''But the important point here is that Iraqis haven't made a choice for civil war. Iraqis have made a choice for a unified government that can deliver for all Iraqis. And when I say Iraqis, I mean not just their leadership, which clearly has not made a choice for civil war, but their population.''

On the same day she again denied the possibility of civil war, stating, ''It would be really erroneous to say that the Iraqis are somehow making a choice for civil war, or I think even sliding into civil war.''

That's what the Bush team is claiming. They are so focused on the spin war on the campaign trail that they fail to see the real war in Iraq. They are so focused on using the war to win elections here at home that they fail to see the real needs of our troops in Iraq.

But this time, the American people aren't buying it. They've heard it all

before and are demanding honest assessments and realistic strategies. They know that the President and DICK CHENEY and Donald Rumsfeld can say it's not a civil war, but that doesn't make it so. They know that our brave men and women in uniform are doing everything they can to bring peace and stability in Iraq. They continue to fight insurgents and terrorists, but are at grave risk of being trapped in the middle of an unwinnable civil war.

That is why I am offering this amendment today with the Democratic leader. It requires the administration through the Secretary of Defense and the Secretary of State to provide an honest and candid assessment of the extent to which Iraq is now in a state of civil war. And even more important, the amendment requires them to say what we are going to do about it. How are we going to advance America's interests in Iraq in a time of civil war? How are we going to protect our troops from getting drawn ever deeper into an endless sectarian conflict?

An article in Newsweek magazine on August 14 indicates that although the Bush administration insists that Iraq is a long way from civil war, some inside the White House and the Pentagon have begun some contingency planning.

The administration should level with the American people about the real conditions and their planning.

And that's the purpose of our amendment today.

The amendment requires the Secretary of Defense, in consultation with the Secretary of State, to determine every 3 months whether a civil war is taking place and to inform Congress of the plan for our troops in the event of such a war.

For each determination, the Secretary of Defense and the Secretary of State will provide their assessment of the levels of sectarian violence such as the level of polarization of communities along sectarian lines and an estimate of civilian casualties as a result of the violence; the number of civilians displaced by the violence; the degree to which Iraqi government forces exercise effective control over major urban areas; the extent to which militias have been mobilized, are providing security, and attacking other Iraqis; and the extent to which the Government of Iraq has obtained a credible commitment from the political parties to disarm and disband the militias and are implementing a credible plan to disarm, demobilize and reintegrate militias into government security forces.

If the administration determines that Iraq is not in a civil war, the amendment requires a description of the efforts by our government to avoid civil war in Iraq, a plan to protect our troops in the event of a civil war, and a strategy to ensure that our troops don't take sides.

If the determination is that Iraq is in a civil war, the amendment requires the Secretary of Defense to explain the mission of our troops and its duration, his plan to protect our troops, and a strategy to ensure that they don't take sides in a civil war.

The amendment is needed to ensure proper planning in the event of civil war.

The trends in Iraq are discouraging and certainly point toward civil war.

Indeed, the September 1 report prepared by the Department of Defense on Stability and Security in Iraq reaffirms what the American people already understand: the conditions of civil war exist, violence in Iraq is spiraling out of control and staying the course is not a viable option.

The Department of Defense report says that concern about civil war within the Iraqi civilian population and among some defense analysts has increased in recent months. Conditions that could lead to civil war exist in Iraq;

Rising sectarian strife defines the emerging nature of violence in mid-2006;

Sustained ethnic and sectarian violence is the greatest threat to security and stability in Iraq;

Sectarian tensions increased over the last three months, demonstrated by the increasing number of executions, kidnappings, attacks on civilians, and internally displaced persons;

Civilian casualties increased by approximately 1000 per month since the previous quarter. Assassinations in particular reached new highs in the month of July. The Baghdad Coroner's Office reported 1600 bodies arrived in June and more than 1800 bodies in July, 90 percent of which were assessed to be the result of executions;

Sectarian violence is gradually spreading north into Diyala Province and Kirkuk as Sunni, Shiite, and Kurdish groups compete for provincial influencey;

Both Shia and Sunni death squads are active in Iraq, and are responsible for the most significant increases in sectarian violence;

Militias and small, illegally armed groups operate openly and often with popular support. The threat posed by Shiite illegal armed groups, filling perceived and actual security vacuums, is growing;

The security situation is currently at its most complex state since the initiation of Operation Iraqi Freedom. Overall attack levels are higher than the last three months. The average number of weekly attacks increased 15 percent and Iraqi casualties increased by 51 percent compared.

These facts are at odds with the administration's statements about civil war. Sectarian divisions are increasing. Mlilitia violence and death squad activity are increasing. The number of Iraqis fleeing the violence is increasing. Yet, the President continues to deny the possibility of civil war. The Vice President, Secretary of Defense and Secretary of State continue to deny it. As long as the administration continues to deny the plain truth, America will be behind the curve and unable to adjust to the current realities on the ground and protect our troops.

Instead of attacking those who want to change our course, President Bush ought to deal with the hard cold facts. This Defense Department report underscores the fundamental truth that our brave troops are being let down by an administration more interested in political spin than in finding a way to succeed.

The administration needs to look at all the facts and honestly address the question of civil war for the sake of our military and the American people.

This legislation creates a continuing obligation to ensure that analysis on civil war is done regularly. Unfortunately, this is necessary, because the Congress has forced the administration to step up to the plate on Iraq time and again.

The facts in the report say one thing about civil war, but the conclusion about civil war says another. We need an honest assessment from the Secretaries of Defense and State about the conditions on the ground, and that is what the Kennedy-Reid amendment would require. We also need some hard thinking within the administration and a clear plan to protect our troops in a civil war.

At every step of the way, this administration has missed the threat to our troops, and Democrats in Congress have had to force the issue.

The Democrats in Congress have had to force the issue:

We had to require accounting of progress being made to train Iraqi troops so our soldiers can begin to come home.

We provided over $1 billion in additional funding for vehicle armor to upgrade the armor on Humvees.

We are demanding an updated National Intelligence Estimate on Iraq because the administration has failed to provide one in more than 2 years.

We provided more than $175 million for democracy programs in Iraq when the Bush administration's budget did not provide it.

We need an honest accounting of the situation so we can adjust accordingly and protect our troops. And we need a plan to protect our troops. The President's stubborn insistence on staying the course impedes success.

Our soldiers and the American people deserve more from the administration. Together, the Secretary of Defense and Secretary of State need to set the White House's political agenda aside and directly and thoughtfully address this ominous threat.

The administration acts as if the mere discussion of civil war is defeatist. They have it exactly backwards. This amendment is an effort to make sure that the administration confronts and deals with the facts on the ground in Iraq and recognizes the emerging threat before it consumes our troops.

This is the only way to achieve any measure of success. For too long, the Bush administration has pursued policies that have failed utterly to carry the day in Iraq and have made America less safe.

Unfortunately, this administration has decided that domestic politics require that it stay this failed course through November, and so they have refused to confront the facts in Iraq. Instead, they have chosen political spin, false claims of progress, and baseless attacks on those who focus on the reality of the situation.

We must do better. This administration owes it to the American people. Even more importantly, dealing with reality is essential and necessary to protect the lives of our brave soldiers.

Iraq's future and the lives of our troops are close to the precipice of a new disaster. The time bomb of civil war is ticking, and our most urgent priority is to defuse it.

Our Government should work to reverse the downward spiral. And Iraqi leaders must make essential compromises to strengthen their government, prevent civil war, undermine the insurgency, and deal with the festering problem of militias.

For the sake of our men and women in uniform and the stability of Iraq, all Americans are anxious for success, but we need to be realistic enough and smart enough and humble enough to understand that even our best efforts may not prevent a civil war from overtaking events in Iraq.

We need to begin planning now for this possibility. That's what this amendment requires.

Such planning is not an admission of defeat. It is essential and necessary for protecting the lives of our service men and women in Iraq, who are performing so admirably today under such enormously difficult circumstances.

Mr. President, I will not include this whole report in the RECORD—it is 63 pages—but I will reference it.

Mr. STEVENS. I made arrangements to put a copy of the report on every Senator's desk by tomorrow morning.

Mr. KENNEDY. I appreciate that. During the course of the week, individuals may quote from it, as I did earlier today and may again. I will not ask that it be printed in the RECORD, but it should be available for anyone concerned about the debate on Iraq. It is an enormously important document and is a ''must read'' for every Member of Congress—certainly for the American people—to have a real understanding of what we are facing in that country.

I yield the floor.

Mr. STEVENS. Mr. President, the Senator from Virginia will offer his amendment, so I will not take much time now. I will respond to the Senator from Massachusetts.

I have just returned from being present when the President of the United States made a tremendous statement about the situation in Iraq and the world in terms of the war on terror. My view of the situation is much different from the Senator from Massachusetts. I read this report that is before the Senate now as being an up-to-date analysis of the situation that exists now.

I sometimes wonder what would have happened in Korea if, after some of the major losses in Korea, the Senate had decided we ought to ask the Truman administration to make more reports, produce more reports, require analysis of what was going on, and have hearings.

We are about in the same situation. This report does conclude—that is why I think everyone should read it—the concerns over civil war that are expressed. It says that notwithstanding this concern, there is generally no agreed-upon definition of civil war among academics or defense analysts. Moreover, the conflict in Iraq does not meet the stringent international legal standards for civil war.

That is a situation of the statement that exists now. To require another set of reports when we get these every quarter is unwarranted. This was released September 1. We will get another one the first of January. We do not have to have an amendment to do this.

However, as we discussed, it may be possible to take this amendment to conference and work it out so we get some ideas. If they want additional information in the next report, we can arrange that; however, it does not have to be a conflict. It does not have to have as much political rhetoric, I say to my friend from Massachusetts. I am a little bit tired of political rhetoric concerning this conflict, which is a global conflict against terror. It is more than the war against Iraq, against Saddam Hussein. There is no question about that. I urge the Senator to read the President's speech today, the quotes he has given to us from the President of Iran, from the people involved with Hezbollah, from the people involved in the various dissident factions throughout the world that are demanding we surrender to them, that we kneel down before them and accept defeat. This Senator is not ready for that kind of rhetoric to come to this Senate. I hope it does not.

Mr. KENNEDY. Will the Senator yield for a question?

Mr. STEVENS. I am happy to do that, yes.

Mr. KENNEDY. In my remarks, I said we ought to have kept our eye on the ball, which was al-Qaida and the terrorists, and not gone into Iraq.

As the President of the United States knows, there were no weapons of mass destruction in Iraq. As the 9/11 Commission reported, there was no connection between Iraq and al-Qaida's attack on this country.

So we have a rush to war. Instead of focusing on the problems of al-Qaida, North Korea and Iran, we are now mired in a war in Iraq.

The Senator is making my point. We should have focused on the dangers of Iraq. That is a completely different situation than in Korea when the Chinese Communists crossed the river. There was a real issue in terms of our national security. The case has was not made that Iraq posed a threat to our national interest or security. That case was not made in the Senate. And the arguments that were made were inaccurate.

Mr. STEVENS. I still have the floor.

Mr. KENNEDY. All right.

Mr. STEVENS. I will be glad to debate the Senator any time.

Again, I urge the Senator to read the President's statement before he criticizes it. The President has made a very significant statement today of where we are. He will make another statement tomorrow.

I have looked at the report. Every Senator should look at it. We should decide whether there is a deficiency. If there is, we will be glad to take the amendment to conference and try to work out some language that will not be political rhetoric. I sense it is political rhetoric, I say to my friend from Massachusetts. I hope it does not get that far. It is still a war against terror.

Our job ought to be to get this bill passed so we can get the money to these people for sure by October 1. The longer this bill is delayed, the more trouble our people in uniform are going to have. I have been arguing that now for a month. There is no question this bill has to be signed by September 30.

I am not going to prolong this by debating politics in the Senate. I will say we will do our best to take as many amendments as we can to conference and try to work out something that will meet with the agreement of the Congress as a whole so we can get this bill signed.

I yield the floor. We have an agreement that the Senator will be able to propose his amendment.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from Virginia.

AMENDMENT NO. 4883, AS MODIFIED

Mr. ALLEN. Mr. President, I call up my amendment, No. 4883, and I send a modification to the desk and I ask the reading of the amendment be dispensed with.

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

The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Virginia [Mr. ALLEN] proposes an amendment numbered 4883, as modified.

The amendment is as follows:

(Purpose: To make available from Defense Health Program up to $12,000,000 for the Defense and Veterans Brain Injury Center)

At the end of title VIII, add the following:

SEC. _____. Of the amount appropriated or otherwise made available by title VI under the heading ''DEFENSE HEALTH PROGRAM'', $19,000,000 shall be available for the Defense and Veterans Brain Injury Center.

Mr. ALLEN. Mr. President, I am proposing an amendment to provide an additional $12 million that shall be available to the Defense and Veterans Brain Injury Center and centers all across our country.

We are in the midst of a war against terrorist organizations. They are vile. They are hate filled. They are al-Qaida, they are Hezbollah, Islamic Jihad, Hamas, and a variety of different organizations. The battlefronts are all over the world. We have troops deployed in Iraq. We have troops in Afghanistan. Our friends and allies are having to fight Hezbollah, a puppet surrogate of Iran. These terrorists have hit all over the world. They have hit, obviously, in Iraq and Afghanistan. They have hit in Israel. They have hit in Jordan. They have hit in India, the Philippines, Indonesia, Spain, and London. They are still trying to hit us. Fortunately, the British intercepted airplanes that would be used in another terrorist attack.

They use a lot of different devices in this war. They use bombs and a variety of IEDs. They use rocket-propelled grenades. They use land mines. I was talking to a woman from Afghanistan a couple weeks ago. I asked for her perspective of Afghanistan. She said that things are better, but the terrorists are hitting schools.

I asked: Why are they hitting schools?

And she said: Because we are educating women in Afghanistan, and from the al-Qaida/Taliban point of view, women are not to be educated.

Our service men and women are serving very courageously in Iraq and Afghanistan and other places in the world. They deserve to have the best possibile equipment when they go into battle or into dangerous combat zones. We need to make sure our troops are outfitted with the best body armor, the most technologically advanced armaments, weapons, and communication devices that are possible so that they are safe and that we can defeat these terrorist enemies.

The same principles apply when our brave men and women return home from the theaters of war. We need to make sure our servicemembers receive the best possible medical care for any injuries that may have arisen while they were in these combat zones. We need to make sure our soldiers receive the proper mental health treatment to deal with any issues of post-traumatic stress disorder or appropriate counseling to help adjust back into civilian life.

For those soldiers returning home with an injury, we need to make sure our medical treatment facilities have sufficient funding and also the professional services and the most up-to-date technology so our servicemembers receive the quality care they deserve.

One of the more prevalent injuries in Iraq right now for our soldiers is traumatic brain injuries. According to the National Institute of Neurological Disorders and Stroke, a traumatic brain injury occurs when a sudden trauma causes damage to the brain. Traumatic brain injury can result when the head suddenly and violently hits an object or when an object pierces the skull and enters brain tissue.

According to the Office of the Surgeon General of the Army, 64 percent of soldiers recently wounded in Operation Iraqi Freedom sustained blast injuries, which are the leading cause of traumatic brain injuries for Active-Duty military personnel in war zones. These blast injuries are the result, as I said earlier, of RPGs, rocket-propelled grenades, or IEDs, otherwise known as or short for improvised explosive devices, and also landmines.

Soldiers, I say to the Presiding Officer and my colleagues, suffering injuries from these devices require specialized care from providers with experience in treating traumatic brain injuries. One of the key components of this care is the Defense and Veterans Brain Injury Center, which is located at Walter Reed Army Medical Center—the site that receives more casualties from theaters of operations than any other military treatment facility.

The Defense and Veterans Brain Injury Center provides state-of-the-art medical care, innovative clinical research initiatives, and educational programs on traumatic brain injury to assist Active-Duty servicemembers and veterans. The Brain Injury Center is actually a multisite medical care facility with operations in California, Texas, Florida, Minnesota, North Carolina, and in my home Commonwealth of Virginia. In Virginia, the Hunter Holmes McGuire VA Medical Center serves as a national referral center for traumatic brain injury cases and other diseases. They partner with Virginia Commonwealth University in Richmond to provide the best quality service for treatment and recovery, as well as research. And I suspect the facilities in other States, probably provide similar services. I just know very much about the McGuire facility in Richmond and also the Walter Reed site and have seen the expert staff as they review the daily incoming casualty reports and identify the patients who have sustained injuries caused by blasts or falls or other incidents. They have evaluated and treated hundreds of patients.

These centers really do provide outstanding specialized care, such as rehabilitation—for speech and physical rehabilitation—and education. These patients need to be helped to return to the highest possible level of function.

These centers are performing a very admirable job and doing the best they can; however, we need to make sure, whether it is McGuire in Richmond, whether it is Walter Reed, or one of these facilities in Minnesota or Florida or Texas or California or North Carolina—this work I have seen at these centers, at least at McGuire in Richmond and Walter Reed, are providing great services. I can tell you firsthand, by the way, how the soldiers are reacting to it and also the response from family members who are seeing slow but steady progress for many of their loved ones. They greatly appreciate it.

That is why I am offering this amendment, to make available from the Defense Health Programs an additional $12 million, which would increase it from $7 million to $19 million—an additional $12 million in funding that shall be available to the Defense and Veterans Brain Injury Centers for this work, including blast mitigation.

It is my view this is the least we should do. This is exactly what we should be trying to do to help our men and women who are bravely sacrificing so much to protect our freedom at home while trying to advance freedom for other people around the world.

George Washington cautioned that ''the willingness of future generations to fight for their country, no matter how just the cause, will be proportional to how they perceive previous veterans are treated.'' This amendment is a long step forward—a long step forward—in that direction, and I strongly urge my colleagues in the Senate to support my amendment, as modified.

I understand other colleagues apparently share my concerns about the adequacy of such needed funding for brain injury services. I hope the Senator from Illinois, who I know shares my views on this issue, and other Senators on both sides of the aisle—that we could work together in a bipartisan manner to get this job done, to make sure we effectuate this bipartisan solution for this very pressing need to make sure those who have brain injuries—head trauma and injuries from blasts—whether in Afghanistan, whether in Iraq, or anywhere else in combat zones—to make sure they have the right treatment.

We have the professionals in this country, but we need to make sure they have adequate funding for this clear and present need.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I would ask the Senator to allow me to become a cosponsor. I hope the Senator from Illinois will, also. We had a little disagreement before about funding in this area, but I have no disagreement with the necessity for funds, particularly after a report we received just this August on the nature and extent of these matters. I think this money is needed. So I would be willing—and I think the Senator from Hawaii will have no objection to this—I would be pleased to——

Mr. KENNEDY. Will the Senator yield for a question?

Will the Senator from Virginia just yield for a question?

Mr. ALLEN. I would be pleased to yield.

Mr. STEVENS. Mr. President, I have the floor, for just a second, if I may. I

would urge Senator DURBIN, if he will, to join us. Again, it is a matter of expediting our bill. I know he has an amendment, too. But I believe the numbers are the same and the intent is the same, and we should all cosponsor it, as far as I am concerned.

I yield the floor.

Mr. KENNEDY. I was just asking the Senator how this is different from the Durbin amendment. I note the Senator was in the Chamber earlier. How is this amendment different? I was a cosponsor of his amendment.

Mr. ALLEN. I would have to look at the details. That is why I mentioned the Senator from Illinois, and I and others, I think, share the same concern. The main point, the main concern—which is making sure the professional services were there, the adequacy of the devices, the adequacy of the health care professionals—I think was actually fairly identical. I have not looked at the measure of the Senator from Illinois. It appears that we are going down the same stream, in the same direction.

Mr. STEVENS. If the Senator will yield for a question?

Mr. ALLEN. Yes.

Mr. STEVENS. I believe the main difference was the amendment of the Senator from Virginia said ''may'' and the amendment of the Senator from Illinois said ''shall'' in terms of the $19 million. And you have used the word ''shall'' from the amendment of the Senator from Illinois, have you not?

Mr. ALLEN. Yes, as modified. Thank you. However, the point is it is $19 million, and it shall be appropriated for this function.

Mr. KENNEDY. So you have accepted what was in the Durbin amendment; that is, that shall be spent?

Mr. ALLEN. The point is, my amendment was going to be $19 million regardless. And my view was, we needed added funding, and this will make it absolutely clear.

Mr. KENNEDY. I thank the Senator because I was a cosponsor. I did not pay close attention to the presentation, but I was a cosponsor of Senator DURBIN's amendment, as I understand, as printed. And listening to the Senator from Virginia, it appears it is virtually identical to what the Senator from Illinois had proposed. I am glad we will have an opportunity to take action on it.

Mr. ALLEN. I would say, Mr. President, to the Senator from Massachusetts, this is an opportunity for all of us to come together in a bipartisan fashion. I know one of the occasions when I was at Walter Reed Hospital the Senator from Massachusetts was there at the same time. And we see the outstanding work the professionals provide for those men and women who have been injured.

This is one issue where I believe all Americans, regardless of party, regardless of region, need to come together to make sure funding is there.

I thank the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, was my request to be added as a cosponsor to the amendment granted?

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

Mr. STEVENS. 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. DURBIN. 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. DURBIN. Mr. President, Senator ALLEN filed an amendment numbered 4883, which was on the same subject matter as my amendment numbered 4884 that was filed. I have been told by staff that he has modified his amendment so it is now identical to mine; is that correct?

Mr. ALLEN. I believe so. Mr. President, my amendment was filed before the Senator's and his was filed after. I have not read the Senator's amendment, but as modified, the best I have heard from talking to Senator STEVENS and listening to the Senator from Massachusetts, they seem to be very close, if not identical.

Mr. DURBIN. I think the changes in language the Senator made to his amendment have made them virtually identical, so it appears we are setting out to do the same thing.

So that there is clarity in the record, I want to make sure I understand this. My amendment said $19 million will be available to this program for defense and a veterans brain injuries center. Is that the Senator's modified amendment?

Mr. ALLEN. Rather than ''will,'' it would be ''shall'' in my amendment.

Mr. DURBIN. Yes. So they are identical at this point.

Mr. ALLEN. The Senator wasn't here. I mentioned that I would love for us to work together on a bipartisan basis to effectuate our shared goal.

Mr. DURBIN. That is exactly what we should do.

I ask unanimous consent that the cosponsors of my amendment—and there are some eight cosponsors and myself. Let us do this as a bipartisan amendment since we are doing exactly the same thing. Is that acceptable to the Senator?

Mr. ALLEN. Agreed.

Mr. DURBIN. Mr. President, I would like to make a statement in support of the amendment at this point. I think we all understand that the war we are fighting in Iraq has resulted in injuries that are much different than in previous wars. Many times our soldiers would go to war and face other soldiers and enemies with rifles aimed at them trying to kill them. Now most of our soldiers and marines are coming home with injuries related to trauma from these homemade bombs, these IEDs which are being exploded. As a consequence, the signature wound of the wars in Iraq and Afghanistan for American soldiers has become traumatic brain injury.

Many of my colleagues who have visited injured servicemen at military Veterans Administration facilities across the Nation understand this is a new challenge for us. We say to the men and women in uniform: If you will risk your life and stand up for America, we will stand by you. If you are injured, we will make sure we do everything humanly possible to get you back on your feet and back at home and into your normal life.

So now we know that traumatic brain injury is a new challenge for us, in greater numbers than we have ever seen in previous conflicts. The leading organization within the DOD to deal with this is the Defense and Veterans Brain Injury Center. They started it in 1992, and the clinical treatment and research conducted by that center has really tried to define optimal care for survivors of traumatic brain injury.

This center is located at Walter Reed, one of our greatest hospitals in America. It has other sites in Texas, California, Virginia, Florida, North Carolina, and Minnesota. The center's current budget is $14 million. That fiscal year ends in just a few weeks. The leaders at the center requested $19 million for the coming year. They say there are more patients. That is obvious from the soldiers coming home. They say the cost of long-term care has gone up. The current staffing requirements and need for research to improve treatment and prevention all require more funds, so that $14 million this year would not be enough for next year. The appropriations bill we seek to amend, unfortunately, cut the funds for the center. In fact, it cut them in half to $7 million. That is totally inadequate, even for this year, and would not meet the need for next year.

The center estimates that 1 out of every 10 servicemembers in Iraq and 2 in 10 troops in the front lines return from combat tours with concussions. It is the nature of combat in Iraq, where insurgents use roadside bombs instead of bullets. That produces more brain injuries. As of today, more than 1,700 wounded servicemen have come back from Iraq with brain injuries. Half of them are severe enough to permanently impair thinking, memory, mood, behavior, and their ability to work. In Vietnam and previous 20th century wars, brain injuries were just 12 percent of injuries. In Iraq and Afghanistan, it is almost double—22 percent.

According to a recent study by researchers at Harvard and Columbia, it is estimated that the cost of medical treatment for these individuals with brain injuries from the Iraq war will be at least $14 billion over the next 20 years. So when we speak of the real cost of war at this point, we are talking about not only the current injuries

that are being treated as the soldiers return home but their long-term care and rehabilitation, which is part of our responsibility as well.

This brain injury center is completely different from other brain injury programs and initiatives. It focuses on the well-being of those who put themselves in harm's way for our country. It is not just research, it is treatment based. It links injured soldiers to clinical studies where cutting-edge treatments are explored. It does this with all members of the military, Active-Duty personnel and reservists as well. No other brain center combines treatment and clinical studies for the immediate benefit of our servicemembers.

This brain center also focuses on the unique needs of the military and veteran beneficiaries, including return-to-duty considerations, continuation of care with military and veterans hospitals, and TRICARE.

I offered amendment No. 4884 along with Senators MENENDEZ, MIKULSKI, KENNEDY, BINGAMAN, KERRY, LAUTENBERG, and OBAMA. They have all joined me in offering this amendment. I sent out a ''dear colleague'' last week, and I am happy to have their support. Now we are going to combine our amendment with Senator ALLEN's efforts so that it is a bipartisan effort to pass this amendment.

This amendment will allow the brain center to meet its current administrative and staffing requirements and maintain talented professionals who are essential for the soldiers to get back on their feet. My colleagues can clearly see that the brain injury center is directly related to the needs of our warfighters and will go a long way toward treating the signature wound of our conflicts in Afghanistan and Iraq. It is not just another research program.

Before the August recess, there was a lengthy debate about my attempts to put more money into research for traumatic brain injury, which was voted down on the floor. This is treatment as well as research and therapy. It is time for us to take decisive action.

I am proud that the Veterans of Foreign Wars, Disabled American Veterans, the Iraq and Afghanistan Veterans of America, the National Military Families Association, the American Legion, and the Blinded Veterans Association all support my amendment for more funding for the brain injury center. I hope my colleagues will also support our injured troops fighting this war by supporting this amendment.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. 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. DURBIN. Mr. President, I am going to ask unanimous consent, but I will make it clear that if there is any modification at a later point that Senator ALLEN suggests, I will be glad to work with him. I believe this is our understanding based on the colloquy we had.

I ask unanimous consent that amendment No. 4883, Senator ALLEN's amendment, be shown as the Allen-Durbin amendment and that my cosponsors be added as cosponsors to this amendment. My amendment No. 4884 and Senator ALLEN's are identical.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. If Senator ALLEN wants to change that in any way, I will be happy to do it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. 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. STEVENS. Mr. President, will the Senator yield to me? I wish to make an inquiry of the Chair.

Mrs. BOXER. I am happy to yield to my friend.

Mr. STEVENS. Mr. President, what is the order? Is the order that we go to the judge nomination at 4:30?

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. Mr. President, I ask the Senator—I don't know how long she intends to speak; I don't even need to ask—when she is finished, will she put in a quorum call if it is before 4:30, please?

Mrs. BOXER. I will be happy to do so.

Mr. STEVENS. I thank the Chair.

Mrs. BOXER. Mr. President, I rise today, as we debate the Defense Appropriations bill, to talk about the leadership of the Secretary of Defense and to relay to my colleagues on both sides of the aisle what I heard, as I was out and about in California, about his comments and the need, in my opinion, to change direction at the Department of Defense.

During this break, I was home in California working. There is a lot of anxiety in the land. Today, a new poll came out and showed a huge percentage of the American people—a huge percentage—angry, actually angry about what is happening in this country today. If you probe and find out, there are many issues. They are angry about the economy, which they are part of, where they see corporate profits way up but wages stagnant or falling—wages that cannot even keep up with inflation. They are angry at deficits. They are angry at debt. They are angry at good jobs going overseas. They are angry at the oil companies. They are angry at this Congress for doing nothing about that, not even supporting antigouging legislation. But the one thing they are angry and upset about more than any other is the war in Iraq.

So I think it is time that the Senate go on record and state very clearly that we are not satisfied with the way things are going. We are angry as well. We are upset as well. So over the recess, when Secretary Rumsfeld made his latest speech, which turned into an attack on the American people who oppose this war—61 percent of the people; he called them appeasers—I just said enough is enough, and I announced that I was preparing a resolution asking the President for new leadership at the Pentagon.

I know today Secretary Rumsfeld is having elective surgery on his shoulder. I want him to know this is not about his personality, it is about his policies. I wish him well today. But I do think it is time for new leadership at the Department of Defense.

Last week, Secretary Rumsfeld compared critics of the Bush administration's failed policies in Iraq to those who wanted to appease fascism and Nazism in the run up to World War II. On this rampage, he said that those people who oppose this administration's war in Iraq failed to learn the lessons of history.

I have served in the Congress since 1983. I was sworn into the House that year, and in 1992 was sworn into the Senate. So it has been a long time. I have served with four Presidents, Republicans and Democrats. I have yet to see a situation where a President of the United States, in the middle of a horrific situation where we are losing our beautiful young men and women every day, where they are coming home with post-traumatic stress disorder, with severe brain injuries—and I am very pleased that Senators DURBIN and ALLEN have gotten together so we have a bipartisan amendment to help our soldiers as they come home dealing with these brain injuries—but I have never seen a President of any party offer no hope, no exit, no way out.

The best this President can say is: As long as I am President, we are going to be in Iraq. Is that a policy? Is that a plan? Is that a strategy? Is that hope? It isn't.

We hear the Secretary of Defense essentially give no hope either. His answer is to lash out at those of us who want to give some hope, who want to find a way out of this. But he went too far. He went too far because he attacked the American people. That is what he did. I believe that Secretary Rumsfeld, who thinks that those of us who believe this war is not going well and that we need an exit strategy are wrong, is failing to learn the lessons of history as he melds together the war on terror and the war in Iraq.

He says we don't understand history. I say to him: I voted to go to war against the terrorists. Every single Senator, Democrat and Republican,

voted to go after the people who attacked us, voted to go after the terrorists.

Let me remind the Secretary that according to a publication of this administration's own Department of State, there was not at that time one al-Qaida cell in Iraq, when there were many here in America. So don't blend this. It isn't going to work anymore. The people are too smart for this. It was al-Qaida who struck the United States on September 11, 2001—not Iraq—a country that didn't have a single al-Qaida cell. It had a brutal dictator worthy of the worst possible fate but not one al-Qaida cell, by this administration's own reports that I have made public time and time again. The American people get it. Today, 61 percent of the American people, nearly two-thirds of all Americans, oppose the war in Iraq. The American people are right. They understand the difference. They understand that the President and the Secretary of Defense, saying over and over: Iraq, war on terror, same thing, doesn't make it true.

When President Bush was asked directly a few weeks ago on August 21, he said: Iraq had nothing to do with the terrorist attack of September 11, 2001. But then I am assuming everyone gets together and says: Well, the only way we can try to win over the American people and get them on the side of this war is to tell them over and over again that the Iraq war is about getting the terrorists. While Osama bin Laden is on the loose, while the Taliban are gaining strength in Afghanistan, while we took our eye off that prize, while we lost the support of the world, we went into Iraq. Secretary Rumsfeld is wrong when he says we don't understand this.

Osama bin Laden remains at large. America is bogged down in a war that becomes increasingly costly in dollars. My last memory is that it is costing $8 billion a month. Eight billion dollars a month, while we can't get $1 billion to take care of 1 million kids who have no place to go after school. That is just one comparison. While we are told we can't afford interoperable communications for our police, $8 billion a month is being spent in Iraq. And the treasure of our young people, each and every day—today I heard right now, another four—today, another four.

Now, here is the situation: We have to hold people accountable. When I face the electorate, I am held accountable. Everything I ever did that people didn't like, believe me, I hear about it. There are 30-second commercials about it and people get to look at it and they hold me accountable. Secretary Rumsfeld should be held accountable. Time and time again he has been wrong about Iraq, and time and time again he has responded to his own mistakes by playing politics and attacking the American people and their patriotism if they oppose his ill-advised decisions and now calling them appeasers. Appeasers, the new ''word du jour.''

It was Secretary Rumsfeld who failed to heed the warnings of military planners and experts that the overthrow of the Iraqi regime would be a prolonged and costly undertaking. In fact, he failed to heed even his own advice. I would like to share Secretary Rumsfeld's own words with you to illustrate this point. This is what Secretary Rumsfeld said his guidelines would be:

> U.S. leadership must be brutally honest with itself, the Congress, the public, and coalition partners. We must not make the effort sound even marginally easier or less costly than it could become. Preserving U.S. credibility requires that we promise less, or no more, than we are sure we can deliver. It is a great deal easier to get into something than it is to get out of it.

Now, this is the text of a memorandum: ''Guidelines to be considered when committing forces,'' written by Defense Secretary Donald Rumsfeld in March 2001. So this is 2 years before Iraq. ''It is a great deal easier,'' he said, ''to get into something than it is to get out of it.''

But he didn't follow his own guidelines. He never even had a plan to get out of it.

So I remember very clearly his other quote. He said:

> This war could last six days, six weeks. I doubt six months.

That was February of 2003.

And then he said in February of 2003:

> There is no question but that American forces would be welcomed by the majority of the civilian population of Iraq.

Now, if he said this and no more—I would say you have to hold someone responsible who has done all of this: set out guidelines and then turns around and doesn't pay attention to his own guidelines; predicts the war would, at tops, last 6 months, he doubted it; and that we would be welcomed by the majority of the civilian population of Iraq. He ought to tell that to a mother I just met with whose military son was training the Iraqi military when one of the Iraqi military killed him in cold blood. Tell that—tell that to the military moms that I meet with.

It was Secretary Rumsfeld who said on March 30, 2003:

> We know where they are, the weapons of mass destruction. They are in the area around Tikrit and Baghdad and east, west, south and north somewhat.

I remember sitting across from him, just a few feet, looking right into his eyes after we had started looking for the weapons of mass destruction, and he still held to all that: Oh, I know. You turn left at the fountain. It was that kind of a response. We know exactly where they are. Well, they had relied on people who were phonies. Their intelligence was wrong. But his judgment was to listen to those folks who were known to be exaggerators.

It was Secretary Rumsfeld who said on April 11, 2003, in the wake of widespread looting after the fall of Saddam Hussein when they were looting the museums, there was no law, there was no order. We had no plan. Our military did everything that was asked of them and they did it perfectly. There was no plan. And this is what he said in light of this widespread looting:

> Stuff happens, and it's untidy and freedom's untidy, and free people are free to make mistakes and commit crimes and do bad things.

What a message. We now know—and we knew then as we watched it—that this looting set the stage for the climate of fear and lawlessness that persists to this day in Iraq. No plan. Oh, we were going to be there 6 months tops. Our troops were going to be loved. Oh, yeah, and if they just did a little looting, this is nothing.

It was Secretary Rumsfeld who sent brave young American men and women into combat without sufficient body armor, telling the young soldier who had the guts to ask him a question about this, he said:

> As you know, you go to war with the Army you have, not the Army you might want or wish to have at a later time.

What kind of comment is that? Why would he not say:

> Young man, you had the guts to ask that question, and I am going to make sure that we do everything we have to do to make you as safe as you can be.

He needs to go.

It was Secretary Rumsfeld who sat back, without doing anything, in the face of widespread violence, the rise of sectarian militias, and the rapid growth of the insurgency. We went and asked questions of him time and time again. It was the same thing, always: Everything is going great. There are a couple of bad apples, a couple of bad apples.

It was Secretary Rumsfeld who presided over the Pentagon during the Abu Ghraib Prison abuse scandal which diminished U.S. standing in the world and caused irreparable harm to the image of the U.S. military. I remember looking at a document that the Secretary had approved of, where he said, these are the things that he thinks we should be able to do to the prisoners, and it was pretty shocking. But what has happened to this country is we have never been held in lower esteem, ever, than we are today.

This face, Secretary Rumsfeld's face, and this history, Secretary Rumsfeld's history, is dogging this country. I hope the President would see this, and we know he is extremely loyal, but it is time to be loyal to the troops now. It is time to be loyal to the families now. It is time to be loyal to the American people now who are very angry about what they see. It is time for him to go and get a fresh face in there. There are a number of people—and I wouldn't even consider putting any names out because it is not appropriate for me to do that. But there are many men and women in this country who could take on this task and bring a freshness to the job, a new perspective, someone who isn't tied down to past misstatements, past mistakes, and now this attack that he unleashed, this tirade on the American people.

It is time for new leadership, new direction, and new vision. We can do better. We have to do better. And I have to say in this conversation that there have been many on the other side of the aisle, both sitting in the Senate and also running for the Senate, who have also shared a critique of this particular Secretary of Defense. There is one in particular on the other side of the aisle who expressed no confidence in Secretary Rumsfeld. A number of retired generals who served our country with honor and distinction have called for Secretary Rumsfeld's resignation over his mishandling of the Iraq war, including GEN Anthony Zinni, GEN Wesley Clark, LTG Gregory Newbold, who actually was part of the team that laid out the invasion plan for Iraq and who appeared before the Foreign Relations Committee and clearly offered a better way a year, a year-and-a-half ago, a better way out of this war. MG John Batiste, MG Charles Swannack, Jr., MG John Riggs, and MG Paul Eaton. We remember what happened. As soon as these generals had the courage to go out and say something, they were slapped down hard by this administration, essentially saying they had no right to express themselves. Well, quite the contrary. Quite the contrary.

I heard my leader, HARRY REID, say something very interesting one day. He quoted Teddy Roosevelt, the Republican President, who said something like this. I am paraphrasing, but I am using very similar words. He said: In a time of war, if you don't agree with the commander in chief and you say nothing, you are guilty of treason. That is a Republican President. How much have they changed? Now if you try to say anything, they slap you down. These generals deserve our thanks for having the courage to come forward, having the courage to say we need new leadership at the Pentagon.

MG Paul Eaton, who was responsible for training Iraqi security forces from 2003 to 2004—and, by the way, that is a hard job. I saw it being done when I was in Iraq last. MG Paul Eaton wrote in the New York Times on March 19, 2006, that Secretary Rumsfeld, ''has shown himself incompetent strategically, operationally, and tactically, and is far more than anyone else responsible for what has happened to our important mission in Iraq. Mr. Rumsfeld must step down.''

This is not easy for former generals, to say these things. What is important is that we hear them. Not that we say you have no right to speak. This is America. They have the obligation to speak, and each of us has the obligation to speak. No one in this country should be afraid of saying what is on his or her mind. If we get to that point, we are in deep trouble.

Talk about the lessons of history—we have our men and women in uniform fighting to give the Iraqis a chance at freedom. They are doing every single thing they can do. They have accomplished every single mission. We can go back to the missions they have completed. Those missions changed constantly.

First it was find the weapons of mass instruction. Well, they found they were not there. Then we said get rid of Saddam Hussein, and they captured him and he will meet his fate. Then they said there is some trouble here, let's show we are tough, so they killed his sons, and then the administration chose to put those pictures on television, thinking that would send a message: Don't mess with us.

Then they said we have to have an election. Our troops were magnificent. They set the stage for the election. Then they said we have to train their troops, and they trained their troops. Then they said they need another election, and they did it again. They did an extraordinary job.

But they cannot want freedom and democracy more than the Iraqis want it. Name one country that could be a country but has to rely on a foreign power to run the country and to provide the security. You can't find a country that is surviving in that situation. You cannot.

We just saw, in Lebanon, Hezbollah, a terrorist group, acting like a state within a state. That is unacceptable. The world is coming to Lebanon's rescue. Hopefully it will work and they will stop attacking Israeli soldiers and sending their rockets into Israel and they will leave the Lebanese alone and the Lebanese will protect their security. We cannot do the job of security for the people of Iraq if they are not interested in doing it.

Let me say, when I was over there, there is an attitude there that we will just stay forever, that they never have to do this. There is an attitude over there like that. I don't mind being Uncle Sam, but I sure don't want to be Uncle Sucker. This isn't right. This isn't fair. This isn't just, to send our people back and back and back, to second tours of duty, third tours of duty, to do a job the Iraqis must do for themselves.

This sectarian violence is the problem. The Bush administration itself, while they try to make this a war on terror, says and teaches us that it is a small percent of the violence that is coming from the terrorists. The vast majority is sectarian violence. That is why the American people are seeing through this. What they are learning is that in fact this operation in Iraq is shorting the war on terror.

I spoke before about Afghanistan. We went in there with the vote of every single Senator, to get the terrorists. We had the world in our hands. Then we made a detour, turned around, and now Afghanistan is having trouble. That should have been the model we used. That would have sent the message. We would have gotten bin Laden. We would have ended the Taliban. Now they are all creeping back in, as is the drug trading. This adventure in Iraq has weakened the war on terror. When Secretary Rumsfeld refuses to see that clearly and tells us it is all one, he is confusing the public purposely because he sees, politically, the people are catching on.

How many more troops do we have to lose? Madam President, 2,652 troops have lost their lives in Iraq and nearly 20,000 have been wounded. The cost of this war will soon reach $318.5 billion. We don't have enough money to insure our children for health care. We don't have enough money to protect our ports. We don't have enough money for interoperable communications. We don't have enough money to protect our nuclear powerplants and our railroads. And while we are taking away lip gel from women on planes, they are still not checking the cargo that goes inside the planes. We can't afford it—oh, no. But we can afford this and tax cuts to millionaires—again and again and again.

I guess we can afford these deficits and we can afford the debt that is reaching such a major proportion that it is not only our children but our grandchildren, and maybe theirs, who will have to pay off this debt. And we were on our way to a debt-free America when this administration took over.

We have shortchanged the war in Afghanistan, which is the central front of the war on terror. According to the New York Times, suicide bombings have doubled. The roadside bombs attacks, modeled after those carried out in Iraq, are up 30 percent. The United Nations announced Saturday that this year's opium crop in Afghanistan has reached the highest levels ever recorded, yielding extraordinary profits that we know fall back into the hands of the very people we are trying to defeat.

Tragically, attacks against schools are on the rise, and attacks against women. In January, armed men in the Zabul province of Afghanistan beheaded a high school headmaster in front of his children. By March, half of the schools in the province had closed and attacks reached an average of one a day.

We are losing ground. Iraq, Iraq, Iraq—24/7—Iraq, Iraq, Iraq. There are no time lines, no deadlines, no hope, no vision, no plan. The only thing we know from this President is, as long as I am in power, he says, we will be in Iraq.

We are weaker in Afghanistan because of Iraq. We are weaker on homeland security. I call this administration soft on homeland defense because they will not do what needs to be done. There are things we could do right now, today, that absolutely make eminent sense. They are not politics. They are not politics. The 9/11 Commission came out with a number of recommendations, dozens of them. We know they said that it is important that we either screen the cargo for explosives—the cargo that goes on passenger planes—or we have blast-resistant cargo containers installed so if

there is a blast, it will remain inside the container and not bring the airplane down.

Do you think this administration will do this? Let me tell you no, and let me tell you how I know—because I sit on the Commerce Committee. We have jurisdiction over the FAA. Years ago, I had an amendment pass the committee that said: Let's test these blast-resistant containers. Usually they would be made out of Kevlar. If you have ever seen Kevlar, had an experience with Kevlar, you know this is a fantastic product we can use. Oh, no, they are still studying it. And they are still not inspecting cargo.

So when we are told the alerts are up, of course we have every reason to be worried because we are not doing what we should be doing because we are spending $8 billion a month on Iraq, we are spending $318 billion, we are stretching our military thin, we are soft on homeland defense, and we have neglected Afghanistan.

The face of this policy, in addition to the President, is Secretary Rumsfeld. Now as he looks around the world, he has to see it. Everybody does see it. You can dream about a better world, but all you have to do is open any newspaper—I don't care whether it is a liberal or conservative one or independent or moderate—and you know what is happening on the ground all over the world. You see it. From Darfur to Afghanistan to Iraq to Iran to North Korea to London—where, thank God they foiled the plot of the terrorists there.

Instead of saying maybe it is time we just look at our priorities and do a little bit more—we all know in America that the war on terror is going to be with us. We all know we have to be prepared. We all know they do not give up. We all know they will try again. We all know al-Qaida is still out there, with bin Laden—but even if it didn't have bin Laden, it would still be out there. Yet what does Secretary Rumsfeld do? He starts a fight by calling the American people, who do not agree with him—the majority, vast majority—appeasers when they understand very clearly that the war in Iraq is a diversion from the war on terrorism and that we are failing on the war on terrorism because we have not invested in it and haven't focused on it. The American people want us to do that. It is time for a new direction.

I brought to the attention of the Senate the threat from shoulder-fired missiles. Two dozen terrorist organizations have them. They sit on the shoulder, they weigh 35 pounds, and they can catch an airplane. Oh, they are slow-walking that. They just don't have the money. They tested it, but they are slow-walking it.

It is time for accountability. I do not think staying the course with a failing policy in Iraq has anything to do with appeasing the Nazis before World War II. Get with the current moment, Mr. Secretary and Mr. President. Let's get a fresh face over at the Department of Defense. Let's move forward with hope. Let's move forward with a plan. Let's win back the confidence of the American people together, all of us. And let's win back the confidence of the world.

I believe it starts with accountability. That is why I plan to support an amendment that will be offered to this bill calling for new leadership at the Department of Defense.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

Mr. SPECTER. Madam President, before the time arrives for consideration of the judicial nominee, I ask unanimous consent to proceed as in morning business.

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

SUDAN

Mr. SPECTER. Madam President, I urge my colleagues to forcefully express themselves, to urge and perhaps even compel the Government of the Sudan to proceed to accept a United Nations peacekeeping force of some 20,000 to bring stability to that area. We have seen a drastic situation evolve where some 3 million people have been displaced—perhaps a few more, perhaps a few less—and some 300,000 have been killed. The fighting goes on between the Government of Sudan and the rebels.

And the prospects are for additional bloodshed and significant displacement of refugees are great unless there is some forceful action taken by the United Nations.

The proposal has been made to have 20,000 U.N. peacekeepers deploy to Darfur to try to stabilize the situation. Regrettably, this has been rejected by the Government of Sudan.

Just today, the New York Times reports that the Government of Sudan has given the African Union an ultimatum—either proceed under the terms of the Government of Sudan, which is characterized by the news report as ''blackmail,'' or for the African force of some 7,000 proposed peacekeepers—they really are ineffectual in the job—to vacate the country by September 30.

I participated last Thursday, August 31, in a forum in the Trinity Cathedral in downtown Pittsburgh where concerned citizens gathered to decry the situation, to urge United Nations' action. The following day, I wrote to the President requesting that a Special Envoy to Sudan be appointed.

I ask unanimous consent that my letter to President Bush, dated September 1, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Hon. GEORGE W. BUSH,
The President, the White House,
Washington DC.

DEAR MR. PRESIDENT: I write to express my support for your efforts to bring an end to the ongoing crisis in the Darfur region of Sudan and to urge the immediate appointment of a Special Envoy to Sudan.

I commend the hard work of your Administration to achieve the Darfur Peace Agreement (DPA), which was signed by the government of Sudan and the Sudan Liberation Army (SLA) faction led by Minni Arku Minnawi on May 5, 2006. I also applaud your efforts to mobilize international support for the deployment of a United Nations (U.N.) peacekeeping force to replace the African Union (A.U.) force currently in the region. I believe the DPA and deployment of a U.N. force are important steps towards ending the crisis in Darfur, which to date has led to over 200,000 deaths and 2 million people displaced from their homes and dependent on international aid agencies for survival.

Unfortunately, the refusal of many rebel groups to sign the DPA, the limited capabilities of the A.U. peacekeepers, and rejection by the government of Sudan of the deployment of a U.N. force, has led to continued violence and further deterioration of the humanitarian situation in Darfur. In July, the U.N. World Food Program (WFP) reported that more than 470,000 of 2.8 million planned beneficiaries did not receive food assistance due to the deteriorating security conditions. To make matters worse, reports indicate that the government of Sudan is preparing a renewed assault against rebel groups that remain outside the DPA. Aid officials, cited in a August 31, 2006 article in The New York Times, stated that a military offensive in Darfur could lead to the ''complete evacuation of humanitarian workers in Northern Darfur, which would leave millions without a lifeline'' and that the resulting loss of life ''could dwarf the killings in 2003 and 2004''.

The DPA was signed in great measure due to the work of then-Deputy Secretary of State Robert Zoellick. However, in light of his resignation and the fragility of the prospects for a sustainable peace in Darfur, I urge that you immediately appoint a Special Envoy to Sudan. With so many lives hanging in the balance, it is vital that the U.S. demonstrate its commitment at the highest level to the success of the Darfur peace process. I believe the appointment of a Special Envoy, charged to proactively work with all parties to fully implement the DPA and secure the deployment of a U.N. force represents the best prospect for avoiding further catastrophe in Darfur.

Sincerely,

ARLEN SPECTER.

Mr. SPECTER. Madam President, I ask unanimous consent that a report of USA Today, dated August 31, be printed in the RECORD. The headline is ''U.S. Reporter's Arrest Shows Sudan Has Something To Hide.'' The reporter was arrested because he reported the truth which the Government of Sudan is trying to conceal.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From USA Today, Aug. 31, 2006]

U.S. REPORTER'S ARREST SHOWS SUDAN HAS SOMETHING TO HIDE

The great journalists, writer Pete Hamill has said, are ''men and women who take a torch to the back of a cave and report what they see to the rest of the tribe.''

One of the darkest places on earth today is the war-torn Darfur region of Sudan, where at least 200,000 people have been killed and 3 million rendered homeless since 2003.

Award-winning U.S. reporter Paul Salopek was simply trying to illuminate the situation there when he was detained earlier this month, jailed and accused of espionage and writing ''false news.''

Looking for the truth in places such as Darfur, where truth is in short supply and needed so much, is a dangerous business. From 2001 through '05, 202 journalists were killed on duty, up from 136 in the prior five years, according to the Committee to Protect Journalists.

If it weren't for reporters like Salopek, the world would know little more than the twisted stories put out by the Sudanese government about the genocide in Darfur. His arrest is just one more of Sudan's increasingly shameless efforts to keep outsiders from reporting on—or doing something to end—the killings and mass rapes. Those government efforts range from shutting down many aid operations to refusing to accept a force of United Nations peacekeepers.

Similar attempts to bottle up truth or use journalists as pawns are common:

In China, Zhao Yan, a Chinese researcher for The New York Times, was jailed in 2004 on charges of leaking state secrets. He was acquitted of those charges last week but sentenced to three years in prison on an unrelated charge. Times executive editor Bill Keller said the only thing Zhao ''committed is journalism.''

In the Middle East, U.S. journalists have become targets. Two Fox News journalists were snatched by militants in Gaza and held for two harrowing weeks before their release Sunday. Their concern? That the incident would deter others: ''I hope that this never scares a single journalist away from coming to Gaza to cover the story,'' said reporter Steve Centanni after his release.

Given the risks, even the severest press critic would concede that reporters' willingness to venture into the deepest caves is a courageous public service.

That's all that Salopek was doing. A Chicago Tribune reporter on a freelance assignment for National Geographic, he sneaked across the Sudanese border from Chad without a visa. For reporters, that's about the only way to get in. Usually when they are caught, they are deported.

This time, Sudan apparently chose to make a point. It did—that its claims about Darfur are not credible. The State Department and others are pressing Sudan to set Salopek free.

Salopek is anything but a spy. He is a veteran reporter who has won journalism's highest honor twice. And, unfortunately, he is the latest victim of those who seek to keep the public in the dark.

Mr. SPECTER. Madam President, I ask unanimous consent that my prepared written remarks be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR ARLEN SPECTER

THE SITUATION IN DARFUR, SUDAN

Mr. President, I seek recognition today to call attention to the continuing crisis in Darfur, Sudan. Tensions are not new to this drought plagued region where Arabic nomads and African farmers have long competed for land and resources. However, the current crisis began in February 2003 when two non-Arab Darfur rebel groups, the Sudan Liberation Army and the Justice and Equality Movement, rose up against Sudan's Arab dominated government, demanding the same resource and power-sharing concessions being offered to rebels in southern Sudan who were then engaged in peace talks to end a separate conflict with the Government in Khartoum.

The response from the Government of Sudan was swift and brutal. An estimated 200,000 Sudanese refugees fled to neighboring Chad telling of a scorched earth campaign being carried out by armed militias, known as the Janjaweed, supported by the Government of Sudan. While the Government bombarded villages from the air, militias followed on the ground murdering men and children, raping and branding women, and pillaging and burning homes.

The House and Senate declared the atrocities in Darfur ''genocide'' in July 2004. Former Secretary of State Colin Powell, in remarks before the Senate Foreign Relations Committee on September 9, 2004, stated that, ''genocide has been committed in Darfur and the Government of Sudan and the Janjaweed bear responsibility.'' Further, the International Commission of Inquiry on Darfur, in its January 25, 2005 report to Secretary General Kofi Annan, found that, ''the Government of Sudan and the Janjaweed are responsible for serious violations of international human rights and humanitarian law amounting to crimes under international law.''

Today, the situation in Sudan represents the worst humanitarian crisis facing the world. Since the start of the conflict, the United Nations High Commissioner for Refugees estimates that 350,000 people have died in the region as a result of violence, disease or starvation. In addition, according to the United States Agency for International Development, the crisis has resulted in 1.8 million people displaced from their homes and dependent on aid agencies for survival.

Due to continued pressure by the U.S. Government, in particular the efforts of former Deputy Secretary of State Robert Zoellick, the government of Sudan and the strongest faction of the Sudanese Liberation Army signed the Darfur Peace Agreement on May 4, 2006. Under the terms of the Darfur Peace Agreement, the Janjaweed militias are to be disarmed, rebel fighters are to be integrated into Sudan's national forces or provided with the support necessary to assist their return to civilian life, measures are to be implemented to increase security for displaced persons and refugees, power and wealth sharing mechanisms are to be established at the national and local levels, and the Sudanese government is to provide Darfur with robust reconstruction assistance amounting to $700 million.

Unfortunately, the Justice and Equality Movement and a smaller rebel group formerly part of the Sudan Liberation Army did not sign the agreement, the Janjaweed has not been disarmed and violence persists resulting in the continued deterioration of the humanitarian and security situation.

I believe the Darfur Peace Agreement and deployment of a United Nations force are important steps towards ending the crisis in Darfur. I applaud U.S. efforts to mobilize international support for the deployment of a U.N. peacekeeping force to replace the African Union force currently in the region. The African Union has a 7,500 peacekeeping force deployed in Darfur. However, The African Union force is slow, poorly equipped and too small. Moreover, this force is quickly running out of funding and has a limited mandate that allows it to monitor but not enforce the cease-fire agreement.

On September 1, 2006 the U.N. Security Council approved a resolution authorizing the deployment of a U.N. military force of up to 17,300 members and a civilian police force of 3,300 with a Chapter VII mandate authorizing the use of force to protect civilians, relief workers and U.N. workers. Regrettably, the Government of Sudan has refused to accept a U.N. deployment. In a statement reported by the New York Times on August 22, 2006, Sudan's President, Omar Hassan al-Bashir, seemed to suggest he would resist such a deployment with force when he stated Sudan would ''defeat any forces entering the country just as Hezbollah has defeated the Israeli forces.''

On August 31, 2006, I attended a rally at the Trinity Cathedral in Pittsburgh, Pennsylvania sponsored by the Pittsburgh Darfur Emergency Coalition to call attention to the crisis in Darfur. The following day, I wrote to President Bush urging he appoint a Special Envoy to Sudan. With so many lives hanging in the balance, it is vital that the U.S. demonstrate its commitment at the highest level to resolving the Darfur crisis. I believe the appointment of a Special Envoy, charged to proactively work with all parties to fully implement the Darfur Peace Agreement and secure the deployment of a U.N. force represents the best prospect for avoiding further catastrophe in Darfur.

The crisis in Darfur can not be ignored. The international community must be allowed to take action before the situation deteriorates further. I urge the Administration to appoint a Special Envoy to Sudan to work with all parties to bring an end to the crisis, and urge the Government of Sudan to allow the deployment of a U.N. force.

I yield the floor.

Mr. SPECTER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. SPECTER. Madam President, before proceeding to the nomination of Kimberly Ann Moore to be U.S. circuit judge for the Federal Circuit, I ask unanimous consent that I may proceed for 10 minutes as if in morning business.

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

REPORT ON FOREIGN TRAVEL

Mr. SPECTER. Madam President, at the conclusion of these brief remarks, I ask unanimous consent that a full text of my report on foreign travel be printed in the record.

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

(See exhibit I.)

Mr. SPECTER. Madam President, as is my custom, when I return from foreign travel, I file a report with the Senate.

From August 5 to August 24, I traveled abroad. I started with a delegation led by Senator TED STEVENS and Senator DAN INOUYE to China where eight U.S. Senators participated in a forum with Parliamentarians from China. We discussed a broad range of issues, with the Chinese delegation being very forceful on their concern about the one-nation policy, that Taiwan not be

regarded as an independent nation. We had extensive discussions about the economic imbalance which exists in trade, on the manipulation by the Government of China of its currency, and on the issue of human rights.

I raised with the Chinese officials the issue of human rights starting with the incident in 1999 where the Dickinson law librarian in Pennsylvania was kept in custody for some 7 months without being able to see a lawyer, and without being able to see his wife.

Following that, an appropriation was made for approximately $2 million in each of the past several years for Temple University to establish in Beijing a law school to teach human rights, with a focus on Chinese judges, Chinese professors, and Chinese lawyers.

During the trip to Beijing, I met with almost 50 of the students at the school—some judges, some lawyers, and some academics—where there was a concern to understand due process of law. I was pleased to hear some reports that there has been an improvement in some situations on filing charges, on the access of counsel. I believe the school of law established by Temple University in Beijing is very useful. But I think, realistically, they have a very long way to go.

From China, I then set out to Nepal, visited Katmandu, and spoke to the Prime Minister, who has had a very difficult time. There was a great deal of unrest in the country following the King's taking power from the elected government. Following strong public resistance and marches, the King stepped down. Seven political parties are trying to go through the formation of a new government.

They are being challenged by malice, with an overriding concern about the possibility of violence there.

I discussed a major situation where there are more than 100,000 refugees in Nepal originating from neighboring Bhutan. I traveled next to Bhutan, which is a remarkable country situated between Nepal and Tibet. James Hilton's famous book, ''Lost Horizon,'' locates the idyllic spot, Shangri-La, with fantasy, in Bhutan or in Tibet.

Bhutan is a country of about 700,000 people. It was totally isolated until 1950 when the King invited in foreigners. It was said that up until that time they lived in a medieval state. Now there is a King, 51—very progressive, who has not waited for popular unrest to oust him. But they are moving ahead with the formation of a constitution—and a very unique constitution where they are concerned about the gross national happiness product as opposed to the gross domestic product.

I had a lengthy discussion with the King about setting up a constitution where the monarch must step aside at the age of 68. Bhutan is being modernized.

The road from the airport city to the main city, Thimpu, is 60 kilometers of treacherous highway road. But it is a remarkable country.

There I talked to the Chief Justice of Bhutan. I talked to him about the formation of their constitution as I had done in Nepal. The issue of a constitution is one which is spreading around the world, with considerable modeling after the Constitution of the United States which was, as we know, the first complete written constitution.

From Bhutan, I then traveled to Kuwait. I met with the Emir of Kuwait and with the Prime Minister and had extensive discussions about the concerns of the nuclear activities in neighboring Iran. We spent just an overnight there and then on to Israel. Regrettably, we had to make a stop in Cyprus. The rules are, if you come from an Arab country you can't fly directly to Israel, just as we cannot fly directly from Israel to Libya. But we had to make a stop in Cyprus, and coming from Kuwait, we had to make a stop in Amman, Jordan, before going on to Israel.

In Israel, we met with Prime Minister Olmert and with Defense Minister Perez. We reviewed the situation and our findings there are set out more extensively in the written report.

From Israel, we traveled on to Libya and saw a remarkable transformation of Libya and Libya's leader, Colonel Qadhafi. I think there has been a historic rehabilitation of the nation of Libya and the leader, Colonel Qadhafi, where they have moved from being the world's leading terrorist state in very heavy competition, at least at the time they blew up Pan Am flight 103 back in 1988 and blew up the German discotheque killing U.S. soldiers and wounding many more.

We had an opportunity to meet Colonel Qadhafi. We took a plane flight from Tripoli for a couple of hours, moved on to the middle of the desert, met with him in his tent, and had a discussion with him looking for some guidance as to how a major world terrorist could rehabilitate, pay compensation, as to whether there could be any insight as to what we might do with North Korea and Iran today.

Regrettably, those problems are beyond anyone's solution, but the rehabilitation of Libya and Qadhafi showed that there is some hope to turn major terrorists into a rehabilitated situation.

We then flew overnight to China and returned to the United States. As I said, the details are set forth in the extensive written report which follows the conclusion of these extemporaneous comments.

EXHIBIT 1

STATEMENT OF ARLEN SPECTER

REPORT ON FOREIGN TRAVEL

Mr. President, I have sought recognition to report on foreign travel, as is my custom, from August 5 to August 24, 2006. On August 5, I joined a delegation led by Senator Ted Stevens which departed from Andrews Air Force Base at 11:00 a.m. en route to Guilin, China, via Beijing to participate in the Untied States-China interparliamentary conference. Senator Stevens is the Chairman of that conference and Senator Daniel Inouye is the co-chairman. Senator Patty Murray and Senator Norm Coleman serve as vice-chairmen. In addition, the delegation consisted of Senator Thad Cochran, Senator Mark Dayton, Senator Lamar Alexander and Senator Richard Burr.

Our first stop was Anchorage, Alaska where we landed at Elmendorf Air Force Base after a flight of 7 hours. After dinner and overnighting at the Captain Cook Hotel, we departed for Beijing the next morning, August 6, at 9:00 a.m. We passed the international date line and arrived in Beijing at about 9:00 a.m. Beijing time on Tuesday, August 7. We then flew an additional 3 hours to Guilin where the conference was held. Most of us decided to stay up for the balance of the day although we had already been up some 24 hours to try to get on our regular body clock schedule. Joan and I took a long walk, visited the town, had an early dinner, and retired. It is always difficult to get much sleep on the first night, but we awoke somewhat refreshed.

On the morning of Tuesday, August 8, we took a trip on the Li River hosted by the interparliamentary group's Chairman, Sheng Hauren. It was a magnificent boat trip. The area is heralded as one of the China's most extraordinary scenic spots. With lunch being served onboard, it provided an opportunity for extensive informal discussion with our Chinese hosts.

Chairman Sheng Hauren was a charming host in his mid-60s with a full head of gray hair, portly, with a perpetual smile and an easygoing disposition. I told him of my special interest in human rights in China arising out of an incident where a librarian from Dickinson College, Mr. Yongyi Song, was detained by Chinese officials in 1999. Mr. Song was born in China and immigrated to the United States where he was about to fulfill his requirements for citizenship when he returned to China for research. He was arrested, held for 7 months without an opportunity to see counsel or even his wife. No charges were brought against him and no hearing had been set when it was called to my attention.

I filed a Senate resolution reciting the facts, condemning the process which lacked even the fundamentals of due process of law and urged his release. Shortly after filing the petition, I was summoned by the Chinese Ambassador to the United States to meet with him. It was a testy meeting with the Ambassador beginning by challenging me for meddling in internal Chinese affairs. I responded politely but forcefully that it was hardly meddling in Chinese internal affairs when they detained a Pennsylvanian under the circumstances noted without any basic rights. I emphasized that I had great respect for China, a powerful country of 1 billion, 250 million people at which point I was interrupted by the Ambassador who said: ''please Senator, 1 billion, 300 million people.'' From the time I had last checked the Chinese statistics they had gained about 50 million people, about the population of France. We continued to discuss the matter when the Ambassador notified me that Mr. Song was about to be released and would be arriving by air in Philadelphia in a few days.

I told Chairman Sheng Hauren about this incident as a primer to discussing with him the action taken as a result of the detention of Mr. Song. I introduced legislation to appropriate approximately 2 million dollars to establish a branch of the Temple Law School in Beijing to teach judges, prosecutors, academics and students the fundamentals of due process of law. Chairman Sheng Hauren listened politely and said, of course, that he knew nothing about the specifics of the case I cited. He said that with the developing

country in China and the need for civil order there were occasions where arrests were made which might seem extreme to foreigners. I did not press the matter further, but I already made my point about being concerned about human rights and the rights of detainees in China.

I asked Chairman Sheng Huaren about the relative authority of the Chinese courts compared to the Executive Branch or the National People's Congress. Chairman Sheng Huaren replied that after the Supreme Court of China had ruled, their decisions could be overturned by National People's Congress. I replied that it was exactly the opposite in the United States where the Supreme Court had the final word in deciding the constitutionality of congressional enactments and the Supreme Court had the authority to overrule the President's exercise of executive power as the court has recently done in the celebrated case of Hamdan v Rumsfeld when the Supreme Court ruled the President did not have the authority to set the rules of the trials of war criminals.

I asked Chairman Sheng Huaren why there had been so much more economic development in China contrasted with India which had a population almost as large, one billion compared to 1.3 billion, and the government of India had the benefit of democratic institutions which would have been expected to produce more individual initiatives. Chairman Sheng Huaren replied that China had enjoyed greater success because of China's planning and the diversification of ownership. He pointed out that early on in China, employees had an interest in ownership. He noted that there had been planning between urban and rural areas with special attention being devoted to agriculture as the primary industry with secondary attention to manufacturing and beyond that the service industry. The Chairman emphasized that there had been a special effort made in China to achieve a harmonious social society which promoted productivity and economic advancement.

The boat ride ended mid-afternoon and we docked at a nearby town where shopping was available and then drove back to Guilin. The Chairman hosted a dinner that evening in a magnificent dinning hall which was part of the large conference center. The full delegation and spouses and staff were present with almost 100 people in attendance for the customary Chinese eight course dinner.

The next morning, the delegates arrived for the traditional photo session with the two hour morning program beginning at 9:30 AM. The topics which had been agreed upon were bilateral relations and trade and investment. After a break for lunch, again sumptuous, the afternoon session began at 2:00 PM and ran until approximately 4:00 PM with international security and energy as the topics.

The tone of the meeting was very cordial. Senator INOUYE drew a laugh when he said it was better to talk than to shoot. Chairman Sheng Huaren got down to business promptly raising the issue of Taiwan which is very much on the minds of the Chinese. Chairman Sheng Huaren stated that he appreciated the reiteration of our one China policy and China was totally opposed to unilateral action meaning any effort by Taiwan to break away from China.

At one point in the conference, Senator STEVENS reiterated that the United States stood behind the one China policy and added, prefacing his remarks that it was intended to be in the friendly constructive spirit, that the Chinese were preoccupied with the one China issue. Senator STEVENS noted China was soon to play host to the 2008 Olympics which has the promise to be the greatest Olympics ever and that event should not be marred or spoiled by any military action between China and Taiwan. The Chinese delegation appeared to take the comments in good spirit and gave no specific reply.

Senator STEVENS said that the 21st century should be the century of the Pacific and noted that the United States was proposing an interparliamentary meeting with Japan and that if that took root as the U.S.-Chinese group had, that they might look forward to having the three major powers, the U.S., China and Japan, join together to discuss the issues of the Pacific. Senator STEVENS pointed to the damage to plant life and the threat to extinguishing species of fishes and the air control over the pacific and the problems generally with the water supply. The Chinese delegates emphasized the enormous need for economic development in China with its expanding population and the need to create millions of jobs each year.

On the morning of August 11th, I broke from the delegation to speak to a group of students, lawyers and judges at Tsinghua University outside Beijing. The Yongyi Song case in 1999 illustrated the lack of a transparent and fair legal system in China. Since 2000, I worked to advance the rule of law in China through Temple University's Rule of Law program at Tsinghua Law School and approximately $2 million has been secured annually for the program. During a prior visit to China in 2001, I suggested to Premier Zhu Rong-ji that the Chinese government work with Temple's program to develop an agreement with the U.S. dealing with due process rights for detained American citizens. That is still a work in progress.

Upon arrival at Tsinghua, I was met by Temple professor John Snagoola who provided an update on the program. Temple has educated 612 legal professionals of whom 494 were from the public sector including 184 judges, 107 prosecutors, 59 government officials, 97 law professors and 47 NGO legal staff.

I was received in the law school's lecture hall by 48 students and a panel of eight professors. I spoke to the students about a wide variety of judicial and constitutional issues being debated in the United States including the detention facility at Guantanamo Bay and the NSA wiretapping program. I explained to the students the importance of the rule of law in American society and that no man is above the law. I highlighted the benefits of a system where the accused have the right to counsel, to a trial and to know why they are being detained.

I elaborated on the role of the courts as the final arbiter and that neither the Congress nor the President could overrule the courts. In contrast, the National People's Congress of China supersedes any decision made by the courts. The hour-long session provided ample time for dialogue with the students. They asked a variety of questions with special attention to civil liberties, national security, medical care for women, same sex marriage and the war in Iraq.

I ask unanimous consent that the Special Report on Temple Students compiled by the Beasley School of Law and letters supporting the program be included in the record.

I rejoined the delegation later that afternoon for a meeting with Wu Banggou, Chairman of the National People's Congress, at the Great Hall of the People. Our conversations included a wide range of issues including national security, weapons proliferation and trade. Following the meeting, Chairman Wu hosted a banquet for all members of the delegation at the Great Hall of the People.

On August 12th, the delegation returned to the Great Hall of the People for a meeting with President Hu Jintao. Many of the issues raised during the visit were discussed during the meeting. I specifically pressed President Hu about arms transfers to Iran and China's efforts to ensure they are not being transferred to third parties. I did not receive a sufficient response.

While my colleagues returned to the United States on August 12th, I traveled on to Kathmandu, Nepal. Prior to departing from Beijing, I was joined by my aide Christopher Bradish, Lieutenant Colonel Donald Walker, United States Army, and Dr. Ron Smith, United States Navy.

NEPAL

From Beijing, I traveled to Kathmandu, Nepal where I was met by Ambassador Bill Moriarty who provided me with insight into Nepal's political situation and its struggle for democracy. In June 2001 ten members of the royal family, including King Birendra, were killed in an assassination-suicide, reportedly carried out by Crown Prince Dipendra. The murdered king's younger brother, Gyanendra, now occupies the throne. Nepal's recent history has been characterized by a power struggle between the monarchy, political parties, and a Maoist insurgency.

In 1990, following a democratization movement, Nepal became a parliamentary democracy under a constitutional monarch. In a reversal of the longer-term trend towards a democratic constitutional monarchy, on February 1, 2005, King Gyanendra declared a state of emergency, assumed full powers, suspended civil liberties, and placed opposition leaders under arrest. The King explained his move as necessary, because of the elected government's inability to put down the Maoist insurgency. However, most analysts saw the move as an attempt to also assert control over the country's democratic elements.

In response to the King's actions, Nepal's seven main political parties announced they would work together to reform the constitution, reinstate parliament, and limit the powers of the king. Mutual rejection of the King's power grab also led the parties to seek rapprochement with the Maoist insurgents. In April 2006, popular anger at the King's abuse of power resulted in three weeks of massive demonstrations across the country and broad public support for a nationwide general strike called by the coalition of political parties, and backed by the Maoists.

After unsuccessfully attempting to forcefully suppress the demonstrations, the King announced the reinstatement of Parliament on April 26, 2006. The Parliament has since taken action to strip the King of his political and military powers, reciprocated a Maoist cease-fire, and released hundreds of guerrillas, including some of their top leaders, from jail. In talks with the Maoists, the Parliament has also agreed to the writing of an interim constitution, to the formation of an interim government, and to hold new elections.

In February 1996, the leaders of the underground Communist Party of Nepal (Maoist) and the United People's Front (UPF) launched a ''People's War'' in the Midwestern region of Nepal, with the aim of replacing the constitutional monarchy with a one-party Communist regime. The insurgency has claimed the lives of approximately 13,000 people. With an estimated 5,000–10,000 armed fighters utilizing guerrilla warfare tactics including murder, torture, arson, sabotage, extortion, child conscription, kidnapping, bombings, and assassinations, the Maoists were able to establish a parallel government to rule over substantial proportions of Nepal. A string of bank robberies, combined with ''revolutionary tax'' revenues, made the Nepalese Maoists among the wealthiest rebel groups in Asia.

Following the King's 2005 seizure of power, the Maoists joined with Nepal's seven major political parties in resisting the King's control of government. After the restoration of Parliament, the Maoists offered the government a cease fire and entered talks to join the government. In June, the Maoists leader, Pushpa Kamal Dahal, also known as ''Prachanda,'' agreed to dismantle the parallel government, but refused to disarm until after elections are held for constituent assembly to draft a new constitution. The Maoists have offered to sequester their arms and men under international supervision, provided the Nepalese military does the same.

The Maoists' message has included bellicose and anti-American rhetoric. In 2002, the Maoists claimed responsibility for killing two off-duty Nepalese security guards at the American Embassy in Kathmandu. On October 22, 2003, the Maoists stated that American-backed organizations would be targeted for attack. The State Department does not list the Maoists/UPF as a Foreign Terrorist Organization. However, the Department's 2005 Country Reports on Terrorism does list the groups amongst its list of ''Other Groups of Concern.''

In a statement before the Senate Foreign Relations Committee's Subcommittee on Near Eastern and South Asian Affairs on May 18, 2006, Assistant Secretary of State for South and Central Asian Affairs Richard Boucher highlighted that the Maoists have not renounced violence, nor agreed to disarm. He further noted that the Maoists originally took up arms in 1996 against an elected government and that Maoists human rights abuses continue to be reported. He stated that until the group renounces violence and shows respect for human rights, the Administration ''will not be convinced that they have abandoned their stated goal of establishing a one-party, authoritarian state.''

Nepal is one of the poorest countries in the world. Up to 90 percent of its inhabitants earn a living through agriculture. Continued reliance on subsistence farming could keep Nepal poor for many years to come. Government efforts to increase foreign trade and investment have been impeded by political instability, the small size of the economy, its remoteness, a lack of infrastructure and technological development, and frequent natural disasters. Future economic prospects will likely be influenced by the outcome of the negotiations underway between the Parliament and Maoists.

On August 13th, I met with Prime Minister Koriala for 45 minutes. Prime Minister Koriala expressed his gratitude for U.S. financial assistance and that it aided in stabilizing the government. He stressed his strong support for democracy and emphasized that unless the Maoists give up their weapons they could not joint the government. Koriala hoped that the United Nations would be brought in to resolve Nepal's internal conflict.

Prime Minister Koriala had been jailed on several occasions throughout his life for his political activities. These sentences accounted for fourteen years of his life. Koriala informed me that his life's goal was to bring all non-democratic elements, including the Maoists, into a constitutional democracy, stating that he would never surrender a democratic government to anyone. Koriala informed me that he would succeed in order for terrorists all over the world to learn from Nepal's example that dialogue was the best way to solve disputes.

Prime Minster Koriala said he favors a ceremonial monarchy because it had been a unifying factor in Nepal since 1769. He noted that, unless the Maoists gave up their weapons, the interim constitutional drafting committee could not consider the Maoist's suggestions, adding that their proposals for a republic based on ethnic regions could fragment and destabilize Nepal.

PM Koriala expressed his concern about the Maoist's intentions, especially as they have not given up their weapons. Koriala informed me that they are still extorting and collecting taxes from citizens despite their signing of the 25-point code of conduct in which they agreed to stop these activities. Many representatives I met with expressed skepticism about the Maoists ability to implement what they agree to do.

Following my meeting with the Prime Minister, I met with Subash Nemwang, Speaker of the House. The Speaker reiterated the position of the Prime Minister that Maoists will not be permitted to enter into any form of interim government until they are disarmed. Speaker Nemwang expressed his desire to see the Maoists repudiate violence and join the democratic political process.

I then met with the Home Minister Krishna Prasad Situala who is also the point person on the Government of Nepal's peace talks. The Home Minister expressed hope that the Maoists could be brought peacefully into the political mainstream, but warned that the Maoists had not lived up to the pledges made in negotiations. He stressed the importance between Nepal moving towards a successful democracy and the need to have the Maoists disarmed. He believes that the United Nations could playa positive role in facilitating the transition to democracy. I urged the Home Minister, in his role as chief negotiator, to be firm and tough with the Maoists, whose actions are similar to those of thugs.

Nepal has formed a Peace Secretariat, a think tank of sorts, to advise the government on how to transition to democracy. I met with the head of that agency, Vidyadhar Malik, who also expressed an interest in having the UN involved in Nepal. The Peace Secretariat believes the UN could be able to provide some best practices options for Nepal on how to ensure arms are not part of the political equation.

Armed groups or political parties cannot be permitted to participate in government unless they disarm. Hezbollah and Hamas, both terrorist organizations, were permitted to participate in government much to the detriment of citizens in the region. During my conversation with Mallik and other leaders, it became clear that were the Maoists to come to power, Nepal would be more unstable and ruled through intimidation and fear.

I was invited to the Ambassador's residence for a roundtable discussion and lunch with the leaders of the various Nepalese political parties. Attendees included: Sher Bahadur Dueba, former Prime Minister and President of the Nepali Congress, Madhav Kumar Nepal, General Secretary of the Communist party, Ram Chandra Poudel, General Secretary of the Nepali Congress party, Narayan Man Bijukche, President of the Nepal Workers and Peasants party, Prakash Man Singh, Vice President of the Nepali Congress, Chandra Prakash Mainali, General Secretary of the Socialist party, Jhalanath Khanal, Central Committee Member of the Communist party, Arjun Narsingh, Central Committee Member of the Nepali Congress party and Lilamani Pokhrel, Vice President of the People's Front. We had a candid discussion about the parties efforts to work together to confront the Maoists and the prospects for a democratic Nepal.

Later that day, the Ambassador invited me to a dinner reception at his residence where there were roughly seventy political party leaders, civil society representatives, human rights and women's rights activists. I had the opportunity to engage in dialogue with many of those in attendance about the status of Nepal and the prospects for stability. Many of the leaders expressed their appreciation to me for coming to Nepal and the support the U.S. has provided the country.

BHUTAN

On Monday, August 14th, we departed Kathmandu en route Thimphu, Bhutan. Due to the mountainous terrain of Bhutan, we had to take the Royal Druk Airline whose pilots are the only ones permitted to fly into Bhutan. From the Paro airport we took the windy ninety minute drive to the capital, Thimphu.

Bhutan is the world's last Buddhist kingdom. Although the government places a heavy influence on the preservation of its Tibetan Buddhist culture, Bhutan is slowly emerging from self imposed international isolation and is in the process of evolving into a constitutional monarchy with a representative government.

The U.S. and Bhutan have not established formal diplomatic relations; however, relations between the two governments are cordial. The Public Affairs Section of the U.S. Embassy in New Delhi administers the International Visitor (IV) and Fulbright Exchange Programs for Bhutan. There are currently sixty-seven Bhutanese alumni of the IV program including Bhutan's Chief Justice, three Ministers, and six District Governors. Thirty-three Bhutanese nationals have received undergraduate degrees in engineering and the sciences through the Fulbright Exchange Program. Most alumni now head technical corporations working on infrastructure development at Bhutan's regional level.

The following morning, I met with Prime Minister Sangay Ngedup. The Prime Minister began by expressing his appreciation for the United States as a great democracy and global leader. He also informed me that Bhutan is going through a lot of changes. Most notably, the King announced that Bhutan will be voting on its first constitution in 2008 and instituting a parliamentary democracy.

The Prime Minister told me that this move is inspired in no small part by the U.S. Constitution. Prime Minister Ngedup said the country's leadership is working to ensure the country will have good governance and good leaders for its future. He believes Bhutan can serve as a model democracy for the region. The Prime Minister expressed the view held in Bhutan that happiness is the cornerstone of the society. In fact, the country has developed a Gross National Happiness indicator.

When King Wangchuk came to power in 1972, he announced that government policies would be based on the pursuit of high ''Gross National Happiness'' rather than the conventional Gross Domestic Product (GDP). The concept of GNH is based on the premise that true development of human society takes place when material and spiritual development occur side by side to complement and reinforce each other. Since the King's 1972 announcement, the government has focused on what it calls the ''four pillars'' of GNH (socio-economic growth, cultural values, environmental conservation and good governance) to guide the country's development plans. For example, the government mandates that a minimum of 60 percent of its land be covered in forest and has instituted policies meant to encourage only high-scale environmentally conscientious tourists to visit. The 2005 national census found that 45.2 percent of Bhutanese are ''very happy,'' 51.6 percent are ''happy,'' and only 3.3 percent are ''not very happy.''

The Prime Minister reminded me of the provision penned by Thomas Jefferson regarding the pursuit of happiness. In Bhutan,

they measure achieved happiness. The idea of a Gross National Happiness is certainly unusual. I did commend my hosts because it is wonderful that a government wants its people to be happy and makes government work toward that end.

The Prime Minister wears two hats in that he also serves as the government's point person for agricultural issues. His role in ensuring a high level of Gross National Happiness is to provide an adequate supply of food, shelter, clothing, clean air and water. He told me about his work to increase food production, raise rural income and improve the livelihood of the nation's large rural population while preserving the pristine natural environment and conserving the rich natural resources.

We then met with Khandu Wangchuk, the Minister of Foreign Affairs. Minister Wangchuk attended graduate school at Tufts University. I pressed the Prime Minister on the issue of the 105,000 refugees living in UN-funded camps in Nepal. The immigration of ethnic Nepalese to Bhutan has taken place since the 17th century and ethnic Nepalese and ruling Drukpas have shared cordial relations throughout the years. However, in the late 1980s, concern over the increase 13 in the population of and political agitation among ethnic Nepalese prompted aggressive government efforts by Bhutan to assert a national culture, to tighten control over the southern regions, to control illegal immigration and to expel ethnic Nepalese.

Beginning in 1988, Bhutan's government expelled large numbers of ethnic Nepalese through enforcement of new citizenship laws. In response to this perceived repression, ethnic Nepalese protested, sometimes violently, leading to a government crackdown and the closure of local Nepalese schools, clinics, and development programs. In 1991, ethnic Nepalese began to leave southern areas of the country in large numbers and to take refuge in Nepal. Today, over 100,000 ethnic Nepalese who were expelled from Bhutan are encamped in seven United Nations High Commissioner for Refugees (UNHCR) camps in southeastern Nepal.

In October 2004, then-Assistant Secretary of State for Population, Refugees and Migration Gene Dewey visited Bhutan and discussed the refugee issue with the King. During this visit, the King agreed to immediately repatriate certain categories of refugees. However, to date, no refugees have returned, because of procedural disagreements between Bhutan and Nepal. In recent months, the international community, through a Core Group on Bhutanese Refugees (consisting of the US, Canada, Australia, the Netherlands, Denmark, Norway, and New Zealand), has begun discussing a comprehensive solution to the refugee problem that would likely include resettlement of a large number of refugees to third countries. Ambassador Moriarty noted that the U.S. could possibly accept upwards of 75,000 refugees spread out over many years.

The Foreign Minister, well-versed in this issue, explained that this refugee issue is unique and complicated. He informed me that Bhutan, a country of 700,000 does not have the capability to absorb large numbers of people in its society and large-scale immigration would be difficult to accommodate and perhaps pose a threat to stability due to the scramble over resources and infrastructure.

The major problem facing the bilateral relationship between Bhutan and Nepal is the instability in Nepal. The constant changes in Nepal's government have made it difficult for Bhutan to negotiate.

The Foreign Minister requested that my committee and colleagues consider allowing Bhutanese students, studying in the United States, the ability to have multiple entry visas to allow them to return for holidays and to visit family. Additionally, he requested I inquire about funds belonging to Druk Air, the national airline, which were frozen by the United States as a result of the sanctions placed on Burma.

While in Nepal, many leaders expressed concern that if those in UN camps were allowed to go to a third-party country, such as the United States, Bhutan would expel additional ethnic Nepalese. The Foreign Minister assured me that the government would do no such thing.

Following our meeting with the Foreign Minister, we had an audience with King Jigme Singye Wangchuk who ascended to the throne in 1972 at the age of 17. As head of state, the King is responsible for all matters relating to the country's domestic policies, security, and sovereignty. However, in 1998, King Wangchuk voluntarily transferred his executive powers to the ten member-Council of Ministers. Ministers are nominated by the King and approved by the 150 member National Assembly, 106 of whom are elected by the people. The remaining Assembly members are selected by the King, Buddhist clergy, and the Council of Ministers.

In March 2005, King Wangchuk unveiled a draft constitution, which envisions a constitutional monarchy with a Parliament consisting of an upper and lower house. The proposed draft Constitution legalizes political parties and guarantees fundamental human rights such as the right to life, liberty and security of person, the right of association, freedom of speech and press, freedom from torture or inhuman punishment, and freedom from discrimination based on race, sex, language, religion, or politics. The draft also mandates the abdication of the monarch on his 65th birthday and would allow the National Assembly to force a royal abdication if the motion was backed by three-quarters of its members. The draft has reportedly been sent to every household in the country for review. The King has said the Constitution will be ratified through a public referendum, although a date has not yet been set.

In December 2005, King Wangchuk announced that when the nation holds elections for its first elected government in 2008, he will abdicate to his son, Crown Prince Dasho Jigme Khesar Namgyal Wangchuck. I asked the King why he chose to reduce the power of the monarchy. The King responded that he ''became King due to birth, not merit... which is a flaw of monarchies'' and that ''national interests come first.'' I found this action rare and refreshing in contrast to a world where more and more people are trying to gain more and more power. We spoke at great length about a wide variety of issues including terrorism, the Middle East, radical Islam, Iraq and Afghanistan. We had an informative dialogue and I was impressed with the King's knowledge of world events during the course of our hour-long meeting.

Following the meeting with the King, I had the opportunity to meet with the Chief Justice of the Royal Court, Sonam Tobgye. The Bhutanese legal system is primarily based on Buddhist natural law. The court has three levels, the High Court, established in 1968, over which the Chief Justice presides, the Dzongkhag Court, established in 1960, and the Dungkhad Court, established in 1978. The High Court consists of seven to nine Judges. A Dzongkhag court comprises of a minimum of single judge and a maximum of three judges. A Dungkhag court is comprised of one judge.

The drafting committee for Bhutan's constitution is headed by the Chief Justice and consists of 39 members of elected representatives. The current system of government provides for a unicameral assembly. The new government will be a bicameral system with an assembly, or lower house, and an upper house. I asked the Chief Justice why the King supports a move towards this form of governance. He responded by saying that the King told him, ''it is better to trust the people than to hope for the best in one person.''

From Bhutan we flew back to Kathmandu, passing Mount Everest, to change planes before heading to Kuwait.

KUWAIT

On Friday, August 18th, we landed in 118 degree weather at Ali al Salem Air Base located 45 minutes outside Kuwait City and forty miles from the border with Iraq. We were met by First Secretary and Chief of the Political section from the U.S. embassy, Natalie Brown.

Ali Al Salem Air Base is located just 39 miles from the border with Iraq and the bomb damage from Iraq's occupation of Kuwait is still visible. Kuwait can host as many as 90,000 U.S. military personnel at any one time, most of whom are rotating in or out of Iraq. Following the U.S.-led effort to liberate Kuwait from Iraq in 1991, Kuwait signed a ten year defense pact with the U.S. In September 2001, the pact was renewed for another ten years. On April 1, 2004, the Bush Administration designed Kuwait as a Major Non-NATO Ally (MNNA), a designation held by only one other Gulf state (Bahrain).

Kuwait privately supported the invasion of Iraq in 2003, even though it publicly opposed the U.S. action. In the run up to the invasion, Kuwait closed off 60% of its territory in order to secure the U.S.-led invasion force of about 250,000 personnel and several thousand pieces of armor; allowed U.S. forces to use two air bases, as well as its international airport and sea ports, and provided $266 million in burden sharing to support combat operations. Kuwait has contributed $213 million in burden sharing support to OIF in FY2005, and is expected to contribute $210 million in both FY2006 and FY2007. Kuwait has also built a water line into Iraq, assists the Polish-led security sector in Hilla, Iraq, and runs a humanitarian operation center (HOC) that has funneled over $500 million in assistance to Iraqis since the fall of Saddam.

Prior to the toppling of Saddam Hussein, Kuwait hosted about 1,000 U.S. Air Force personnel enforcing the ''no fly zone'' over southern Iraq. Kuwait also hosted about 5,000 U.S. forces during Operation Enduring Freedom (OEF) in Afghanistan that ousted the Taliban.

On Saturday, August 19th, I met with U.S. Ambassador Richard LeBaron who updated me on the recent developments in the region. Ambassador LeBaron informed me that Kuwait plays host to the largest military base outside Iraq in the Middle East. Kuwait also gives more aid and support than any other country to support U.S. efforts in Iraq.

According to the Ambassador, Kuwait is very concerned about Iraq and what they describe as the ''emergence of a failed state.'' LeBaron requested I pursue the issue of Iraq with Kuwaiti leaders and seek their views on the future of its northern neighbor. LeBaron further asked me to seek the views of Kuwait on the problem of Iran. While the US. is primarily concerned about Iran's capability to attain nuclear weapons, Kuwait is concerned about the environmental hazards associated with nuclear energy. More specifically, Iran's Bushehr nuclear facility is located closer to Kuwait city than Tehran. Any accident or leak at the facility could have a profound impact on Kuwait's water supply and air quality.

The State Department's 2005 Country Reports on Terrorism credits Kuwait for bolstering measures to protect U.S. forces in

Kuwait from terrorist attacks but notes that Kuwait has been ''reluctant to confront extremist elements within the local population.'' In May 2006, Kuwaiti judges dismissed charges against five Kuwaitis who were repatriated from the U.S. facility at Guantanamo Bay. In December 2005, Kuwait convicted six men of belonging to a terrorist group (''Lions of the Peninsula'') allegedly planning attacks on U.S. troops in Kuwait. Since January 2005, Kuwaiti security forces have engaged terrorists in at least five confrontations in Kuwait City. Shortly after the September 11, 2001, attacks, Kuwait moved to block the accounts of suspected Al Qaeda activists in Kuwait, and the State Department reports that Kuwait has established an office at the Ministry of Social Affairs and Labor to monitor Islamic charities.

On the social and political fronts, Ambassador LeBaron reported that Kuwait has taken steady steps towards liberalization. Women received the right to vote in 2005 and ran in elections in 2006. However, no women were elected. The U.S. has been providing technical assistance to Kuwait through organizations like the International Republican Institute and the National Democratic Institute. Kuwait has had a functioning legislature for forty years which the Ambassador portrayed as a ''serious body'' that is not a rubber stamp and is often critical of Kuwait's leadership.

The royal family is widely respected by the people of Kuwait. The Ambassador pointed out that they do not monopolize wealth and are part of the system. Kuwait's substantial oil wealth, which accounts for ten percent of the world market and three percent of U.S. imports, is not owned by the ruling family but rather the Kuwaiti people. Currently, there is much debate about over how much oil the country has, but the Ambassador said Kuwait has plenty and is still finding more.

For some time, I have questioned the validity of claims that the U.S. Ambassador to Iraq, April Glaspie, told Saddam Hussein that the U.S. would not stand in the way should he wish to take Kuwait. Unfortunately, this answer still eludes me as Ambassador LeBaron did not have an answer.

As Chairman of the Judiciary Committee, I have been heavily involved in examining the issues surrounding the detainees at Guantanamo Bay, Cuba. The U.S. released six Kuwaitis who were later tried and released in Kuwait. However, five Kuwaitis remain at Guantanamo.

Our discussion expanded to many issues confronting the region, namely the Arab-Israeli conflict. The Ambassador informed me that many in the Arab world would like to see the peace process rejuvenated. Even if progress is slow, Arabs want to see the United States and others engaged in a process and working towards a solution.

The Ambassador and I then headed to Seif Palace to meet with the Amir of Kuwait, Shaykh Sabah Al-Ahmed Al-Jaber Al-Sabah, the fifteenth Amir of Kuwait. During the hour-long session, I asked the Amir what needs to be done to get Iran to stop aiding Hezbollah and the insurgents in Iraq. The Amir responded by saying that Iraq will not be stable in the next few years and that Iran has been emboldened and strengthened by the chaos in Iraq and the situation in Lebanon. He advised me that the U.S. should speed up the training of the Iraqi army and that U.S. forces should not enter town and cities unless invited.

I asked Amir Sabah if it is realistic to think that a United Nations peacekeeping force of 15,000 in Lebanon can stabilize the situation between Israel and Hezbollah. The Amir felt the force will only be effective if they are given a good mandate and the necessary authority to control the region.

When I asked about Kuwait's bilateral relationship with Iran, the Amir told me Kuwait had good relations but that they are concerned about the impact a nuclear accident in Iran would have on Kuwait and their fear that Iran will transfer peaceful nuclear technology to a military capability. Given his concern about Iran becoming a nuclear state, I asked if Kuwait had pressed Iran to stop their pursuit of weapons. The Amir responded in the negative with the rationale that if the U.S. and Europeans could not convince Iran to give up their pursuit, a small country like Kuwait would not be able to make any progress. However, the Amir did say he would support sanctions.

I asked the Amir about his views on the Arab-Israeli conflict. Former National Security Advisor, Brent Scowcroft, wrote an article suggesting relations between the two could improve if Israel retreated to its 1967 borders. Saudi Arabia reportedly said it would enter into a peace agreement with Israel if it agreed to this proposal. The Amir also said Kuwait would support such a proposal and pointed out that the Arab League declared its support for such a proposal at the 2002 Arab summit. However, we both expressed doubt that Israel would agree to such a proposal.

I asked the Amir what should be done about Hamas and their view that Israel should be destroyed. The Amir doubted Hamas had the capability to destroy Israel and that Hamas attacks Israel with ''fireworks.'' I informed the Amir that ''fireworks do not kill people.''

The Amir asked me to review the case of five Kuwaitis being held in U.S. custody at Guantanamo Bay, Cuba and work to secure their release to his government. The Amir assured me that they would be tried for any crimes and punished accordingly if found guilty. Six Kuwaitis were released to Kuwait from Guantanamo, tried and found not guilty.

Following my audience with the Amir, I met with Prime Minister Nasser Al-Mohammed Al-Ahmed Al-Sabah. The Prime Minister served as Ambassador to Iran for ten years and shared with me his views on that country. He pointed out that President Ahmadinejad came to power via democratic means and therefore he must be recognized and dealt with. The Prime Minister suggested that the U.S. should directly engage Iran in a frank and direct manner because, as is the case with all conflicts, dialogue and discussions should be exhausted before any other action is pursued. I agreed with the Prime Minister's assessment with the caveat that Iran's support for terrorism and its desire to possess nuclear weapons poses a threat to the region and the world. When Nasser suggested that the U.S. meet with Iran in Vienna to discuss the issues confronting our bilateral relationship, I informed him of my prior meetings with Iranian officials in New York and my desire to have a parliamentary dialogue.

On the issue of peacekeeping efforts in Lebanon, the Prime Minister hoped the U.N. efforts would be fruitful but that the key to success will be having a coalition of nations respected by both sides. On the issue of Hamas, the Prime Minister said that Hamas was democratically elected and that they must be recognized. However, he noted that Kuwait has counseled Hamas that they are now policymakers inside the government and must act accordingly. Following my meetings at Seif Palace, we left the Gulf for Israel.

ISRAEL

On Saturday, August 19th, we landed at Ben Gurion in Tel Aviv after a technical stop in Amman, Jordan. The following morning I met with Israel's Defense Minister, Amir Peretz in Jerusalem. Joining the meeting were Major General Etian Dangott, military aide to Minister Peretz, Eyal Sela from the Ministry of Foreign Affairs, Amos Gilad, Political Director of the Ministry of Defense and Commander Tom Williams, United States Navy.

Peretz expressed his view that the International Community must examine the rules of war for the U.N. mission in southern Lebanon as Hezbollah is not a conventional force. If Hezbollah is not disarmed, the U.N. must know that Israel maintains the right to defend itself. Peretz was disappointed that the U.N. has not been quick to provide the necessary forces to implement the Security Council resolution and asked the U.S. to pressure nations who have committed troops, such as France, to make good on their word. I concurred and believed that if there is not a sufficient force on the ground in short order, Hezbollah will have the opportunity to re-arm and we will find ourselves in the same situation in the future. Israel agreed to the cease-fire based on the U.N.'s commitment to provide 15,000 troops, of which France was to provide 3,500. As of the time of our meeting, France had only provided 200.

After sharing with me information that Iran has provided training and equipment via Syria to Hezbollah, I asked him if Israel considered retaliating against Iran and/or Syria for their open support of Hezbollah. He said that Israel did not want to open another front on the war and in particular, Israel felt fighting Syria would move them closer to Iran and result in Syria moving back into Lebanon. Peretz told me that there is much debate over whether to fight Syria or try to have a dialogue with them in an attempt to move them out of Iran's sphere of influence.

I asked the Defense Minister to update me on the status of the Israel Defense Force soldiers taken by Hamas and Hezbollah and the likelihood that they will be returned to Israel. Peretz expressed optimism that through negotiations with Abu Mazen and Egypt that the soldier taken by Hamas could be returned to Israel. However, he declared that Israel will not negotiate with Hezbollah as they do not want to strengthen the hand of Hassan Nasrallah who has not only requested the release of Lebanese prisoners from Israel, but also Palestinians.

I asked the Minister whether there was any possibility Israel would return to its pre-1967 borders. He expressed concern that without the disarmament of Hamas and Hezbollah, the proposal would only permit them to hit targets further inside Israel. He felt it was a complicated proposal because the question of Jerusalem remained unanswered and that Syria would have to be brought in as well.

Following my meeting with the Defense Minister, I went to Israel's Supreme Court to meet with the Chief Justice, Aharon Barak. Barak has served on the court for 28 years, of which he was Chief Justice for the last eleven. Barak will be retiring in September 2006 due to an Israeli limitation that judges must retire at 70. We discussed many issues including the interrogation of detainees, the use of torture, the power of the executive, rule of law and abortion.

Barak has had a long and distinguished career having served as dean of the law school, being appointed as Attorney General by Yitzhak Rabin in 1975 and serving through the Menachem Begin administration prior to his appointment to the court. Barak expressed his view that democracies cannot conduct or condone torture and that those taken into custody must be interrogated properly and given a prompt trial. Aside from our legal discussions, I asked him his

views on the Arab-Israeli dilemma. The Chief Justice felt constrained from speaking candidly on this question as the Chief Justice, but said that ''there is light at the end of the tunnel but the problem is that the tunnel keeps getting longer.''

After lunch, I traveled to the Knesset to meet with Prime Minister Ehud Olmert. The Prime Minister began the meeting by expressing his realization that he knew his job would be difficult but that he did not expect to be in the middle of a war a few months into the job. He described in some detail the assistance Iran and Syria were giving to Hezbollah and the great threat that poses to Israeli security. He gave me many examples supporting his conclusion and pointed out that Hezbollah guards were trained in Iran and Iranian Revolutionary Guards are in Lebanon. He further explained how Iran has provided top class weapons to Hezbollah.

The Prime Minister said the Israeli forces were extremely effective in eliminating most of the long range and medium range missiles through its sophisticated systems and that no launcher fired a rocket twice. He declared that Israel won every confrontation with Hezbollah, but that fighting against well-equipped guerrillas is difficult. Despite these victories, he expressed concern about the growing influence being projected by Iran.

I asked the Olmert if he was frustrated that Israel could not retaliate against Iran. The Prime Minister explained that Israel should not have to deal with Iran alone and that the international community must realize the threat Iran poses and act to confront it accordingly. Olmert reminded me that it was only 65 years ago when a dictator declared his desire to eliminate Jews and now there was another leader who has stated a similar desire and who is seeking nuclear weapons—a convincing argument as to why the world should be moving aggressively to eliminate the threat posed by Iran.

I asked the Prime Minister if the ceasefire will hold. Olmert informed me that he had received criticism from Israelis for agreeing to the ceasefire and that he agreed to the proposal after assurances that a robust international force would be provided to bring calm to the region. He further explained that Security Resolution 1701 has to be implemented or Israel will be left with no choice but to continue to defend itself. He mentioned that this proposal was not of Israeli origin but rather from the French and the United States.

On the question of Hamas, the Prime Minister expressed hope that Abu Mazen will exert his authority and garner more control over the territories. He doubted there could be any progress with Hamas and he refuses to negotiate with them. He did believe that there could be progress in getting back soldiers taken by Hezbollah, possibly in exchange for those taken by Israel during the conflict.

I asked Prime Minister Olmert his views on the idea that if Israel returned to the 1967 borders, peace would come between the Arabs and Israelis. He responded by saying it was an outdated proposal and Hamas still wants to destroy Israel. Olmert expressed his belief that the next few years will be critical for Israel's survival as they combat Hezbollah, Hamas, Syria and most importantly Iran—who is seeking the capability to wipe Israel off the map.

LIBYA

On the morning of August 21, 2006, we departed Tel Aviv en route Tripoli, Libya with a brief technical stop in Cyprus. We were greeted at Mitiga International Airport by Dr. Suleiman al-Shahumi, the General People's Congress Secretary of Foreign Affairs and by Charge Greg Berry and Political and Economic Officer, Elizabeth Fritschle.

After a brief rest at the hotel, we traveled to the U.S. embassy annex in Tripoli for a country team briefing. The U.S. Embassy is temporarily located in the hotel we were staying at, but is insufficient to serve as a place for the U.S. Government to do its business. Charge Berry requested my assistance in speaking with Libyan leadership in hopes of security land for a permanent facility to build a mission. Additionally, he informed me that airline companies in Libya were in the process of deciding between Boeing and Airbus to supply them with a new fleet. President Chirac, Prime Minister Blair and Chancellor Merkel have all visited Libya and offered their support for Airbus. Charge Berry requested my assistance in sharing the benefits of the Boeing product.

In October 2005, Boeing received an order for two 737–800s from Buraq Air, a privately held airline, valued at $250 million and the planes are scheduled to be delivered by November 2006. However, Boeing is competing against Airbus to sell up to fourteen 737s and twelve 787s to Libyan Airways, the flag carrier. This deal is estimated to be worth $2.9 billion. Boeing has a significant footprint in Pennsylvania employing 4,681 workers and 915 venders and suppliers. Boeing spent $264,279,109 in Pennsylvania in 2005. In each of my meetings with Libyan officials, I described the benefits of the Boeing aircraft and highlighted the fact that it incorporates the latest technologies and offers significant fuel efficiencies.

Following the brief, we met with Dr. Suleiman al-Shahumi for about an hour. Dr. Shahumi expressed his government's desire to continue the improvements in our bilateral relationship. He briefed me on Libya's efforts to combat terrorism and their desire to have peace in Africa and the Middle East. Dr. Shahumi and I discussed our country's efforts to combat terrorism and our views on the issue of Iran. We both agreed that we are entering a new phase in U.S.-Libyan relations but that three decades of no communication will take some time to overcome.

Dr. Shahumi shared with me Libya's problems with illegal immigration. I told him about the ongoing immigration debate in the United States and the eleven million illegal immigrants residing in the country. Dr. Shahumi informed me that an estimated 50,000 illegal immigrants pass through Libya every month in an attempt to leave the continent for Europe.

I told Dr. Shahumi that it was important that the U.S. be permitted to establish an embassy quickly and he concurred. The people to people exchanges are very valuable in establishing sound relations between our countries. It was brought to my attention that the note taker from the Libyan government studied at Penn State University in 1980 and that her son was born in State College, PA.

I asked Dr. Shahumi to work with the United States to permit Dr. Donald White, an archaeology professor at the University of Pennsylvania, to continue to have access to various sites in Libya. Dr. White had previously had difficulty securing the appropriate documents needed to enter Libya. I also raised this issue with other members of the Libyan leadership during my stay. Following our meeting, Dr. Suleiman al-Shahumi hosted us for dinner at a beautiful downtown Tripoli restaurant located adjacent to an arch constructed in honor of Marcus Aurelius.

The following morning we departed for the Ministry of Justice to meet with Ali Umar al-Hasnawi, Secretary of the General People's Committee for Justice. As was customary during all of my meetings with Libyan officials, the meetings always began with a brief dialogue about the problems between the U.S. and Libya in the past and both nations' desire for better relations in the future.

I pressed Mr. Hasnawi about resolving the outstanding issues surrounding the cases involving the bombings of Pan Am Flight 103 and the La Belle Disco. On December 21, 1988, a bomb exploded on Pan Am flight 103, over Lockerbie, Scotland killing 270 people, including 189 Americans. The U.N. Security Council passed three resolutions that placed sanctions on Libya until its government surrendered for trial men suspected of the Pan Am flight and the bombing of French flight UTA 772 in 1989. Libya surrendered the two men on April 5, 1999, and the U.N. suspended sanctions the same day. In August 2003, Libya accepted responsibility for the Pan Am bombing and agreed to pay the families of each American victim $10 million in compensation. To date, the victims' families had been paid $8 million each over two payments with the remaining $2 million to be paid when the U.S. removed Libya from the list of State Sponsors of Terrorism. Libya has been removed but the final payment has not been made.

On November 13, 2001, a German court found four individuals, including a former employee of the Libyan embassy, guilty in connection with the 1986 La Belle disco bombing. Two U.S. servicemen were killed and eighty other servicemen and women were injured in the bombing. In August 2004, a compensation deal for non-U.S. victims was agreed to; however U.S. victims continue to pursue their claims in federal court. While the U.S. Government was not party to either of these suits, I stressed the importance of having these outstanding issues resolved and the benefit it will have in aiding Libya reemerge into the international community. Mr. Hasnawi informed me that both sides are working to bring the issue to a conclusion by the end of 2006 and should the cases go to court, he pledged that Libya would accept the ruling.

Charge Berry raised the issue of the five Bulgarian female nurses and one Palestinian male doctor who were arrested in 1999 on charges that they infected 426 Libyan children with HIV. They were found guilty on May 6, 2004, and sentenced to death by firing squad. However, a French doctor testified at the trial that the children had been infected in 1997, one year before the Bulgarians and the Palestinian arrived in Libya. On December 25, 2006, Libya's Supreme Court overturned the convictions and death sentences, and ordered a retrial which began in May 2006. Mr. Hasnawi responded that he anticipates a ruling in the case by no later than November 2006.

I then traveled to the Foreign Ministry to meet with Abdul Rahman Shalgam, Deputy Secretary of the General People's Committee for Foreign Relations. I asked Mr. Shalgam what can be done to address the tragic situation in Sudan. He informed me of Libya's involvement over the last three years to bring all sides in the conflict to Tripoli to participate in a dialogue. The key to peace and stability in Sudan, according to Shalgam, is to fulfill three requests made by all parties involved. Each of whom want to participate in power, benefit from the country's wealth and participate in a federal form of government to allow for local administration of the various regions. I requested that his government apply pressure on the government in Khartoum to permit the United Nations to enter the country.

I found the about-face in our bilateral relationship unique in modern history and asked Mr. Shalgam what were the factors that convinced Libya to reengage the United States and could it be used as a template to improve relations between the U.S. and Iran.

He informed me that it was in the best interest of Libya to have good relations, commerce and trade with the United States and that living under sanctions was detrimental to the economy and the Libyan people. He further stated that Libya wants recognition for their actions to eliminate weapons of mass destruction and their cooperation on counterterrorism efforts. It is this recognition, and a seat at the international table, that Iran seeks, according to Shalgam. He believes the U.S. should directly enter into dialogue with Iran—a response shared by most officials I met with during my trip.

After lunch, I departed for a meeting with Ali Baghdadi al Mahmudi, Secretary of General People's Congress. Mr. Mahmudi, whose position is not unlike that of a Prime Minister, was running a cabinet meeting which was running overtime. This delay provided me an opportunity to speak with Mohammad Siala, Secretary of International Cooperation, about the steps Libya has taken to restore its economy. Prior to serving in his current capacity, Mr. Siala led Libya's tourism bureau. Mr. Siala, echoing the statements of Mr. Shalgam, stressed the importance of U.S. markets, in particular, the U.S. financial and banking system, to the growth of the Libyan economy. He expressed his interest in having a delegation from the U.S. Export Import Bank come to Libya in the near future to discuss proposals to aid Libya's infrastructure and commerce.

When the cabinet meeting broke, I met with Mr. Mahmudi who shared his view that the U.S.-Libyan relationship was on a positive track. He expressed his desire for enhanced trade and tourism with the U.S. and greater cooperation on issues of mutual concern such as radical Islam. Mahmudi views delegations from the U.S. as invaluable in enhancing our understanding of one another and hoped that more would come in the future.

During our discussion on Iran, Mr. Mahmudi believes the U.S. should not impose preconditions for talking to Tehran. On the issue of Libya serving as a framework in which the U.S. and Iran could foster better relations, he warned that the U.S. has not done enough to show the advantages of ditching weapons of mass destruction. Many Libyans question the move to surrender the weapons as they have not seen anything in return for their actions, such as technology and knowledge transfers. He believes that should the U.S. want to convince Iran to forego nuclear weapons, it should set an example by aiding Libya and showing the benefits that can be brought to those who chose that path. He mentioned that Libya has good relations with Iran and North Korea and that Libya may be able to play a role in future negotiations.

Following my meeting with Mahmudi, I was whisked to Mitiga International Airport as I was to meet Colonel Muammar Qadhafi in Surt, located about a one hour flight from Tripoli. Upon arrival at a vacant airport, I was led in a motorcade into the desert. The drive revealed the desolate landscape which was dotted with a few tents and camels. I arrived at Qadhafi's location to find a man-made pond, paddleboat, a few tents and a recreational vehicle. Perhaps the strangest fixture at this location was Congressman Tom Lantos, who was also meeting with Qadhafi. He commented how difficult it was to see each other in Washington, D.C. and how odd it was to be chatting in Libya.

As the sun was setting, we were summoned to enter Qadhafi's tent. We exchanged pleasantries and our desires for enhanced relations between our countries. I pressed Qadhafi to move expeditiously towards settling the outstanding disputes involving the bombings of Pan Am 103 and the La Belle disco.

I also requested he work expeditiously to grant the U.S. the necessary land to build an embassy. Qadhafi said that the U.S. would be given land, but that it would not be a typical embassy. He elaborated that the mission in Tripoli would not serve as an ''outpost for democracy and opposition'' and that the U.S. Ambassador should not interfere with local affairs. Charge Berry responded by reassuring Qadhafi that ''the U.S. will be good guests.'' Qadhafi declared that he did not want the U.S. mission involved in Libyan politics and did not want U.S. funds being distributed to political parties and democracy efforts. Charge Berry quipped that he did not have any money to spend.

I asked Qadhafi if democracy was in Libya's future. He responded by saying democracy was derived from an Arabic term and that he hoped the United States would follow Libya's form of government declaring it was the most pure form of democracy in history. He believed that direct representation does not serve the people of the United States and that Libyans do not use proxies to make decisions on their behalf. Qadhafi believes that peace will happen only when all the people are in power and can decide the course of their government. He further declared his desire to end the existence of armies, classes, parliaments and to place wealth back into the hand of the people.

Qadhafi informed me that there was no animosity held by the Libyan people for Americans but that leaders of countries are typically responsible for actions that create animosity between peoples. For an example, he recanted his confrontation with President Ronald Reagan and the action taken by the United States which resulted in the killing of his daughter. He asked the question, ''was that a decision of the American people?''

I discussed the problems the United States is having with Iran and their support for terrorism in the region, their desire to attain nuclear weapons and their statements seeking to wipe Israel off the map. I asked Qadhafi if there were any lessons to be learned from the experience between the U.S. and Libya and if it would be applicable to dealing with Iran. Qadhafi informed me that Libya urged North Korea and Iran to turn over their weapons and halt nuclear programs. However, Qadhafi believes that unless the U.S. shows the benefits of the actions taken by Libya to give up its weapons of mass destruction, the U.S. will not be able to approach either North Korea or Iran with any such proposals.

I asked Qadhafi what he wanted from the U.S. He replied by saying President Bush promised he would help with technology transfers and knowledge transfers but that nothing has happened since the agreement was reached in 2004. He also suggested that the United States provide free power facilities for Libya. While I could not promise they would be free, I concurred that the U.S. should aid Libya with their infrastructure.

Qadhafi declared it would be counterproductive for us to look towards the past and expressed his desire for the U.S. and Libya to confront international terrorism, disease, climate change and Middle East peace. I asked Qadhafi how we should combat the issue of fundamentalism and terrorism. He responded by saying that the U.S. is supporting it by supporting Saudi Arabia. I told him we did not do so intentionally and that some U.S. leaders, myself included, have long been concerned about our relationship with Saudi Arabia. I highlighted my frustration with the Saudi government which began with their lack of cooperation following the Khobar Towers bombing in 1996 to their support for textbooks which incite hatred. I told him about legislation I have authored, the Saudi Arabia Accountability Act, and my desire for a closer examination of our relationship with Riyadh.

He further stated that Wahabbism, which emanates from Saudi Arabia, is spreading across the region and is taking root in the Horn of Africa and is a threat to the entire Muslim world. Qadhafi went on to say that Saudi Arabia was responsible for the Bali bombings and behind the escape of seven individuals from Yemen responsible for the attack on the U.S.S. Cole. I asked Qadhafi to provide evidence to support these claims and did so at a subsequent meeting but was not provided anything to back up these charges.

Our meeting lasted about 45 minutes after which I was escorted through the desert back to the air base and back to Tripoli where we arrived at approximately 10:00 p.m.

On August 23rd, we departed Tripoli for Shannon, Ireland to rest and refuel prior to returning to Philadelphia on August 24, 2006.

I yield the floor.

TEMPLE UNIVERSITY, BEASLEY SCHOOL OF LAW, RULE OF LAW PROJECTS IN CHINA—SPECIAL REPORT ON TEMPLE STUDENTS

EXECUTIVE SUMMARY

Temple's initiatives in the People's Republic of China are grounded on the common theme of developing carefully-selected Chinese legal professionals who are poised to make significant contributions to the rule of law in China. Temple accomplishes this goal through three main categories of programs: the Temple Beijing LL.M degree program, non-degree education programs for judges and prosecutors, and law development and reform initiatives. Each of these programs is operated in cooperation with influential and high-level Chinese partners.

Education is long-term investment in the legal infrastructure of a society. However, Temple's programs have the benefit of also having an immediate impact. We are educating judges and prosecutors who are in the courtroom interpreting China's laws and applying them to real cases every day. Temple educates National People's Congress Legislative Affairs Committee members who are using their legal education to draft China's legislation. We instruct law professors who incorporate program content and critical teaching methods into their own classes, thus shaping more future judges, prosecutors, and lawyers. Temple graduates are developing the rule of law from within the system. As these leaders advance in their careers, the opportunities to use their Temple legal education will only gather momentum to bring about even more truly effective law reform.

The Temple-educated legal community has the potential to be enormously useful to the U.S. Government as it supports the rule of law in China. Temple graduates and current participants represent a reflective, highly-placed community of judges, prosecutors, state officials, professors, and legal advocates who have a special understanding of the principles of the U.S. legal system.

A total of 554 legal professionals have participated or are participating in at least one of Temple's China educational programs since 1997. Of these, 81 percent are from the public sector. We maintain contact with all graduates through the newly formed Temple Law Alumni Association of China (TLAAC), publishing directories, maintaining a website, and hosting national reunions at least once a year.

The Master of Laws (LL.M.) degree program

The Temple Beijing LL.M. degree program, operated cooperatively with Tsinghua University, is the most comprehensive educational program Temple—or any other foreign legal educational institution—offers in China. The educational experience is designed for Chinese legal professionals and

aims to have a profound impact on these key legal change agents.

A total of 293 Chinese legal professionals, including judges, National People's Congress and State Council legislative officers, prosecutors, government officials, and law professors have graduated from or are currently enrolled in Temple's Beijing and Philadelphia LL.M. programs. Of these, 64% are from the public sector. Moreover, 12.7% are ethnic minority lawyers, many from traditionally disadvantaged regions within China.

The number of Temple-educated Chinese lawyers is impressive and important. Temple has educated a substantial core community of influential Chinese lawyers who have a deep understanding of the fundamental principles of the rule of law such as transparency, due process, accountability, and high ethical standards. They will carry these ideas with them as their careers mature.

Temple is constantly seeking out lawyers who work in NGOs and public interest work to admit to the LL.M program. Among our current students: Tu Lijuan is an experienced human rights advocate, having worked for the Domestic Violence Network; Shui Miao is a drafter with the Legislative Affairs Office of the National People's Congress; and Xue-Dan Is the Director of Training for the State Intellectual Property Organization. Jiefeng Lu, a protege of the famous anti-discrimination lawyer, Professor Zhou Wei, worked on cutting-edge employment discrimination cases in China, plans to become an activist-scholar in discrimination law.

Four LL.M. students from the public sector, including two law professors, one official with the Legislative Affairs Office of the State Council, and one official with the Ministry of Justice (All China Lawyers Association), participated in a one month internship at Reed Smith. Their experience culminated in mock trial before Senior Circuit Judge Edward Becker of the U.S. Third Circuit Court of Appeals. The fact pattern simulated that of Kelo vs. New London, the controversial property rights case involving the government taking of private property for private economic development. The students will take this knowledge on the U.S. law of condemnation back to China, where the similar issue of confiscation of private property is a sensitive issue that requires public participation and commentary.

Each year Temple makes efforts to locate law professors to attend the LL.M. program. To date, we have educated 19 law professors, including seven during the term of this grant. We know that these professors are incorporating what they have learned into their courses in Chinese law schools, thereby having a direct impact on what is being taught and, perhaps more importantly, how it is being taught. As a result, a new generation of Chinese lawyers will be able to critically examine Chinese law and be exposed to principles of U.S law.

Class of 2006 Beijing LL.M. student and Professor Meng Yanbei teaches antitrust at Renmin University. She reports that her Temple education directly influences her teaching and scholarship—and how she assesses her students. Meng took antitrust with Professor Burton Caine in the fall of 2005 and learned how to analyze cases from different angles and appreciate how judges with different opinions set forth their legal reasoning, and synthesize the law. The class discussions often focused on how cases differ and overlap, creating a living body of law, thus providing Meng with greater insight into the law and how it should be taught. Prior to her Temple education, she read antitrust and anticompetitive law materials through translation into Chinese, but now she reads the original source materials in English. She said that many translated materials are imprecise or misleading, and her improved English abilities allow her to teach more competently about U.S. sources of law. She also provides English case materials to her students, explaining to them that it is better to work hard at reading the original cases rather than fall back on translations.

On March 7, 2006, we observed Meng's fourth-year undergraduate law school anticompetition law class at Renmin University. She arranges in advance for students to discuss various topics and have them lead discussions using Power Point. In the class we observed, the student made a series of creative arguments in an effort to categorize the various forms of anticompetitive behavior, and Meng made comments to supplement the student points while also stimulating class discussion to help the presenter clarify her ideas. She also encouraged the students to think creatively about the law, how a court may consider public policy in making decisions, and to take a more active. role in their learning.

The impact of any program its demonstrated by its graduates and what they do with their education. Our alumni report that they are profoundly affected by their education. The following anecdotal stories—from a judge who published a book on how to cite legal authority and rationales in judicial opinions; a prosecutor who writes the standards for the Beijing People's Procuratorate stressing prosecutorial restraint; and a teacher who uses advocacy techniques in the courtroom and classroom—all illustrate the varied ways Temple graduates are using their education to promote the rule of law in China.

Mr. Feng Wensheng is the deputy director of the research and policy division of the Supreme People's Court of Hebei Province. Judge Feng graduated from the Temple Beijing LLM program in 2003 and is now responsible for drafting internal court procedures for all courts in the province—with emphasis on judicial conduct. He continually focuses on matters regarding judicial neutrality and the role of the judge to seek truth from the facts before making any legal determinations. His Temple experience also enabled him to publish ''Reasoning and Annotations'' (Law Press: 2005), in which Judge Feng draws on principles of U.S. and international law to create a model for Chinese judicial rationale drafting.

Mr. Chang Guofeng is the Director of the Discipline and Guidance division of the Beijing People's Procuratorate. Mr. Chang graduated from the Temple Beijing LL.M. program in 2004 and is responsible for writing policy directives that are distributed to the entire Beijing procuratorial system. He reports that his Temple education gave him a stronger view of prosecutorial restraint, and his directives reflect the spirit that the role of prosecutors is to vigorously represent the interests of the state without trampling the rights of the defendant. His directives include strategies and suggestions for prosecutors to take a middle course when carrying out investigations and prosecutions, as the larger interest of the state is not just to convict the guilty but to ensure a fair trial and accurate result for all participants.

Ms. Shen Jia is a professor of law at Beijing City University and 2005 graduate of the Beijing LL.M. program. Professor Shen reports in a recent e-mail:

''To be frank, I am proud of what I have learned from Beijing LLM program . . . Just think, two years ago, I knew nothing about common law system, not to mention trial advocacy. But now I can stand in front of a judge trying to persuade the court what I've got to say. I know what the judge wants from me by asking those questions, so I can turn them into advocating for our side. It's because of the help from all Temple professors . . . that made all these things possible.''

Professor Shen teaches a U.S. common law course at Beijing City University. She now provides a fresh and updated teaching presentation to her students using strategies similar to those employed in her Temple trial advocacy class. Her teaching will inspire students to take a greater interest in the importance of transparent laws and effective advocacy trial practice.

Non-degree judicial education program

Temple has had a partnership with the National Judicial Training College of the Supreme People's Court to operate a non-degree judicial education program since 2002. Associate Chief Justice Cao Jianmin personally oversees the program and meets with Dean Robert Reinstein each year to discuss progress and future collaboration.

The program consists of a three-month Introduction to the U.S. Legal System course at the National Judicial College of the Supreme People's Court, followed by a concentrated four-week program in the United States. As part of the U.S. module, participants attend a three-week session on the role of the judiciary in a rule-of-law based legal system at New York University School of Law's Institute for Judicial Training. The judges also visit the Temple main campus in Philadelphia for a discussion on judicial review hosted by Dean Reinstein. Moreover, they visit Washington, D.C., meeting with their American judicial colleagues, the Department of Justice, and other legal institutions.

The Judicial Education Program was created primarily to educate those judges who could benefit from some exposure to U.S. and international law, but could not enter the LL.M. program due to work commitments. To date, 138 judges have completed or are participating in the program.

Participants are from geographically diverse parts of China, including many judges from lesser-developed Western regions. Temple maintains records on program participants and has integrated the judges into the Temple Alumni Association of China.

Judge Li Xinfang of the No.1 Civil Chamber of the Zhanjiang Intermediate Court, Guangdong Province, reports that the Introduction to U.S. Legal System course and one-month session in the United States in 2005 has greatly expanded the scope of resources she now uses to decide cases. In particular, her visits to courts and interaction with colleagues in the United States provided her a fresh perspective on dispute resolution while underscoring the use of due process and transparent norms as the guiding principle for all judicial action.

Previous program participants report that their Temple education allows them to exercise greater influence in their home courts. The judges emphasize that they are often asked to share information from their Temple training with their colleagues at staff meetings and through written reports. Their Temple experience also allows them to answer individual questions for colleagues who must resolve an issue currently unsettled under Chinese law but that may have common practice in the United States. Judges state that this multiplier effect allows their Temple education to carry tremendous weight and influence in courts well beyond the training of one individual judge.

Past Judicial Education Program participants also emphasize the long-term value of the program.

Mr. Bai Zongzhao is a judge on the Supreme People's Court of Sichuan Province. He participated in the 2003 Judicial Education Program and then graduated from the

Temple Beijing LLM program in 2004. He is now the deputy director of the high court's criminal division. Judge Bai has indicated, in a 2005 interview, that his Temple education provided him with a profound sense of substantive knowledge and court procedure. When he is the presiding judge in a case, he now holds a pre-trial hearing and instructs the prosecutors and defense attorneys on more efficient court practice-skills Judge Bai says he learned in his Temple trial advocacy class. He informs counsel that the purpose of the hearing is to resolve questions the judges have about the weak points of the cases, and not simply to recite the written pleadings. Judge Bai insists that creating a more adversarial-style hearing allows him to ask more detailed questions and arrive at a more legally accurate conclusion. Overall, he concludes that the Temple program positively affects graduates' way of thinking about law, with greater adherence to law and procedure, and will pay long-term dividends in China's legal culture.

Temple and the National Judicial College remain very satisfied with the educational experience and the progress of our graduates. This year we have added an additional course in Civil Procedure to the Beijing portion of the program.

The National Judicial College has recently agreed to conduct a joint survey with Temple of all judges who have attended the program with the specific goal determining what has been most useful to our participants. We will likely use our findings as a basis to refine the curriculum.

Non-degree prosecutorial education program

In 2002 the Supreme People's Procuratorate invited Temple to create a non-degree prosecutor education program modeled on our successful partnership with the Supreme People's Court. In December 2005, the second prosecutorial education program was held in Beijing, Philadelphia and Washington, D.C.

Seasoned and well-reputed Temple faculty delivered sessions on search and seizure protections, pre-arrest warnings, jury trial procedures, and proper police practices in collecting evidence. To supplement the faculty discussions, Temple was fortunate to procure the enthusiastic participation of the U.S. Attorney's Office in Philadelphia as well as the Department of Justice in Washington DC. Investigators from the Federal Bureau of Investigations in both cities also took part. Experienced U.S. prosecutors and FBI agents delivered sessions on motion practice, importance of defense lawyers, and strategies for combating official corruption.

An underlying strategy of the Temple program was to underscore the importance of due process and transparent norms at all stages of criminal investigation and prosecution. Mr. Xu Yanping, Vice President of the Shanghai Pudong District Procuratorate, served as group leader and provided continual feedback to the program directors. He continually remarked how the program impressed upon the participants the depth and scope of U.S.-style protections, the tremendous knowledge of the faculty and practitioners, and the importance of an open and transparent system. This combination of factors will influence the prosecutors to carry out their own laws with fairness as well as to continually bring themselves to higher levels of professional excellence.

In a follow-up interview with Mr. Xu in Shanghai in February 2006, he underscored the value to him of his participation in the program, particularly how the material now provides him a new frame of reference in making decisions in his current job.

Similarly, Bian Fei, a participant in the 2003 program, reported that his superiors asked him to do a presentation on the information he acquired from the program to 100 of his peers upon his return. Some of the ideas were subsequently used in an office reorganization plan.

Participants reported that the training program was well-run and extremely beneficial to their professional development. They underscored that many areas of their prosecutorial practice, particularly criminal procedure, are still being developed in China—and that understanding of US. practice helps to fill certain gaps. Some participants were trial prosecutors, others were administrators and prosecutorial researchers, so the multiplier effect of training one person will also carry weight in various levels of the Chinese prosecutorial system.

As part of Temple's overall plan to create a community of U.S.-educated legal professionals, participants have been fully integrated into the Temple Law Alumni Association of China.

By all accounts, this program is effective and highly valued by the Supreme People's Procuratorate. Unfortunately, this program's funding was cut from the current year's grant.

Outreach to ethnic minorities in China

Temple is committed to identifying and supporting minority students in our programs, and we aggressively recruit qualified minority students, particularly from the Western regions of China. Our partner organizations in China have indicated that further development of the Western regions of China is critical to the overall stability of China's legal system, and so Temple has created a minority outreach program to educate students who have the social commitment to return to their home regions and carry out rule-of-law reforms in less-developed areas.

Temple has an extraordinary record of success in educating qualified minorities with a law degree—a rare commodity. Temple's reputation is so well-known that minority students are beginning to refer their friends to the program.

To date, 29 ethnic minorities have either graduated from or are currently attending our LL.M. program. Thirteen minority graduates now work in the public sector: four are judges, three are prosecutors, and one works at the State Council. Four graduates are law professors, currently teaching at the laws schools of Central University for Nationalities, Zhengzhou University, and Sichuan University. The LL.M. program has educated nine Tibetans, eight Huis, three Manchurians, two Mongolians, and one each Kazak, Li, Miao, Tijia, Uigyur, Yi, and Zhuang.

As part of our partnership with the Central University for Nationalities, Temple has supported Mr. Kalsang Tsering. Mr. Tsering is an ethnic Tibetan who studied English in Temple's Intensive English Language Program for two years. Upon his graduation from Temple in May 2006, returned to Tibet to work with the Tibet Hengfeng Law Firm to provide legal services to the Tibetan community. Mr. Tsering states that his Temple education will help him to provide access to justice for more Tibetans while also assisting in facilitating foreign investment in Tibet. He also feels a social obligation to serve his community, and he ultimately hopes to work both as a lawyer and law lecturer at newly-created law department at Tibet University.

Kalsang studied international human rights course and wrote a scholarly paper on how the Chinese government can take additional action to protect Tibetan language rights and establish a bilingual system in Tibetan regions.

CONCLUSION

We are gratified by the accomplishments of Temple's rule of law projects in China. Temple's programs are making tangible contributions to China in its ongoing process of developing a credible legal system. It is an honor and a privilege to be entrusted with such an important job by the Department of State.

MY VIEW OF THE TEMPLE/TSINGHOA LLM PROGRAM

SENATOR SPECTER: I am greatly honored for this opportunity to express my view of the Temple/Tsinghua Program by writing a letter to you.

First of all, heartiest thanks to you for your brief and instructive speech to us students of the program during your visit to China. Among the students, I was the luckiest person to have had the chance to answer your inquiry about the protection of the rights related to the accused persons in China. In my opinion, there are many differences between America and China on this issue, and the reasons are quite complicated.

Politically speaking, China has a more than 2000 years history of feuda1ism which is charateristic of autocracy, that is to say, we have a strong tradition to give more than enough belief and reliance to the government to decide whether a person is guilty or not. Even though we are trying to apply modern criminal procedure strictly to protect the legal rights of accused persons, the phenomenon of disregarding the suspects' legal rights still exists. More time is needed to change, and I hope the sooner the better.

Judicially speaking, we have used the standard of the presumption of guilt for many years, as it was hard to believe that a person could be innocent when he/she was accused of a crime in the past. From 1997, we began to apply a new standard of the presumption of innocence, however, in reality, we could not completely remove the influence of the old notion. I am sure things will change with the development of law in China.

Economically speaking, we have been focusing more on economic development than on social justice. Sometimes we do not have time to pay attention to the legal rights of accused persons. But now we have put forward the social object of justice, which no legal right can be ignored, nor can be the accused persons' legal rights.

As far as I know, the difference about the protection of the rights of the accused persons between America and China is so large that it is usually difficult for us to understand and agree with each other. Personally speaking, I think that America may give too much protection to the accused person, which is not very often good for the control of crime, and that China may pay too much attention to social stability and economic development, which sometimes sacrifices the accused persons' legal rights. Therefore, the two countries can make efforts to find common ground through communication. This program will surely enhance the mutual understanding of each other's legal systems.

I also know that it is your instrumental role in promoting this program that makes the judicial communication between America and China so specific and effective. All the students of the program have benefitted a lot from the program, and we will play a fundamental role in the legal communication between America and China.

Once again thanks for your continued attention to the program and to us students. We will try our best to study in the program. I am looking forward to hearing your thoughts on this matter.

Yours sincerely,

FENG ZHAOJIU/THOMAS,

Student of LL.M of Temple/Tsinghua.

MY IMPRESSION OF THE TEMPLE/TSINGHUA PROGRAM

SENATOR SPECTER: First of all thanks for your supports to the program and meeting with us!

The exchange and cooperation between Temple University and Tsinghua University law school is very valuable. It provides a good platform for Chinese judges, prosecutors, attorneys, and government officials to understand the legal system of the United States. The Master of Laws Program of Temple/Tsinghua University provides legal education that causes fruitful development in China. It opens a window for us to use the advanced legal system of the United States for references.

I come from the Dongying Intermediate Court of Shandong Province. I have been working as a criminal judge for six years, hearing more than 150 cases. I chose to attend this program with the encouragement of my American teachers when I studied in National Judicial College this year. What impressed me most is their patience and responsibility!

As to this program, I wish that it could contain more hands-on practical training, so that it could be even more efficient and valuable to us. In addition, I wish we can be given more lectures by American judges, prosecutors, and government officials; this will provide us additional information to help us carry out our jobs as judges in China.

Finally, this program is a big challenge to me because English is not my native language, and America's legal culture is very different from China's legal culture. I will do my best to achieve my goal in the program, meanwhile I wish I can obtain more help. I know it is only beginning, even if I can survive the LLM program! My dream is to become an excellent judge. In the future, I wish I can do some beneficial work for judicial exchange and cooperation between China and the United States.

CHEN LITIAN,
Graduate of the LLM of Temple/Tsinghua University.

August 24, 2006.

DEAR SENATOR SPECTER: I am very pleased to write this letter to you. I truly admire you for your abundant experience and your contribution to the judicial relationship between the United States and China. Your excellent and useful lecture impressed me deeply.

I am a young female Chinese judge of Bayannaor Intermediate Court in Inner Mongolia. I was appointed to the judiciary in March 1997.

I am very lucky to have this good opportunity to take part in Temple/Tsinghua LLM program. First of all, it is very convenient for Chinese law practitioners to learn the legal system of the United States at Tsinghua, which is a famous university in China, and then spend two months at Temple University in Philadelphia. We really appreciate the financial aid supplied by the American government. Secondly, the program has opened a broad vision for us to master the American legal system in such a short time with the help of American law professors. Thirdly, the ''checks and balances'' principle of the American legal system causes us to reconsider our own legal system, as it is also very helpful as a model for Chinese judicial reform.

As a judge, I have handled over 200 cases including both civil cases and criminal cases. In dealing with cases, I have found many problems which need to be solved in the Chinese legal system, although there has been progress: such as when police officers question suspects in the investigation process, and when lawyers or records are needed. We have absorbed American due process theory and set up a similar system. However, other problems need to be solved. For instance, there is only one Civil Code and one Civil Procedure Law in China. All judges apply the same law, but different judges make different decisions on similar factual matters. The parties cannot understand the results. I was taught some the fundamentals of U.S. law and the legal system by professors of Temple University. I found the interaction very useful to help me solve legal problems in my own practice. The Supreme People's Court of China should set up some cases system to instruct judges in applying new laws and principles.

I believe this study experience in Temple University will bring me great success in my future career.

Sincerely.

WEI XIAOXIA.

TSINGHUA UNIVERSITY BEIJING.
August 20, 2006

HON. SENATOR SPECTER: I do appreciate your visit! Thank you very much for your care and support for our program!

I have been engaged in civil case trials for 15 years in the Fujian Province High People's Court. I first worked in the civil division for 11 years, and now work in supervision division. It is my honor to enter the LLM of Temple University at Tsinghua University.

The function of the judge in the civil law and common law systems is different. However, the role of Chinese judges is undergoing change with the development of China. Judges no longer apply law mechanically. We are realizing the transformation of adapting the letter of the law to social reality and demands. No judge acquires the wisdom to apply laws without long-term study and practice. The judicial system based on case law is the essential element of American law. This is just what we should learn and refer to. So never can we learn the extensive and profound American law without the knowledge of a specific case and its process. So we need this opportunity to learn.

Although I have rich work experience and profound basis of legal theory, I wish to enlarge my scope of knowledge, to acquire more knowledge of the U.S. legal system, by taking advantage of this opportunity. I also want to improve my knowledge base in order to excel in my duties as a judge in the future.

Thank you again!

Yours faithfully,

ZHAO, YUMEI.

DEAR SENATOR SPECTER: I am glad to have attended the meeting in which I met with you in Beijing on July 11th. It is a great honor for me to further discuss with you the topic of the Temple Program's value to strengthen the cooperation and communication between the Sino-US legal systems.

I am the deputy presiding judge of the No. 1 Civil Tribunal (trial of civil cases, mainly including real estate, tort, contract, and domestic relations) of the Intermediate People's Court of Wuxi City, Jiangsu Province. I began my judicial career in the court since I graduated from China University of Political Science & Law in Beijing in 1994. During that same year, I passed the National Lawyer's Qualification Exam. I have worked as a clerk, an assistant judge, and a judge in the same court for more than 12 years. In 2004, I passed the entrance exam of Juris Master Degree in Pudan University (located in Shanghai. 126 kilometres away from Wuxi City) with the third highest score and am pursuing that degree part time.

Since 1999, I have been engaged in the trial of tort, contract, intellectual property, bankruptcy, and commercial matters involving foreign aspects as a judge in my court. In 2004. I become a presiding judge through tough competition. At present, all the cases which I was the main judge and wrote judicial opinions for have exceeded 370, not including those which I took part in as a member of the panel or a presiding judge.

Through my resume, you can imagine how challenging and exciting the job is. I am strongly interested in the practical trial of cases while I deeply know the importance of legal research beside the overload of the job. 1 like to read valuable treatises and communicate with other outstanding judges and some scholars to broaden my eyesight.

On Feb. 2006, I was selected to attend the program of training judges co-sponsored by the P.R. China Judicial College and Temple University. It is a good opportunity to obtain an international view over the Chinese legal system and jump out from the busy daily work to think about what I can do to improve it.

This three-month training course is very impressive. As one of the monitors of the training course, I fully noticed that all the professors in the group treated the job seriously and devoted their extra efforts to adapt to our critical judges. For example, Professor Melindah Bush, the group leader, was so popular that she approved our request for her to give more lectures every weekend and kept doing it from the first beginning till the last end. She also invited some experienced and smart personal friends to give us extra and helpful lectures, all at which exceeded the duty she must do and showed the program's friendliness and flexibility to adapt to our needs. Another example is Professor Peter Castagnaro, an expert in linguistics, who tried to convince us, mostly in our thirties or forties, to commence a scientific new style to learn English as a foreign language, which proved to be very effective. He even brought A4 paper for us to do homework when he heard we talked about the inconvenience to buy it. Surely the result of the training course manifested that their works brought us so many new ideas and was so successful that all the judges requested the program to be extended as long as possible until most of them must go to New York for the next stage training course. We were very grateful to see the request had been met again.

For my individual point of view, I acquired a general idea of American legal system from the judges training program. Different with an American attorney's emphasis on the distinction between Sino-US legal systems, whose lecture pointed out more than 10 differences, I found more important the common points between the two legal systems and arrived at a conclusion that doing further research about US legal system will be very helpful to improve our own legal system. As a judge, I prefer to avoid to arrive at any hasty decisions. But the extremely effective training program is a powerful supporting evidence to encourage me to apply for attending the Temple-Tsinghua LLM Program. I believe the precious opportunity will be beneficial to enhance my judicial ability and enable me to share new knowledge with other Chinese judges. I hope I can make full use of the time in the LLM program, learn new and practical ideas as much as possible to improve my court's judicial reform, and become familiar with the American culture and promote the communication and understanding between the people.

Finally, I shall express my deepest thanks to your kind support and serious concern with the program which provides such an effective way for me to learn something valuable to improve our judicial work and

strengthen the understanding of US legal system.

Yours sincerely,

SHEN DONGEMI,

Judge of the Intermediate People's Court of Wuxi City, Jiangsu Province, P.R. China.

EXECUTIVE CALENDAR

NOMINATION OF KIMBERLY ANN MOORE TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT

The PRESIDING OFFICER. Under the previous order, the hour of 4:30 p.m. having arrived, the Senate will proceed to executive session to consider the nomination of Kimberly Ann Moore, of Virginia, which the clerk will report.

The assistant legislative clerk read the nomination of Kimberly Ann Moore, of Virginia, to be United States Circuit Judge for the Federal Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour for debate equally divided.

Mr. LEAHY. If the Senator will yield, after the Senator from Pennsylvania uses whatever period of time he wants, or yields to another, there is half an hour available to the Senator from Vermont; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. SPECTER. Madam President, I urge my colleagues to confirm Professor Kimberly Ann Moore for the U.S. Court of Appeals for the Federal Circuit. Professor Moore has an outstanding academic background. She has a bachelor of science from Massachusetts Institute of Technology, 1990; a master of science from MIT, 1991; and a law degree from the Georgetown University Law Center, cum laude, 1994.

She was an associate at the prestigious law firm of Kirkland & Ellis from 1994 to 1995. In 1995, Professor Moore became a law clerk to Judge Glen Archer, chief judge of the U.S. Court of Appeals for the Federal Circuit, serving from 1995 to 1997. Following her 2-year clerkship, she was an associate professor of law at Chicago-Kent College of Law, from 1997 to 1999. She was an assistant professor of law at the University of Maryland School of Law, from 1999 to 2000 and an intellectual property litigation counsel for Morgan, Lewis & Bockius from 2000 to 2003. From 2000–2004, she was an associate professor of law at George Mason University School of Law, before assuming her current position as Professor of Law at George Mason.

Professor Moore is a board member of the Federal Circuit Bar Association; a board member of Patent Strategy & Management; and a board member of Intellectual Property Owners Education Foundation.

I ask unanimous consent a full copy of her résumé be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

KIMBERLY ANN MOORE

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Birth

June 15, 1968, Baltimore, Maryland.

Legal Residence

Virginia.

Education

B.S., 1990, Massachusetts Institute of Technology.

M.S., 1991, Massachusetts Institute of Technology.

J.D., Cum Laude, 1994, Georgetown University Law Center.

Employment

Associate, Kirkland & Ellis, 1994–1995.

Law Clerk, Judge Glenn L. Archer, Chief Judge of the U.S. Court of Appeals for the Federal Circuit, 1995–1997.

Assistant Professor of Law, Chicago-Kent College of Law, 1997–1999.

Assistant Professor of Law, University of Maryland School of Law, 1999–2000.

Intellectual Property Litigation Counsel, Morgan, Lewis & Bockius, 2000–2003.

Associate Professor, George Mason University School of Law, 2000–2004.

Professor of Law, George Mason University School of Law, 2004–present.

Selected Activities

Board Member, Federal Circuit Bar Association, 1999–present.

Board Member, Patent Strategy & Management, 2001–present.

Board Member, Intellectual Property Owners Education Foundation, 2005–present.

Board Member, CPR Institute for Dispute Resolution, Judicial Subcommittee, 2003–present.

Member, Georgetown Patent Institute Advisory Board.

Member, Federalist Society.

Member, American Bar Association.

Member, American Intellectual Property Law Association.

Member, Maryland Bar Association.

Mr. SPECTER. She has the potential to make an outstanding judge. I urge my colleagues to vote to confirm.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I concur with the senior Senator from Pennsylvania and will support the President's nominee in this case. I mention that at the outset to advise Senators on this side of the aisle.

I also welcome the distinguished Senator back from his trip. It sounds like it was a substantial trip. I spent August in Vermont, a matter of no great sacrifice I must say, but nevertheless a very busy month.

That made me think, Madam President, when we returned today from recess, we have less than 4 weeks remaining in this legislative session. With so little time remaining, I hope we can join to make real progress on the issues that have languished unresolved, the real issues that matter most to the American people. We spend a lot of time talking about issues that really do not matter to the American people and ignoring those issues that do.

I urge the administration and the Republican leadership of the House and Senate to recognize the failures that have set us back as a nation. We are ready to work together to rectify those failures.

Secretary Rumsfeld and Vice President CHENEY struck the absolute wrong note when they recently labeled as ''appeasers'' the majority of Americans who recognize the disastrous war in Iraq as distracting them from winning the war on terror. Basically, they are saying anyone who questions their mistakes or points out their mistakes is nearly treasonous. My God, we have not heard talk like that since the days of King George. And that led to the revolution that made us a country.

Again, this week, the Democratic leadership reached out to the President on this important issue. Rather than name-calling and seeking to divide Americans, rather than fostering fear and seeking to scare Americans into staying the disastrous course on which the Government remains headed, I urge Republican leaders to join to fight a smarter war on terror so we can make America safer.

The cronyism, the incompetence that brought us the devastating aftermath of Hurricane Katrina cannot continue to define Government action. With more Americans in poverty, and extreme poverty, with more children without health care, we must do better. America can do better.

With rising interest rates, rising mortgage rates, rising health care costs, rising insurance costs, we must do better for America's working families. America can do better.

While corporate profits have taken a greater and greater share of our gross national product, wages are stagnant. Those in charge refuse to allow a long overdue raise to the minimum wage. We have just come through a summer of record-high gas prices. For many families, the threat of record-high home heating prices this winter is around the corner. Yet this will be another year in which this administration will not raise the minimum wage.

As we approach the fifth anniversary of the attacks of September 11, 2001, we are more aware of the painful failure of the Federal Government in neglecting to protect the Nation from those attacks. September 11 could have been avoided. Our Government dropped the ball. We did not protect the Nation. In these last 5 years, the administration's decision to send hundreds of thousands of Americans into Iraq, diverting attention and resources from the hunt for Osama bin Laden and the fight against al-Qaida—those loom largest among the many mistakes they have made which have created a more dangerous and threatening world.

How sad, how discouraging, how needless, and how ominous it has been the past 5 years to see the national and international unity we had after those horrific attacks squandered by this administration's crass politics, their arrogant unilateralism, their misguided policies.

It was around the time of the second anniversary of September 11 that Defense Secretary Rumsfeld put his finger

on a key question in the fight against terrorism, when he asked whether we were creating or eliminating more terrorists through our actions. There can now be little doubt about the honest answer to the question about the actions taken by this administration over the last 5 years. Does anyone doubt the impact of the occupation of Iraq, the images from Abu Ghraib, the international scandal at Guantanamo, and the war profiteering by huge defense contractors?

Our own State Department, the Bush State Department, had to revise its reports on international terrorism in order to reflect a more honest assessment of the growing incidence of terrorism violence.

Hamas and Hezbollah are winning elections, as are hardliners in Iran and elsewhere throughout the Middle East. We see American soldiers, brave American soldiers, trapped in the sectarian violence in Iraq. We see the situation every day in Afghanistan deteriorating.

Meanwhile, we have lost precious time to confront growing threats from Iran and North Korea and the Middle East. They are more threatening than any time in recent memory.

The administration resisted recent efforts to examine what led to the tragic events of September 11. The administration does not want the rubberstamp Congress to ask them what they did, why they allowed September 11 to happen in the first place.

They resisted the creation of a Department of Homeland Security. They resisted the formation of the 9/11 Commission because they knew it would ask the question: Why did September 11 happen during the Bush administration? And they failed to implement many of the Commission's most important recommendations.

Recently, President Bush held a press conference. He conceded what we all know: Iraq had ''nothing'' to do with the attack on the World Trade Center. Then he skipped quickly over the main reason we went into Iraq; namely, his erroneous contention that Iraq had weapons of mass destruction.

A growing roster of conservative Republicans, from William Buckley on, is now acknowledging the failure of this administration's strategy in Iraq.

Even as sectarian violence has continued to grow among Iraqis, as the losses it causes to America continue to mount, the administration tolerates no criticism or, worse yet, listens to no new perspectives on a deteriorating situation. They stubbornly insist: Stay on this uncorrected course for another 2½ years—this from a President who, when he first ran for office, told our country he was against nation building and against foreign military antagonists.

It is difficult to come together and to move forward when the administration will not acknowledge that its historic miscalculations that led to the current situation. When they are not ignoring the past, they simply excuse it. The excuses for their failures are mockingly the same.

In May 2002, the then-National Security Adviser, now Secretary of State, said:

> I don't think anybody could have predicted that these people would take an airplane and slam it into the World Trade Center . . . that they would try to use an airplane as a missile.

Of course, that was not true. The 9/11 Commission showed how the Bush administration had received many of the September 11 warnings that that was exactly what they were going to do.

In September 2005, President Bush responded to the destruction of New Orleans by saying:

> I don't think anybody anticipated the breach of the levees.

Of course, that was wrong. Of course, local papers and others had discussed this hurricane disaster scenario and others for years. It was predicted.

And earlier this summer, Vice President CHENEY said about Iraq:

> I don't think anybody anticipated the level of violence that we've encountered.

And a military spokesman said:

> I don't think anyone could have anticipated the sectarian violence.

Of course, neither of these statements was accurate since sectarian violence was a known risk. It was even a predicted risk from the outset. It is one of the reasons so many opposed going there in the first place.

Just as this administration's justification for U.S. involvement in Iraq continued to shift from one to the next, its excuses ring hollow when they refuse to acknowledge their errors and instead claim infallibility. ''Just trust us'' long ago proved its failure as a Bush administration policy.

Ours is the strongest military in the world, but there are limits to military power. That military power and resources must never be squandered. Many people who have actively served in the military knew that. The President's father knew that. General Powell knew that. President Eisenhower, the military hero of World War II, a Republican President, knew that.

Unfortunately, this administration, thousands of lives later, hundreds of billions of dollars later, is just beginning to learn it in what has proven to be a disaster of historic proportions.

Imagine how different our situation would be today if we had not shifted our lead forces from Afghanistan to Iraq at the critical moment when we had Osama bin Laden cornered, when we were about to find him. What if the President had done what we unanimously asked him to do, go get Osama bin Laden, the man who engineered September 11. We had him on the run. We let him go, and we went into a futile war in Iraq.

In the years since then, the Iraq war has stretched our military to the breaking point. It has sapped hundreds of millions of dollars and preoccupied our attention. The White House has even disbanded the intelligence unit that for a year was dedicated to tracking down Osama bin Laden. All those nations that were on our side after September 11, 2001, now do not support us.

What have we done? A diversion to Iraq has only succeeded in creating a new breeding ground for terrorists and in emboldening the rogue states to harbor and supply them. Starting this unnecessary war in Iraq did not make us more secure, it has made us less secure. And worse yet, the Bush administration allowed Osama bin Laden to escape.

We need to adjust our course in order to effectively confront the threat of terrorism. We do not need excuses and name calling. We need honesty and determination. We need not just conventional military might but better intelligence, stronger alliances, repaired alliances, and better information sharing. We need to use our resources for homeland security, to protect our ports, our planes, our industrial plants, and our vital resources.

Let us function as a constitutional democracy and act within a moral framework and legitimate legal rules. Let us be that democratic model to the world that America often has been and should be today. Let us show the strength and resolve of a free people, not a fearful people. Let us set a new direction to counterterrorism on our own terms, with American skill and with American values.

This summer we expressed our gratitude to British authorities for disrupting a plot that reportedly endangered the citizens of both our countries. That episode and the fifth anniversary, next week, of the attacks of 9/11 are reminders there is little margin for error in countering terrorism.

We need to refocus our attention and resources from the divisions that plague Iraq to eliminating the misdirection and mismanagement that still diverts us from an effective international strategy to protect the American people from terrorism. We need to be smarter and stronger to make America safer. We can do better. America can do better.

For almost 5 years since the Government failed to protect us from 9/11, Bush administration officials in charge of security have been saying it is not a question of whether al-Qaida will attack us again but when. We need to do better. We need to do better. We should look at the mistakes that allowed 9/11 to happen. We should look at the colossal mistake that allowed Osama bin Laden to escape. We as America need to do better.

Mr. President, how much time remains to the Senator from Vermont?

The PRESIDING OFFICER (Mr. ALEXANDER). Fourteen minutes.

Mr. LEAHY. Mr. President, I do not see others on the floor seeking recognition, so let me continue.

The full agenda before us, as we enter the final weeks of this legislative session, reflects how little this Republican

leadership has accomplished, even when it has control of the White House, a Republican President, rubberstamp Republican leadership in both the House of Representatives and the Senate.

We have had a steady course of misguided priorities, including weeks—weeks—spent on constitutional amendments designed to restrict Americans' rights and the misuse of Congress's time and authority to interfere in court battles over the medical treatment of Terri Schiavo. These distractions have done nothing to help our country but instead cost Americans progress on real issues that matter most.

These failures to focus on our real priorities have left America less secure. I look forward to a representative Congress that focuses on the Nation's real priorities. For example, the Republican-controlled Congress has yet to enact a Federal budget; this notwithstanding that the law required them to do it by April 15 of this year. The Republican leadership of the House and Senate decided to ignore the law and not pass one.

We have passed but one appropriations bill, and we are required by law to pass 13. We have yet to reconcile and enact lobbying reform and ethics legislation. We have yet to deal with the skyrocketing cost of gasoline and health care. We have yet to reconcile and enact a bipartisan and comprehensive immigration reform bill. And the press reports today that the Republican leadership has decided they will not do that. And for the second year in a row, the Republican-led Senate will not even take up the annual intelligence authorization bill so we could vote up or down, even though they have a majority in their own party here.

As we commemorated the 1-year anniversary of Hurricane Katrina last week, we were reminded that the situation in the gulf coast remains a tragedy with serious human consequences. We need to commit ourselves and our resources to helping our fellow citizens who are still in need after the appalling lack of responsiveness by this administration. We need to provide the assistance to that region of our country where rubble remains a fixture of the landscape 1 year later. We are spending tens of millions—hundreds of millions—storing trailers that will never be used. Some contractors have made billions, but people remain homeless. This is our Department of Homeland Security that is supposed to be able to react at a moment's notice if we have a danger. Here, even though they were given days of warning, they did not react. And when they did, it was one fumble after another, while the administration gave statements saying: Everything is under control. It reminds me of the President standing on the aircraft carrier saying: Mission accomplished.

But not just the residents of the Gulf Coast who cannot return to homes or return to jobs, all Americans have to prepare for the threat of an avian flu pandemic so we do not see the repeat of last winter, when the Government was unprepared for a typical winter flu season. Mr. President, throughout your lifetime and my lifetime, every single year—every single year—we have had a flu season. And last year the administration acted surprised that we had a flu season. We should take action to preserve and improve rather than pollute the environment. Protecting our environment has become a pressing issue that has public safety and serious health consequences for all Americans, today and tomorrow. That demands immediate attention.

We cannot ignore the destruction already wrought by the administration's ill-advised, head-in-the-sand policies. We have to provide resources that our returning veterans need at home. We spend hundreds of millions of dollars for health care facilities in Iraq that will never be used. Yet we are cutting back on health care facilities in America that our veterans need. America can do better. We spend hundreds of millions of dollars, ostensibly, to build schools in Iraq that will never be used, and our schools in America are falling apart without money for them. We can spend hundreds of millions of dollars for law enforcement in Iraq, law enforcement that has proven particularly ineffective, and, at the same time, we are cutting millions of dollars for law enforcement in America, while our crime rates skyrocket. America can do better.

The Senate can make progress, but it has to work together. Today, we consider the nomination of Kimberly Ann Moore for a lifetime appointment to the Court of Appeals for the Federal Circuit. In the weeks before the recess, we confirmed several nominees to the Nation's important circuit courts.

Working together, the Senate confirmed two circuit nominees and two Federal trial court nominees in a matter of minutes in one afternoon. That, I might point out, is the kind of progress we can make when the President nominates qualified, consensus nominees.

When she is confirmed, Ms. Moore will be the 7th circuit court nominee and the 30th judge overall confirmed this year. Compare this with those left unconfirmed in the 1996 congressional session, when Republicans controlled the Senate and they stalled the nominations of President Clinton. And in that year, Republicans would not confirm a single appellate court judge—not one. Here, today, we will have our seventh appellate court judge. I think of the 61—61—judges of President Clinton who were pocket filibustered by a Republican-controlled Senate.

I think of the irony that in the 17 months of President Bush's term in office when the Democrats controlled the Senate, we actually confirmed President Bush's judges faster than has been done under a Republican-controlled Senate. You would not know that from the speeches that are made.

But today is a day to congratulate Ms. Moore on her confirmation. I hope she will be the kind of judge who will apply the law fairly and protect the rights of all litigants appearing in her courtroom. There are some superb people on that court. I think of such people as Judge Richard Linn. He should be a model for her as to the kind of judge this Nation deserves. He is one of the more senior members of that court. That is the kind of person I hope she will emulate.

Mr. President, how much time remains to the Senator from Vermont?

The PRESIDING OFFICER. Six minutes.

Mr. LEAHY. Mr. President, of course, again, I will yield the floor if somebody else seeks time.

I do not mean this in an unfair way because the distinguished Presiding Officer, of course, is not allowed to speak. I commend him. He comes from a wonderful State. It has been my privilege to visit there. I suspect it is a lot like Vermont. You have a chance to go into these small towns and cities, to go to county fairs and meet people. I have known the Presiding Officer to be a very accessible person when he was a Governor, when he was a member of the Cabinet, and now as a Senator. I try to do the same thing in my own State.

During this past month, I have gone all over the State of Vermont. I have talked to people. I have attended funerals of brave soldiers killed in Iraq from Vermont. Vermont has lost more soldiers per capita than any other State in the country. And it is interesting, in a small State such as ours, as to the people you see at these funerals, everybody knows everybody else. I walk out and I see people whom I went to grade school with or people who knew my parents or I knew them or their families. We are there, and the other Members of the congressional delegation, the Governor, and nobody goes by a title. Our adjutant general is usually referred to as Mike. I am called Pat. There is Jim and Bernie and so on.

We're a very proud State. We're a very patriotic State. We're a very honest State. We're the 14th State in the Nation, and we have answered the call. People wonder if maybe the call has been distorted this time. They wonder what this war does for our security. As I said earlier, I believe it has made us less secure as a nation, not more secure. They wonder where the failures were in Government that allowed 9/11 to happen in the first place. And, of course, as more information has come out, it could have been avoided, should have been avoided, should have been avoided. And they wonder if the lessons have been learned about that.

They see Homeland Security that should be able to respond to any emergency, even that on a second's notice, and yet they see that it failed to respond to Katrina there was all kinds of

notice. They see Republicans and Democrats joined together saying: Go get Osama bin Laden. And the administration does not get Osama bin Laden. Instead, they divert those forces to go into Iraq in a war we did not need and one that has made us less secure. They even disbanded the special intelligence unit that has been tracking Osama bin Laden.

But worse yet—and I heard this from Republicans and Democrats alike in my State—when the Secretary of Defense and others in the administration say if you raise questions, if you point out their mistakes, somehow you are aiding the enemy, however defined, that you are not being patriotic. I am reminded to paraphrase Mark Twain. He said: Love your country. Question your Government.

A lot of people in my State—Republicans and Democrats—say there is a great deal to question today.

I hope they will continue to do so. I hope they will never fail to do so. I hope that those people who have the audacity in America—the freest democracy on Earth—that those leaders in our Government who have the audacity to question the patriotism of Americans who question their mistakes will themselves be quiet and leave—leave the stage.

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. THOMAS. 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. WARNER. Mr. President, I support the President's nomination of Kimberly Ann Moore of Falls Church, VA, to be a U.S. Circuit Court Judge for the Federal Circuit. I was pleased, along with Senator ALLEN, to introduce Ms. Moore to the Judiciary Committee on June 28, 2006, and it is my privilege to speak again on her behalf.

All of us recognize the importance of the position to which President Bush has nominated Ms. Moore. The U.S. Court of Appeals for the Federal Circuit stands as one of the 13 Federal Circuit Courts of Appeals that operate just under the U.S. Supreme Court. The Federal Circuit, which consists of 12 judges, is a unique court in that it has nationwide jurisdiction in a variety of subject areas, including international trade, government contracts, patents, trademarks, certain money claims against the U.S. Government, and veterans' benefits cases.

Given the court's highly technical jurisdiction, there is no doubt that serving on the U.S. Court of Appeals for the Federal Circuit is a challenging task. In my view, based on Ms. Moore's educational background and her legal and technical expertise, she is clearly up to the task.

Ms. Moore received her undergraduate degree in 1990 in electrical engineering from the prestigious Massachusetts Institute of Technology. A year later, she earned her masters of science and earned an impressive grade point average of 4.8 out of a 5-point scale. The nominee then went on to graduate cum laude from Georgetown University Law Center in 1994.

Subsequent to graduation, Ms. Moore entered private practice where she worked as an associate at the well- respected law firm of Kirkland & Ellis. While at the firm, Ms. Moore specialized in intellectual property litigation.

In 1995, the nominee left private practice to serve as a law clerk for the Honorable Glenn L. Archer, Jr., then-chief judge of the U.S. Court of Appeals for the Federal Circuit. Ms. Moore served a 2-year clerkship on the court.

After her clerkship, the nominee joined the faculty at the Chicago-Kent College of Law and, later the University of Maryland School of Law. At both law schools, Ms. Moore taught patent and trademark law. Beginning in 2000, Ms. Moore spent 3 years as an intellectual property litigation counsel at the firm of Morgan, Lewis & Bockius in Washington DC. At the same time, however, she still managed to work in academia, teaching law as an associate professor at the George Mason University School of Law. In 2004, Ms. Moore became a full professor of law at George Mason University where she teaches intellectual property law.

It is impressive to note that throughout her legal career the nominee has written and delivered over 60 published articles, books, and speeches, mostly in the realm of intellectual property law. Moreover, Ms. Moore has earned accolades from the National Law Journal, which recently selected her as one of the 100 most influential lawyers in America.

In my view, Ms. Moore is obviously very well qualified to serve as a judge on this prestigious court. I look forward to the Senate confirming this fine nominee overwhelmingly.

Mr. ALLEN. Mr. President, I am pleased today to urge my colleagues to support the confirmation of Kimberly Moore to be a circuit judge on the U.S. Court of Appeals for the Federal Circuit.

Kimberly Moore is a Falls Church, VA resident and a full tenured law professor at George Mason University.

Among other cases, the Federal Circuit hears all patent appeals from the district courts and the U.S. Patent and Trademark Office. Kimberly Moore is uniquely qualified to serve on this distinguished court.

First, Ms. Moore has a strong technical background with two degrees from the Massachusetts Institute of Technology, a bachelor of science in electrical engineering, and a master of science and work experience as an engineer with the Naval Surface Warfare Center.

Also, Ms. Moore has a great deal of experience with the Federal Circuit itself. She is on the board of governors of the Federal Circuit Bar Association, has been editor-in-chief of the Federal Circuit Bar Journal for 8 years, and has been selected as a mediator in the Federal Circuit's Pilot Appellate Mediation Program.

As a professor, Kimberly Moore has taught courses in patent law, patent litigation, trademark law, and Federal circuit practice. In fact, she coauthored the casebook ''Patent Litigation & Strategy,'' with the current chief judge of the Federal Circuit, Paul Michel, and a prominent practitioner, Raphael Lupo. Kimberly Moore has written more than a dozen law review articles on patent law and litigation and spoken at more than 40 conferences on patent topics.

As a lawyer, Kimberly Moore has consulted with firms on patent cases and appeals to the Federal Circuit. She has also served as an expert witness in dozens of patent cases. In fact, just this month, Kimberly Moore was named one of the 100 most influential lawyers in America by the National Law Journal.

I am pleased that President Bush has chosen to nominate someone with such a strong background in patent law to the Federal Circuit. Kimberly Moore will be an excellent addition to the court.

I strongly support the confirmation of Ms. Kimberly Moore to be circuit judge of the U.S. Court of Appeals for the Federal Circuit and urge my colleagues to support this confirmation.

Mr. SANTORUM. Mr. President, I am happy to see that we are scheduled to confirm today the nomination of Kimberly Ann Moore, of Virginia, to be U.S. Circuit Judge for the Federal Circuit. It is about time that we get back to confirming judges, and I am glad to see that our leader is putting this issue back on the Senate's agenda.

It is of utmost importance that the Senate continue to confirm President Bush's judicial nominees. Just last month, we saw what can happen when an ideologically driven activist judge attempts to create national security policy. Judge Anna Diggs Taylor, a Federal district judge in Michigan appointed by President Carter in 1979, ruled that the Terrorist Surveillance Program was unconstitutional. This program, administered by the National Security Agency, has been a critical component in ensuring the safety of millions of Americans. Despite that, Judge Diggs Taylor ruled that the program, which the Government only uses to intercept international telephone and internet communications, violates the first and fourth amendments to the Constitution, the Administrative Procedures Act, and the Separation of Powers doctrine, in other words the veritable legal kitchen sink.

While some on the other side of the aisle have rejoiced in this decision, this opinion has been attacked from both ends of the political spectrum. The Washington Post, in an editorial on August 18, noted that the decision is neither careful nor scholarly, and it is

hard-hitting only in the sense that a bludgeon is hard-hitting. The angry rhetoric of U.S. District Judge Anna Diggs Taylor will no doubt grab headlines. But as a piece of judicial work—that is, as a guide to what the law requires and how it either restrains or permits the NSA's program—her opinion will not be helpful.

Legal scholars have also criticized Judge Diggs Taylor's opinion. Let me give you just a few of these criticisms. David B. Rivkin, a former Justice Department official in Reagan's and George H.W. Bush's administrations, noted in a New York Times op-ed on August 18 that ''[i]t is an appallingly bad opinion, both from a philosophical and technical perspective, manifesting strong bias.''

Harvard Law Professor Laurence Tribe has written ''[i]t's altogether too easy to make disparaging remarks about the quality of the Taylor opinion, which seems almost to have been written more to poke a finger in the President's eye than to please the legal commentariat or even, alas, to impress an appellate panel . . . .''

Howard Bashman, an appellate attorney and editor of the How Appealing legal blog, wrote in the New York Times on August 19 that ''[i]t does appear that folks on all sides of the spectrum, both those who support it and those who oppose it, say the decision is not strongly grounded in legal authority.''

UCLA Law Professor Eugene Volokh wrote on his widely read blog: ''the judge's opinion . . . seems not just ill-reasoned, but rhetorically ill-conceived. . . . [B]y writing an opinion that was too much feeling and too little careful argument, the judge in this case made it less likely that the legal approach she feels so strongly about will ultimately become law.''

In contrast to Judge Anna Diggs Taylor, both of President Bush's nominees to the Supreme Court, Justices Roberts and Alito, understand that it is not the role of the judicial branch to make policy. During his confirmation hearings last year, Supreme Court Chief Justice John Roberts said, ''I don't think you want judges who will decide cases before them under the law on what they think is good, simply good policy for America.'' He also noted, ''[T]he Court has to appreciate that the reason they have that authority is because they're interpreting the law, they're not making policy, and to the extent they go beyond their confined limits and make policy or execute the law, they lose their legitimacy, and I think that calls into question the authority they will need when it's necessary to act in the face of unconstitutional action.''

Similarly, Justice Samuel Alito remarked during his confirmation hearing that ''results-oriented jurisprudence is never justified because it is not our job to try to produce particular results. We are not policy makers and we shouldn't be implementing any sort of policy agenda or policy preferences that we have.''

Yes, Justices Roberts and Alito have it right. It is not the role of a judge to seek to replace the legislature, or the President, State legislatures, and the Governors, township supervisors, county councils with his or her own views. It is the role of a judge to apply the law and to do justice based on the facts in solving the dispute that has been presented.

A court is not a place for zealous advocates to impose their will upon the American public. It is not a place for people who believe their views as judges are superior to the views of the democratically elected officials in this country—better put, that their views are better than the people's views because we are, in fact, accountable to the people we represent. It is and should continue to be a place for those public servants who seek to do justice under the law and facts of each case and a place to interpret the law, rather than make law.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Kimberly Ann Moore, of Virginia, to be United States Circuit Judge for the Federal Circuit?

Mr. THOMAS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Florida (Mr. MARTINEZ) and the Senator from Pennsylvania (Mr. SANTORUM).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Hawaii (Mr. INOUYE), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

The PRESIDING OFFICER (Mr. CHAMBLISS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 231 Ex.]

YEAS—92

Akaka	Cochran	Grassley
Alexander	Coleman	Gregg
Allard	Collins	Hagel
Allen	Conrad	Harkin
Baucus	Cornyn	Hatch
Bayh	Craig	Hutchison
Bennett	Crapo	Inhofe
Bingaman	Dayton	Isakson
Bond	DeMint	Jeffords
Boxer	DeWine	Johnson
Brownback	Dodd	Kennedy
Bunning	Dole	Kerry
Burns	Domenici	Kohl
Burr	Dorgan	Kyl
Byrd	Durbin	Landrieu
Cantwell	Ensign	Leahy
Carper	Enzi	Levin
Chafee	Feingold	Lincoln
Chambliss	Feinstein	Lott
Clinton	Frist	Lugar
Coburn	Graham	McCain
McConnell	Rockefeller	Stevens
Mikulski	Salazar	Sununu
Murkowski	Sarbanes	Talent
Murray	Schumer	Thomas
Nelson (FL)	Sessions	Thune
Nelson (NE)	Shelby	Vitter
Pryor	Smith	Voinovich
Reed	Snowe	Warner
Reid	Specter	Wyden
Roberts	Stabenow	

NOT VOTING—8

Biden	Lieberman	Obama
Inouye	Martinez	Santorum
Lautenberg	Menendez	

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action and the Senate will now resume legislative session.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007—Continued

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 4882

Mrs. FEINSTEIN. Mr. President, I call up amendment No. 4882.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself and Mr. LEAHY, proposes an amendment numbered 4882.

The amendment is as follows:

(Purpose: To protect civilian lives from unexploded cluster munitions)

At the end of title VIII, add the following:

SEC. 8109. No funds appropriated or otherwise made available by this Act may be obligated or expended to acquire, utilize, sell, or transfer any cluster munition unless the rules of engagement applicable to the cluster munition ensure that the cluster munition will not be used in or near any concentrated population of civilians, whether permanent or temporary, including inhabited parts of cities or villages, camps or columns of refugees or evacuees, or camps or groups of nomads.

Mrs. FEINSTEIN. Mr. President, on behalf of the Senator from Vermont and myself, I offer an amendment to the Defense appropriations bill to address a humanitarian issue that I have actually thought a great deal about over a long period of time; that is, the use of the cluster bomb. The human death toll and injury from these weapons is felt every day, going back decades. Innocent children think they are picking up a play toy in the field and suddenly their arm is blown off.

I believe we need to take a look at our policies and adjust them. Specifically, our amendment would prevent any funds from being spent to purchase, use, or transfer cluster munitions until the rules of engagement have been adopted by the Department of Defense to ensure that such munitions will not be used in or near any concentration of civilians, be it permanent or temporary, such as inhabited

parts of cities or villages or in camps or columns of refugees or evacuees.

Every year, hundreds of civilians are killed and many more are injured due to unexploded cluster bombs. From the fields of Vietnam, Laos, and Cambodia, through the streets of Kosovo and Iraq, to the arid hills of Afghanistan and the playgrounds of Lebanon, these lethal relics of war continue to cripple life, hope, and peace.

Cluster munitions are large bombs, rockets, or artillery shells that contain up to hundreds of small submunitions or individual bomblets. They are intended for attacking enemy troop formations and armor, covering approximately a .6-mile radius. In other words, their swath is over one-half mile. Yet in practice they pose a real threat to the safety of civilians when used in populated areas because they leave hundreds of unexploded bombs over a very large area and they are often inaccurate. They end up in streets and cities where men and women go to work and do their shopping. They end up in groves of trees and fields where children play. They end up in homes where families live. And in some cases, up to 40 percent of cluster bombs fail to explode, posing a particular danger to civilians long after the conflict has ended.

This is particularly and sadly true of children because bomblets are no bigger than a D battery and in some cases resemble a tennis ball. Children outside with their friends and relatives come across these cluster bombs. They pick them up out of curiosity because they look like balls and they start playing with them and a terrible result follows.

On March 25, 2003, Abdallah Yaqoob, whose picture is behind me, was sleeping on his bed in his family's home in Basra, Iraq, when he was hit with shrapnel from a cluster munitions strike in his neighborhood. He lost his arm, and his abdomen was severely injured. Abdallah was hit by a British L20A1/M85 munition.

Falah Hassan, 13, was injured by an unexploded ground-launched submunition in Iraq on March 26, 2003. The explosion severed his right hand and spread shrapnel through his body. He lost his left index finger and soft tissue in his lower limbs.

This is a photo of an unexploded M42 cluster submunition found on a barbed-wire fence in southern Lebanon in August 2006. You can see the size of the bomblet. Right next to it is a small pinecone. So this is a small munition hanging on a piece of barbed wire.

These unexploded cluster bombs become, in essence, landmines. Instead of targeting troop formations and enemy armor, unexploded bomblets target innocent civilians, seriously maiming or killing their victims. This runs counter to our values, and I believe it also runs counter to the laws of war.

Make no mistake, the impact of unexploded cluster bombs on civilian populations has been devastating. This first came to my attention in Laos, many years ago. In Laos today, there are between 9 and 27 million unexploded cluster bombs, leftovers from our bombing campaigns in the 1960s and 1970s. Approximately 11,000 people, 30 percent of them children, have been killed or injured since the war ended.

In the first gulf war, 61,000 cluster bombs were used, containing 20 million bomblets. Since 1991, unexploded bomblets have killed 1,600 innocent men, women, and children and injured more than 2,500.

In Afghanistan in 2001, over 1,228 cluster bombs with almost a quarter of a million bomblets were used. Between October 2001 and November 2002, that year, 127 civilians were killed, 70 percent of them under the age of 18.

In Iraq in 2003, 13,000 cluster bombs with 2 million bomblets were used. Combining the first and second gulf war, the total number of unexploded bomblets in the region today is 1.2 million. How many people will die? Already, an estimated 1,220 Kuwaitis and 400 Iraqi civilians have been killed since 1991 because they innocently picked up one of these bomblets.

What gives rise in part to my amendment are recent developments in Lebanon over alleged use of cluster bombs. Throughout southern Lebanon, more than 405 cluster bomb sites containing approximately 100,000 unexploded bomblets have been discovered. Each site covers a radius of 220 yards. As Lebanese children and families return to their homes and begin to rebuild, they will be exposed to the danger of these unexploded bomblets lying in the rubble. Thirteen people, including three young children, have been killed so far, and 48 injured. One United Nations official estimates that the rate of unexploded bomblets is 40 percent. So far, more than 2,000 unexploded bomblets have been destroyed, but it will take 12 to 15 months to complete the effort.

Let me say that I join the United Nations Humanitarian Coordinator for Lebanon, David Shearer, in calling on Israel to provide information on where the cluster bombs were used. Such information is vital to speed up the cleanup process and save lives.

We have called the State Department. We have asked for information about the conditions for the sale of cluster munitions to Israel, and we have not been able to get that information. It seems to me that information should be readily available and transparent, particularly to the U.S. Senate and the House of Representatives.

The State Department is currently looking into charges that the cluster bombs found in south Lebanon were American made—I do not know that they were—and that they were used in violation of agreements between the United States and Israel. I do not know that they were, but I think we should know, and I think we should not cloak ourselves with ignorance. I am hopeful that this inquiry will be completed as soon as possible and the findings reported to the Congress. If there are violations, there should be consequences.

Looking at these figures, it is clear that several countries are awash with unexploded bomblets—Laos, 7 to 27 million; Iraq, 1.2 million; and then Lebanon, 100,000.

Some say: Why should we be doing this? I have always believed that this country stands for justice, it stands for right, and it has a moral compass. I believe the use of these weapons in civilian areas should be stopped.

I also know that there is a dud rate—in other words, a rate at which point these bomblets do not explode. I ask this question: How are we supposed to win the hearts and minds of civilians in those countries where we leave behind such deadly weapons that indiscriminately kill young children? How are we supposed to speed up reconstruction efforts—building homes, schools, hospitals, clinics, ensuring electricity and water supplies—when populated areas are littered with these bombs? They remind innocent civilians that it was America that launched these weapons in populated areas; that it was America that failed to take the necessary steps to protect them from unexploded bombs by demanding a low failure rate; and it was America that failed to remove, expeditiously, unexploded bombs.

Simply put, unexploded cluster bombs fuel anger and resentment and make security stabilization and reconstruction efforts that much harder.

It is not just a humanitarian problem, it is also a military problem.

By showering targets with cluster bombs, we ensure that our own personnel will face thousands of unexploded bombs as they move forward. This forces them to change course. It slows the mission.

During the Iraq war, U.S. troops fired 6 rockets containing 4,000 bomblets to eliminate 1 artillery piece in a civilian neighborhood. With a 16-percent failure rate, approximately 640 unexploded bomblets were left behind. That is 1 artillery piece—6 rockets, 4,000 bomblets, and today 640 unexploded bomblets on the streets.

As an August 2003 Wall Street Journal article noted, ''Unexploded bomblets render significant swaths of battlefield off-limits to advancing U.S. troops.''

In fact, during the first gulf war, unexploded cluster munitions killed 22 of our own military. That was 6 percent of the total U.S. fatalities, and it injured 58. Former Secretary of Defense Bill Cohen recognized the threat cluster bombs pose to civilians as well as our troops. He issued a memorandum which became known as the Cohen policy.

It stated that beginning in fiscal year 2005, all new cluster bomblets would have a failure rate of less than 1 percent.

This was an important step forward, but we must remember that we still

have 5.5 million cluster bombs containing 728.5 million bomblets. That means we are still prepared to use an enormous number of cluster bombs that have significant failure rates—some estimate as high as 40 percent.

Out of the 728.5 million cluster submunitions, only 30,900 have self-destruct devices that would ensure a less than 1 percent so-called dud or unexploded failure rate. Those submunitions account for only 0.00004 percent of the U.S. total.

The Pentagon has stated that cluster bomblets with failure rates of more than 1 percent ''will remain in the Department's inventory until used or until they have reached their extended life and are demilitarized.''

That is pretty clear information that we are going to continue to use them. I think that is wrong.

In fact, by fiscal year 2011, the United States will still possess 480 million old cluster munitions with significant failure rates.

The latest Pentagon study on cluster bombs cite failure rates of 2 to 6 percent for the entire U.S. arsenal. Other studies, however, including one by the GAO, found failure rates as high as 16 percent. U.S. marines in Karbala, Iraq, in 2003 believe the failure rate in some places was as high as 40 percent.

But even if you accept the conservative estimate of the Pentagon report, if the United States used its entire arsenal of cluster bombs, we would leave 27 million unexploded bomblets somewhere in the world. And a 16-percent failure rate would equal 117 million unexploded bomblets, and a 40-percent failure rate would equal 300 million unexploded bomblets.

Where am I going with all this? Think about it. Three hundred million unexploded bomblets spread from Laos, Cambodia, Vietnam, Afghanistan, Iraq, southern Lebanon, wherever it may be, and those bomblets remain there decade after decade until somebody picks them up. And then that somebody is either killed or maimed for life.

I ask you: Is this the legacy we want to leave behind in Iraq and Afghanistan? Is this the legacy Israel wants to leave behind in Lebanon? Or is this the legacy anyone that manufactures and sells these munitions want to leave behind?

There are steps we can take to ensure a failure rate of less than 1 percent. And the Pentagon isn't going to do it. But at a cost of between $8 and $15, a self-destruct device can be added to cluster submunitions that destroy these munitions if, in fact, they survive intact.

The Pentagon has argued that adding this device is cost prohibitive. And it may well be.

The amendment of Senator LEAHY and myself does not address this issue.

I would like simply to end by reading the amendment.

No funds appropriated or otherwise made available by this Act may be obligated or expended to acquire, utilize, sell, or transfer any cluster munition unless the rules of engagement applicable to the cluster munition ensure that the cluster munition will not be used in or near any concentrated population of civilians.

Is that too much to ask? That if you are going to use a cluster munition which spews bomblets for a half mile that you be certain these are not going to be used in a civilian area? I think the answer is clearly is no.

I hope the Senate will see fit to agree to this amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak in morning business.

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

CHICAGO TRIBUNE REPORTER PAUL SALOPEK

Mr. DURBIN. Mr. President, during the August break, I took some time off with my wife. As we were traveling, we were contacted by Jim O'Shea, who works with the Chicago Tribune, in the city of Chicago, which I represent.

He told me about a terrible situation. A writer for the Chicago Tribune, Paul Salopek, who was on assignment for National Geographic in Africa, was arrested and detained in the Sudan.

For 9 days, our embassy was not notified. When they learned of this and found him, he was in a confinement or jail cell in El Fasher in Sudan. He is being charged with visa and other violations for crossing over into Sudan and most notably he is being charged with the crime of espionage.

I come to the Senate today to let the American people know about his plight but also to speak to the Sudanese Government and their embassy in Washington. Many times when we come to the Senate to speak about foreign policy issues, we discuss the fate of hundreds of thousands, sometimes even millions of people. This relates to the fate of one man. Paul Salopek is not just another journalist, not just another correspondent. He is a Pulitzer Prize winner.

I first started reading his work in the Chicago Tribune. As soon as I would finish a piece he had written, I would rush to the byline to see who wrote this. He is truly a gifted writer. He has written some things which I have saved and clipped out, that I hang onto. They are dog-eared and yellowed from age, he is just that good.

When I went to the Congo, the Democratic Republic of the Congo, this last December with Senator BROWNBACK, we were touring an area where, sadly, 5,000 people a day die in this region of Africa. Very few people in the West are aware of it. In preparation for that journey, we looked at the National Geographic special on Africa and particularly the section on the Democratic Republic of the Congo. It was, once again, one of those pieces of writing that stops you cold. And you think: I wish I had the gift to come up with the words of this writer. The writer, once again, was Paul Salopek.

On August 6, Paul Salopek was arrested in the Sudan while on freelance assignment for the National Geographic, along with his driver and interpreter. He has been charged, as I said, with espionage and with writing ''false news,'' along with an immigration violation.

When you look at his assignment, it was not even close to being politically sensitive. National Geographic had sent him to this region to write about the history and culture of the Sahel region of Africa. I know that he undertook this assignment with the same commitment and passion as he has in all of his work.

When we visited the Congo, one of the women there, who had worked with Paul while he was in that region, said she could not remember another writer who became so immersed in his work, spending the entire day with the Pygmy people of the Congo, and then at night he would be off to his tent and, by just a dim light, working on his computer writing all night to bring together all of his thoughts.

His subject, in this case for the National Geographic, has been the geography, history, culture, environment, wildlife, natural resources, religion, landscape, and populace of the Sahel, a wide swath of land running from the Atlantic Ocean to the Horn of Africa. I know when the piece is finally written it will be well worth reading.

The name ''Sahel'' comes from the Arabic word for ''border'' or ''margin.'' And for many Americans, the Sahel is undoubtedly on the margins of their awareness. Paul Salopek's article would have helped change that. Now he awaits trial in El Fasher, in the North Darfur region of Sudan.

I have been in close contact with the U.S. Embassy in Sudan and understand he is being treated well while he awaits trial. Mr. Bishop, who works for our embassy in Khartoum, has been in frequent contact, visiting him almost on a daily basis, providing him with water and food and the basics of life and making certain he is being taken care of. And I am glad to report that is happening. I appreciate that fact and all the efforts the State Department and others have undertaken on his behalf.

Assistant Secretary of State Jendayi Frazer urged Sudanese President al-Bashir to release him. And many of us in Congress have been working to try to help effect his release.

Let me make it clear: Those of us who know of the work of Paul Salopek know one thing for certain, Paul

Salopek is a journalist. He is not a spy. He has written on everything from the human genome diversity project, for which he won his first Pulitzer Prize, to the civil war in the Congo, for which he won his second.

He has been a student of cultural geography, which informs his current project on the Sahel, once traveling hundreds of miles by mule through the remote Sierra Madre region in Mexico.

In another brilliant story, Paul traced the route of a barrel of oil, tracking shipments of crude oil from across the globe, until they reached South Elgin in my home State of Illinois, and filled the gas tanks of the cars in my home State.

He has written a touching article about 7-year-old brides in Ethiopia and a 13-year-old school girl in Angola who was tortured after she was accused of witchcraft.

His writing captures the reader from the opening sentence, illuminating and educating along the way. As Adlai Stevenson once said: He can make the words march on the page.

One of his former colleagues, now with the Seattle Times, wrote this week:

> If we don't care about Paul, we don't care about the stories he writes. We don't care about the world and the people in its farthest reaches and most desperate circumstances. His work serves us all, to help us understand and feel.

I would like to associate myself with that quotation.

Paul Salopek is a journalist, a reporter, and most fundamentally he is a writer. He crossed a border without the correct paperwork, but he has spent his writing career breaking down borders that divide us in this world.

I am hopeful the Government of Sudan will recognize the fact that although Paul did enter the country without a visa, which is a civil violation, he did so as a writer, writing for the National Geographic magazine. He is not a spy. He did not come to this region of the world with any political agenda.

I am heartened by the news that the Khartoum Government has issued a pardon to a Slovenian writer and envoy who had been convicted of similar charges.

I hope that Mr. Salopek can be released even more quickly.

The American Society of Newspaper Editors, Reporters without Borders, the Overseas Press Club, and the Committee to Protect Journalists have all issued statements urging the release of Paul Salopek and his driver and translator who were detained with them.

I want to repeat those calls on the floor of the Senate.

This is an opportunity for the Sudanese Government to make one small step in the right direction, toward recognizing basic freedoms.

I want to thank all those who tried to help; my colleague, Senator OBAMA, traveling in Africa, who has tried to do his part to help Paul Salopek. I also want to acknowledge the work that has been done by former Congressman, former Ambassador, former Secretary, now Governor Bill Richardson of New Mexico, who is also trying to help in every way he can.

This is an opportunity for the Sudanese Government to make the right step in the right direction, toward recognizing basic freedoms, toward demonstrating the kind of humanitarianism which will leave, I think, the Sudanese Government in good stead with many countries around the world.

It is my deepest hope that Paul Salopek will soon be reunited with his family and soon be released from this prison. It is a matter of the freedom of the press but, as I said, also the freedom of one fine man.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant 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.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

REPORT 109–325

Mr. STEVENS. Mr. President, I ask unanimous consent to have a transmittal letter dated September 5, 2006 printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON INDIAN AFFAIRS,
Washington, DC, September 5, 2006.

Hon. TED STEVENS,
President Pro Tempore,
U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: After two years of investigation and five hearings, the Committee is pleased to transmit our bipartisan, unanimous Final Report, 109–325, entitled ''GIMME FIVE''—Investigation of Tribal Lobbying Matters.

Respectfully submitted,

JOHN MCCAIN,
Chairman.
BYRON DORGAN,
Vice Chairman.

TRIBUTE TO THE 25TH ANNIVERSARY OF GM IN BOWLING GREEN, KENTUCKY

Mr. MCCONNELL. Mr. President, for 25 years the Chevrolet Corvette, known as America's sports car, has been exclusively manufactured in the General Motors Bowling Green Assembly Plant in Bowling Green, KY. I rise today to celebrate Bowling Green as the ''Home of the Corvette.'' We are very proud that it is in the Commonwealth of Kentucky.

The Corvette looms large as one of America's most admired sports cars. Introduced in 1953, it was originally produced elsewhere, but in 1981, General Motors recognized Kentucky as the growing, business-friendly environment it has become and decided Bowling Green and the Corvette made a good match. The first Kentucky-built Corvette rolled off the assembly line on June 1, 1981.

The Bowling Green Assembly Plant also produces the Cadillac XLR and XLR–V in addition to three models of the Corvette. Over 39,000 GM cars are manufactured in Kentucky each year and delivered to driving enthusiasts all over the world. Over the 2½ decades, the Bowling Green Assembly Plant has undergone redesign and updating to incorporate the latest technology. Recently, the newest model, the Corvette Z06, was launched and continues the success of the made-in-Kentucky Corvette brand.

The over 1,200 Kentuckians who work at the Bowling Green Assembly Plant maintain a high standard of quality while also serving as vital contributors to their communities. Plant employees have generously donated their efforts and resources to noble causes such as the United Way, Junior Achievement, the American Red Cross, D.A.R.E.—Drug Abuse Resistance Education—the Make-A-Wish Foundation, and various local charities.

The plant and its workers also work closely with Western Kentucky University to sponsor grants and events. They also offer 30 internships to WKU students each year, giving young men and women an invaluable opportunity to learn about the business world from inside one of America's biggest companies. Several interns have gone on to earn permanent jobs with GM after graduation.

The Bowling Green Assembly Plant's contribution to the local economy cannot be understated, either. Not only does the plant provide jobs to Kentuckians and keep directing money into the local economy, the plant also offers public tours, attracting over 50,000 tourists to the area every year.

Every Corvette built in Kentucky is custom-built for an individual customer; the cars are not mass produced. The employees of the Bowling Green Assembly Plant are very proud of their commitment to precision and high quality. They have won more than 70 automotive industry awards since 1997.

The Bowling Green Assembly Plant will celebrate its 25 years in Kentucky this September. Mr. President, I ask my colleagues to join me in congratulating the Kentuckians who make America's sports car for their dedication to achievement and success, both on the job and in their communities. Kentucky is still reaping the rewards

of its 25-year partnership with GM, and we hope to continue to do so for years to come.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS WILLIAM EDGERTON THORNE

Mr. GRASSLEY. Mr. President, I rise today to pay tribute to PFC William Edgerton Thorn who died honorably Thursday, August 24 at 8 a.m. in Baghdad at the age of 26. He was killed in Operation Iraqi Freedom after an improvised explosive devise detonated near his vehicle.

Given the opportunity to protect the people he loved and his strong belief in the cause, Willy, as he was known among family and friends, fought proudly. Similarly, Corey, his wife, is serving her country in Iraq. The couple was married on November 10, 2001 and enlisted in the Army in May of 2005. While they realized the dangers and hardships, they were willing to risk their lives for the freedom of others. My thoughts and prayers are with Corey Thorne at this difficult time, and I thank her for her service and tremendous sacrifice.

Willy loved making children laugh, and he and his wife hoped to save enough money to adopt a baby. His death is deeply mourned by his hometown, Rock Valley, and throughout the nation. Thus there is great truth in what Willy's mother-in-law, Deb Jasper, said ''A fallen soldier hits everyone because they have fallen for each and every one of us. What a sacrifice. What an honor.'' We, the American people, are forever indebted to Willy for his great strength and heroic sacrifice.

STAFF SERGEANT JEFFREY J. HANSEN

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of Nebraska Army National Guard SSG Jeffrey J. Hansen of Cairo, NE Staff Sergeant Hansen died of injuries sustained in a vehicle accident near Balad, Iraq on Sunday, August 27. He was 31 years old.

Staff Sergeant Hansen was a 1993 graduate of Bertrand Community High School and graduated from the University of Nebraska at Kearney in 1997. Staff Sergeant Hansen lived in Cairo, NE, with his wife, Jennifer, and worked as a police officer at the Department of Veterans Affairs' medical facility in Grand Island, NE.

In January 2000, Staff Sergeant Hansen enlisted with the Nebraska Army National Guard. He mobilized for a tour of duty in Iraq on October 11, 2005 with the 1st Squadron, 167th Cavalry Regiment. Staff Sergeant Hansen served in a unit comprised of approximately 360 Nebraska Guard soldiers that were providing security for Camp Anaconda near Balad, Iraq. Staff Sergeant Hansen will be remembered as a loyal soldier who had a strong sense of duty, honor and love of country. Thousands of brave Americans like Staff Sergeant Hansen are currently serving in Iraq.

In addition to his wife, Staff Sergeant Hansen is survived by his father, Robert, of Bertrand, Nebraska. Our thoughts and prayers are with them at this difficult time. America is proud of Staff Sergeant Hansen's heroic service and mourns his loss.

I ask my colleagues to join me and all Americans in honoring Staff Sergeant Jeffrey J. Hansen.

BUDGET SCOREKEEPING REPORT

Mr. GREGG. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report shows the effects of congressional action on the 2006 budget through August 4, 2006. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2006 Concurrent Resolution on the Budget, H. Con. Res. 95. Pursuant to section 402 of that resolution, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the attached report excludes these amounts.

The estimates show that current level spending is under the budget resolution by $11.869 billion in budget authority and by $4.030 billion in outlays in 2006. Current level for revenues is $6.590 billion above the budget resolution in 2006.

Since my last report dated July 11, 2006, Congress has cleared and the President has signed the following acts which have changed budget authority, outlays, or revenues for 2006: the Returned Americans Protection Act of 2006 (P.L. 109–250) and an act to provide funding to facilitate the evacuation of persons from Lebanon (P.L. 109–268). In addition, the scoring for the Broadcast Decency Enforcement Act of 2005 was added to the report.

I ask unanimous consent to print the following information in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 5, 2006.

Hon. JUDD GREGG,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed tables show the effects of Congressional action on the 2006 budget and are current through August 4, 2006. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions for fiscal year 2006 that underlie H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006. Pursuant to section 402 of that resolution, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 2 on Table 2).

Since my last letter dated July 10, 2006, the Congress has cleared and the President has signed the following acts which have changed budget authority, outlays, or revenues: the Returned Americans Protection Act of 2006 (Public Law 109–250); and an act to provide funding to facilitate the evacuation of persons from Lebanon (Public Law 109–268).

In addition, the scoring for the Broadcast Decency Enforcement Act of 2005 (Public Law 109–235) was added to the enclosed report. The act increases revenues in fiscal year 2006 by $1 million.

Sincerely,

DONALD B. MARRON,
Acting Director

Enclosure.

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2006, AS OF AUGUST 4, 2006

[In billions of dollars]

	Budget resolution [1]	Current level [2]	Current level over/under (−) resolution
ON-BUDGET			
Budget Authority	2,094.4	2,082.5	−11.9
Outlays	2,099.0	2,095.0	−4.0
Revenues	1,589.9	1,596.5	6.6
OFF-BUDGET			
Social Security Outlays [3]	416.0	416.0	0
Social Security Revenues	604.8	604.8	*

[1] H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, assumed $50.0 billion in budget authority and $62.4 billion in outlays in fiscal year 2006 from emergency supplemental appropriations. Such emergency amounts are exempt from the enforcement of the budget resolution. Since current-level totals exclude the emergency requirements enacted in the previous session and the emergency requirements in Public Law 109–176, Public Law 109–208, and Public Law 109–234 (see footnote 2 on Table 2), the budget authority and outlay totals specified in the budget resolution have also been reduced (by the amounts assumed for emergency supplemental appropriations) for purposes of comparison.

[2] Current level is the estimated effect on revenue and spending of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations, even if the appropriations have not been made.

[3] Excludes administrative expenses of the Social Security Administration, which are also off-budget, but are appropriated annually.

* = Less than $50 million.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2006, AS OF AUGUST 4, 2006

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues	n.a.	n.a.	1,607,180
Permanents and other spending legislation [1]	1,296,134	1,248,957	n.a.
Appropriation legislation	1,333,823	1,323,802	n.a.
Offsetting receipts	−479,868	−479,868	n.a.
Total, enacted in previous sessions:	2,150,089	2,092,891	1,607,180
Enacted This Session:			
Katrina Emergency Assistance Act of 2005 (P.L. 109–176)	250	250	0
An act to make available funds included in the Deficit Reduction Act for the Low-income Energy Assistance Program for 2006 (P.L. 109–204)	1,000	750	0

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2006, AS OF AUGUST 4, 2006—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Native American Corrections Act of 2006 (P.L. 109–221)	23	23	3
Tax Increase Prevention and Reconciliation Act of 2005 (P.L. 109–222)	0	0	−10,757
Heroes Earned Retirement Opportunities Act (P.L. 109–227)	0	0	−1
Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (P.L. 109–234)	−111	143	55
Broadcast Decency Enforcement Act of 2005 (P.L. 109–235)	0	0	1
Mine Improvement and New Emergency Response Act of 2006 (P.L. 109–236)	0	0	1
Returned Americans Protection Act of 2006 (P.L. 109–250)	4	3	0
An act to provide funding authority to facilitate the evacuation of persons from Lebanon (P.L. 109–268)	0	27	0
Total, enacted this session:	1,166	1,196	−10,698
Entitlements and mandatories:			
Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs	−68,740	879	n.a.
Total Current Level [1 2 3 4]	2,082,515	2,094,966	1,596,482
Total Budget Resolution	2,144,384	2,161,420	1,589,892
Adjustment to budget resolution for emergency requirements [4]	−50,000	−62,424	n.a.
Adjusted Budget Resolution	2,094,384	2,098,996	n.a.
Current Level Over Adjusted Budget Resolution	n.a.	n.a.	6,590
Current Level Under Adjusted Budget Resolution	11,869	4,030	n.a.

[1] P.L. 109–171 was enacted early in this session of Congress, but is shown under ''enacted in previous sessions'' as requested by the Committee on the Budget. Included in current-level totals for P.L. 109–171 are $980 million in budget authority and −$4,847 million in outlays.

[2] Pursuant to section 402 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current-level totals exclude the following amounts:

	Budget authority	Outlays	Revenues
Emergency requirements enacted in previous session	74,981	112,423	−7,111
Katrina Emergency Assistance Act of 2006 (P.L. 109–176)	−250	0	0
National Flood Insurance Enhanced Borrowing Authority Act of 2006 (P.L. 109–208)	2,275	2,275	0
Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (P.L. 109–234)	94,541	24,184	0
Total, enacted emergency requirements	171,547	138,882	−7,111

[3] Excludes administrative expenses of the Social Security Administration, which are off-budget.

[4] H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, assumed $50,000 million in budget authority and $62,424 million in outlays in fiscal year 2006 from emergency supplemental appropriations. Such emergency amounts are exempt from the enforcement of the budget resolution. Since current-level totals exclude the emergency requirements enacted in the previous session and the emergency requirements in Public Law 109–176, Public Law 109–208, and Public Law 109–234 (see footnote 2 above) budget authority and outlay totals specified in the budget resolution have also been reduced (by the amounts assumed for emergency supplemental appropriations) for purposes of comparison.

Notes: n.a. = not applicable; P.L. = Public Law.

Source: Congressional Budget Office.

NEXT STEPS IN LEBANON

Mr. FEINGOLD. Mr. President, as the international community deploys an international peacekeeping force to southern Lebanon and as Lebanon and Israel begin rebuilding after the recent conflict, it has become clear that a long-term solution to this conflict will not come about unless the Lebanese Government is strengthened and has the ability and the will to improve the daily lives of its citizens—thereby eliminating the conditions that have allowed Hezbollah to exploit and expand its influence throughout the country. Israel's security depends on it, and a lasting peace throughout the region won't occur without it.

While it is still fragile, the cessation of hostilities presents an opportunity for the Lebanese people, with support from the international community, to eliminate terrorism and to cast off the detrimental influence that Iran and Syria have had throughout their country for years. It is also an opportunity to address the significant threats that have plagued Israel for decades.

Still, my optimism is guarded. Unless the deployment of a U.N. force to patrol southern Lebanon is part of a broader international effort to root out Hezbollah and address the underlying causes of the conflict, we cannot expect Israel to feel more secure than it did prior to Hezbollah's recent aggressions, nor can we expect that any broader, long-term peace process will be pursued. Israel has every right to remain wary of the current international effort unless its security concerns are addressed and Lebanon can become a permanent—and capable—partner in establishing long-term peace in the region.

One of the most important elements of establishing peace is initiating reconstruction efforts throughout southern Lebanon immediately. Unfortunately, the Lebanese Government—and thus the international community—is already losing to Hezbollah in the race to show legitimacy and strength. It is an ominous sign that Hezbollah is ahead of Lebanese and internationally led reconstruction efforts and has been responsive to local needs. This is in contrast to an international donor community that has yet to establish the mechanisms and partnerships on the ground to get reconstruction efforts moving. In addition, the Lebanese Government is looking weak and out of touch, struggling to develop coordinated strategies for reconstruction and security. If this continues, it will have very real security implications for Israel, Lebanon, and the region, and will make the work of the U.N. force relatively useless. This is not in the interest of Israel, Lebanon, or the international community.

Mr. President, as troop-contributing nations begin their deployments to support the U.N. force, an equal amount of attention needs to be paid to longer term efforts to bolster the Lebanese Government's capacity to deliver services and to kick-start the Lebanese economy. As I mentioned, coordinated—and rapid—reconstruction efforts will help. But so, too, will support for the Government, its institutions, and its role in Lebanese society. In addition, and as experts have suggested in recent weeks, sufficient—and significant—attention needs to be given to enhancing the ability of the Lebanese military and police forces to do their jobs. The military and police forces need outside help. They need training, equipment, and supplies if they are going to be able to project the authority of the central Government in a professional way. Lebanon's democratic institutions need help; so, too, do civil society groups and private enterprises that can provide services to the Lebanese people quickly and that can increase demand for functioning, responsive, and transparent democratic institutions. Without this support for the army and police, stability will be elusive, and Israel will have every right to remain nervous about the role that Hezbollah will play in southern Lebanon and about the influence that Iran and Syria will have throughout the country.

Finally, the U.S. Government must devote greater attention and resources to this issue. We have already seen the results of this administration's passive approach: hesitant international partners, lagging reconstruction efforts, and a shaky framework for ensuring that Israel's security concerns are addressed. If we are to contribute positively to a sustainable ceasefire and to setting the conditions within which Israel and Lebanon can become secure, a senior U.S. envoy must be deployed to help manage the implementation of U.N. Resolution 1701, assist with donor reconstruction efforts, build support for the Lebanese Government, influence important regional actors, and begin setting the conditions for a transition to a broader peace process throughout the region that will bring an end to this violence and instability.

One of the most pressing and important tasks for a U.S. envoy will be working with the international community to end the pernicious influence that Iran and Syria continue to exert over Lebanon. Until that influence is ended and the Lebanese people are allowed to assert their own sovereignty, the prospects for a long-term peace will be shaky at best.

Mr. President, we have an opportunity to eliminate a terrorist organization that has terrorized Israel for too

long. It has exploited a weak Lebanese Government and has used the façade of public service and charity work to buy favor amongst the people of southern Lebanon. Efforts now must be focused on helping to create the conditions within which the Lebanese Government can build the legitimacy and capacity it will need to establish peace within its borders. This will make Israel safer and will contribute to longer term peace efforts throughout the region. That won't happen unless the international community, led by the United States, helps create the conditions within which the Lebanese Government can do its job.

AFRICAN UNION

Mr. FEINGOLD. Mr. President, the African Union is essential to the political and economic development of Africa's diverse community of States. It has become clear that the AU represents a real commitment by its members to establishing a forum for political dialogue and to address the challenges and seize opportunities that are arising throughout the continent.

The AU plays three very specific roles that I will highlight as we consider the nomination of the United States' first ambassador and as we renew our efforts to strengthen our relationship with the AU.

The AU is primed to serve as the primary forum for establishing peace and preventing conflict throughout the continent. I applaud the efforts of the leaders of the AU to establish a true capacity to prevent and end conflict that has devastated many parts of the continent for too long. The creation of the Peace and Security Council, PSC, within the AU is particularly valuable, and I hope this organ within the AU develops sufficient capacity to deal with the full range of conflict throughout the continent. It is essential that the PSC complete its work in developing a series of early warning systems and indicators so that it can be effective in preventing conflict. It also must develop a real capacity to respond to conflict should one occur. The Panel of the Wise, too, is an important source of moral authority and opportunity for prominent African leaders to engage in country-specific conflicts without sacrificing neutrality or threatening the sovereignty of a nation.

As we have learned from recent years in places such as Sudan and Somalia, it is critical that there be a way to identify, understand, and respond to the conditions that breed instability. The United States should support this conflict prevention and resolution capacity and work closely with the AU to identify weaknesses or shortfalls that exist in maximizing the AU's ability to fulfill these important functions.

The United States must also support the AU's efforts to establish an African Standby Force that can participate in peace operations, intervention, and conflict monitoring. The AU and its members have proven a willingness and commitment to contributing military forces to AU-flagged missions throughout the continent. AU forces are operational in Darfur and in Burundi and have proven that they are willing to take on challenging assignments in nonpermissive environments. Unfortunately, the AU still does not have the capacity to fully implement the vision for the African Standby Force, nor to effectively complete its mission in Darfur. The United States should assist the AU in developing a professional, deployment-ready standby force that can respond to conflict and that can participate in interventions to establish peace in areas already facing conflict. We must continue our efforts to help African militaries develop their capacity, while also urging the importance of the respect for human rights, civilian leadership, and fighting corruption.

Finally, the AU is playing an increasingly important role in defeating terrorist networks throughout the African continent. As terrorist networks exploit undergoverned or unstable areas throughout Africa, the AU can play an important role in helping member States develop internal capacity to defeat the conditions that allow terrorists to take root. The AU also can strengthen member-State networks to share information, best practices, and even capacity as it relates to understanding, and ultimately defeating, terrorist networks. The African Center for the Study and Research on Terrorism, ACSRT, a joint AU Commission/PSC structure, was launched in 2004 but lacks sufficient capacity to carry out its broad mission. It is a good first step, but it will need assistance from the United States, the European Union, and other members of the international community. Establishing this capacity must also be a priority for the AU's member states.

There are a range of other challenges facing the AU, and there is no doubt a long list of priorities to be addressed. And while the United States has and will continue to support a range of AU efforts, it is essential that the U.S. Government structure its assistance to the AU to help empower it as an organization, support its priorities, and help to develop an internal capacity to plan for its growth and role in the coming years. I hope that the fact that we are sending our first ambassador to the AU will represent a heightened level of engagement with the AU and a renewed commitment to helping the AU, its member states, and the people of the African continent address the challenges of the 21st century.

FOREIGN SERVICE FAMILY LOSSES

Ms. SNOWE. Mr. President, Monday, August 7, was the eighth anniversary of the bombings of our Embassies in Nairobi and Dar es Salaam of August 7, 1998. On that dreadful day, the lives of 12 Americans, 11 Tanzanians, and 212 Kenyans were tragically taken; more than 4,000 injured. The names of 56 killed U.S. Government employees—Americans, Kenyans, and Tanzanians—are memorialized on a plaque on a wall in the State Department. I want to take this opportunity to extend my deepest sympathies and condolences to the families and friends of those who died and to those who were injured. We continue to mourn their loss. Their memories will remain eternal. And we pray for strength for those who are still suffering.

At this time, I also want to express my heartfelt sympathy for another great loss in the Foreign Service family, the matriarch of America's diplomats, Ambassador Mary Ryan. I, as well as all those who knew her, was deeply saddened to hear of Mary's passing on April 25.

During my days with the House Foreign Affairs Committee, Mary and I worked closely together in response to the 1993 World Trade Center bombings by aggressively introducing technology data systems, such as the TIPOFF lookout system, and strengthening interagency information sharing to identify potential terrorists as they applied for visas to our great Nation. In the aftermath of the August 7 bombings in Kenya and Tanzania, and then after 9/11, our paths crossed again, as we, together, tackled the visa and border security challenges of our day. Mary's dedication to and love for her nation was always very evident during these trying times.

As the longest-serving diplomat at the time of her departure from the State Department, Mary served 36 years in her distinguished public service career. Mary entered the Foreign Service in 1966 serving in Naples, Tegucigalpa, Monterrey, Washington, Abidjan, and Khartoum before being appointed ambassador to Swaziland in 1988. In 1993, she became the Assistant Secretary of State for Consular Affairs and in 1999 she was named career ambassador, only the second woman to hold the rank in the history of the State Department.

A mentor to generations in the Foreign Service, particularly women, Mary Ryan was truly an outstanding American diplomat and public servant. Mary donated much of her time to those in need, extending a uniquely kind, generous and warm spirit that will be missed by all.

The Nation owes a deep debt of gratitude to these fine men and women who serve our Nation's interests overseas and their families. And I want to thank them for their public service and dedication to our fine Nation.

PENSION PROTECTION ACT OF 2006

Mrs. CLINTON. Mr. President, I would like to begin by commending Senate Health, Education, Labor and Pensions Committee Chairman ENZI, Senate HELP Committee Ranking Member KENNEDY, and the rest of my

colleagues on the HELP Committee and the Senate Finance Committee for their commitment to working on a bipartisan basis toward the shared goal of comprehensive pension reform. This legislation is the product of their tireless work on behalf of our Nation's workers and retirees.

In particular, I would like to express my appreciation to the conferees in the Senate and the House for undertaking the difficult work of negotiating a compromise between the two Chambers' bills. It is a challenge to reconcile legislation on such a complex set of reforms, and it is an enormous credit to the hard work of the conferees—and their staffs—that we were in a position to act on this important piece of legislation.

The protection of the retirement security of workers and their families is one of my highest priorities as a Senator. The promise of a pension is one of the central tenets of the compact between an employer and an employee and one of the essential components of the American dream. It is incumbent on our businesses and on our Nation to make good on that promise. So many of my constituents in New York, like millions of other Americans throughout the Nation, work their entire lives to secure the right to pension benefits when they retire, and they come to depend on those benefits to provide financial security for them and their loved ones through retirement.

Unfortunately, the private pension system in America is badly in need of repair. More and more companies are terminating the defined benefit plans that serve as a dependable source of retirement income for tens of millions of workers throughout the country. Workers in terminated plans often find their pension benefits slashed, and the consequences for these workers are all too real, including postponed retirement, additional jobs, and tighter budgets.

Liability for these pension plans is shifted to the Pension Benefit Guaranty Corporation, which insures defined benefit plans but is now $22 billion in debt and itself could require a taxpayer bailout if more companies abandon their plans. And in fact, many more companies' defined benefit plans are on the brink of insolvency—defined benefit plans insured by the PBGC are underfunded by roughly $450 billion, including almost $100 billion for defaults it calls reasonably possible. I meet often with New Yorkers who are deeply anxious that they will never see the pension benefits they worked so hard to earn.

The Pension Protection Act makes great strides toward restoring the great promise of the private pension system for workers in New York and throughout the Nation. Among the important reforms in this bill are provisions that: require companies to fully fund their single-employer defined benefit plans; provide incentives for companies to contribute more money to their pension plans during good years; strengthen the multiemployer pension system; improve the pensions of public safety officers; allow Reserve and National Guard members to draw on their retirement savings without penalty when they serve our country in active duty; and take important steps toward restoring the solvency of the PBGC.

The Pension Protection Act also contains provisions that aim to protect the retirement security of workers as more employers transition from defined benefit pensions to 401(k)s and new hybrid plans. The legislation will clarify the legality of these hybrid plans on a prospective basis, and prohibit the ''wear-away'' of the benefits of older employees under these plans. The legislation will encourage the use of automatic enrollment for 401(k)s and other defined contribution plans. And the legislation will prohibit employers from requiring employees to keep their retirement savings in company stock, a practice that magnified the harmful impact of the Enron and other corporate scandals on employees.

Finally, in light of the low personal savings rate in this country, it was vitally important that the bill included tax incentives for savings. I am particularly happy that the bill makes permanent the Saver's Credit, which helps middle- and low-income families save for their retirement. Making the credit permanent was one of the reforms that I and some of my colleagues call for in the American Dream Initiative. These are smart and commonsense reforms that will offer clarity and certainty in the retirement planning of the millions of New Yorkers and the 65 million Americans estimated to participate in 401(k) and defined contribution plans.

I also commend the conference on making a number of improvements to the Senate bill that was passed last year. For one, the new bill is wise to drop a provision that would have looked to the credit rating of a company to determine whether it is at risk for plan default and therefore must make accelerated contributions into its plan. That approach would have made it far more difficult for a company to preserve a plan during a period of financial distress, a result that is undesirable for the company, its employees, and the American taxpayer. Likewise, the legislation increases the ''smoothing'' period for the calculation of assets and liabilities from what was in the Senate bill, a change that will improve the predictability of pension payments and make it easier for employers to keep their pension promises.

The legislation is not without its flaws. The legislation walks back several of the provisions in various areas of the Senate bill that provided important protections for workers. My strong preference was to see the costs in the legislation offset. Also, while funding provisions in the bill required a certain measure of compromise on the part of all of the stakeholders, I am concerned that these provisions could exact an unintentional and unnecessarily harsh toll on employees in certain industries. I will be monitoring the impact of the bill closely, and I will work with my colleagues to correct the situation should this occur. Finally, while the bill protects the pensions of many of the thousands of airline employees who live and work in New York, we must continue to find ways to assist other distressed companies in taking the steps necessary to preserve the pension plans of their employees.

And indeed, we should not regard this bill as an excuse to rest on our laurels. Our work on behalf of workers and their families is only beginning. We need even more Congressional action to pursue public and private ways of addressing the retirement security of workers in New York and throughout America: portable retirement accounts for workers with even stronger incentives to save, offering real health care options to retirees and workers; and protecting Social Security for our seniors.

Workers and their families are counting on their employers to keep their pension promises. The Pension Protection Act will help employers to do so, while strengthening the defined benefit system, protecting the PBGC, and encouraging private savings. This bill is an important step toward the goal of restoring retirement security for working men and women. For these reasons, I applaud the Senate for passing this important piece of legislation, and I call on the President to sign it promptly. I look forward to working my colleagues on further measures to enhance the defined benefit system and increase retirement savings for workers in New York and throughout the Nation.

LIFTING OF HOLDS

Mr. WYDEN. Mr. President, in August, I announced my intention to object to any unanimous consent request for the Senate to take up the nominations of John Ray Correll to be Director of the Office of Surface Mining, Interior Department, and Mark Myers to be Director of the U.S. Geological Services, Interior Department. Previously, in May, I also placed a hold on David Bernhardt, the administration's nominee to be Interior Solicitor. I also objected to any unanimous consent to keep these nominees on the calendar during the August recess. Instead, I asked that these nominations be returned to the White House. I did so because, despite several requests, I had received no assurance from the administration that the needs of people in more than 700 rural counties in over 40 States would be adequately addressed by fully funded county payments. The county payments law, which provides a stable revenue source for education, roads, and other county services in rural areas, is due to expire at the end

of this year. In early 2005, I cosponsored a bipartisan bill, S. 267, to reauthorize county payments for another 7 years. In February, the administration proposed reauthorizing the law for only 5 years, while cutting funding by 60 percent, and funding that reduced portion with a controversial Federal land sale scheme.

During the August recess, the administration agreed to work with us to find a mutually acceptable solution to fully fund county payments for another year. On August 7, 2006, I received a letter from Mr. Mark Rey, Under Secretary for the U.S. Department of Agriculture, in which the administration committed to work with me, and my colleagues Senator SMITH and Senator CRAIG, to reauthorize the program for the coming year, through a mutually acceptable funding source. This is not a long-term solution, but it will address the needs of hundreds of communities for the short term. Because of the commitment of the administration to work with me, and my colleagues Senator SMITH and Senator CRAIG, to reach a solution, I will no longer object to any unanimous consent request for the Senate to take up the nominations of John Ray Correll, Mark Myers, and David Bernhardt. I will, however, continue to look for the agreed upon funding solution to be proposed from the administration, while looking toward a future long-term solution.

I ask unanimous consent that a copy of this statement along with Mr. Rey's letter be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, August 7, 2006.

Hon. RON WYDEN,
U.S. Senate,
Washington, DC.
Hon. LARRY E. CRAIG,
U.S. Senate,
Washington, DC.
Hon. GORDON SMITH,
U.S. Senate,
Washington, DC.

DEAR SENATORS: Like you, the U.S. Department of Agriculture recognizes the importance of the Secure Rural Schools and Community Self Determination Act. We are committed to working with you to reauthorize the program this year.

Acknowledging the difficulty in a multi-year reauthorization of this program prior to the September 30, 2006, expiration of the program's authority, we commit to working with you to enact a one year extension of the program, at full funding levels, and finding mutually acceptable offsets. We understand from our discussions that time does not permit the enactment of our proposed land sales offset as free standing legislation; as such, this would not be an offset option for the one year extension.

We appreciate your leadership on this issue and look forward to continuing working with you.

Sincerely,

MARK REY,
Under Secretary,
Natural Resources and the Environment.

CONGRESSMAN ROBERT GIAIMO

Mr. DODD. Mr. President, I rise today to pay tribute to a former colleague and dear friend, Robert Giaimo, who passed away on May 24 of this year. He served the people of Connecticut and the United States as a Member of the House of Representatives for more than 20 years, and I want to speak to my colleagues today about the life and legacy of this dedicated public servant.

Bob Giaimo was born in North Haven, CT on October 19, 1919, son of the late Rose and Rosario Giaimo. He attended North Haven public schools, and graduated from Fordham University before receiving his law degree from the University of Connecticut in 1943. During World War II, Bob served as a commissioned officer in the United States Army. When he returned, he served as the chairman of the State of Connecticut Personnel Appeals Board, as a member of the North Haven Board of Education, North Haven Board of Finance, and as third selectman of the town of North Haven.

Bob Giaimo's public service culminated with his tenure in the House of Representatives. Elected in 1958, Congressman Giaimo represented Connecticut's third congressional district until his retirement in 1980. During his eleven terms in office, Representative Giaimo served as a member of the House Education and Labor Committee between 1959 and 1963, and went on to serve on the House Appropriations Committee. When the House Committee on the Budget was established in 1974, Representative Giaimo was elected to serve as a member, and was elected chairman of that committee in 1979. He was the first Connecticut Democrat and the first Connecticut Member of Congress since 1931 to chair a congressional committee.

One of Congressman Giaimo's greatest legislative achievements was undoubtedly his 1965 sponsorship of the bill that created the National Endowment for the Arts and the National Endowment for the Humanities, separate grant-making agencies that support our nation's painters, sculptors, writers, poets, and historians, among others. His dedication to this legislation has made an enormous contribution to America's cultural heritage.

When I was elected to Congress in 1975, Bob was already a senior member of the House. But he very graciously took an interest in showing this newcomer the ways of that institution. With me, as with all who knew him, Bob was a public figure who led by example. Never one to seek the spotlight, Bob remained dedicated to the working families, the poor, the elderly, and others who cannot afford to buy a voice in Washington and who instead rely on their elected officials to look out for them in the corridors of power. The quality and caliber of this leadership will be missed and continues to inspire those of us who knew him and who serve in public life.

My wife Jackie and I offer our deepest condolences to his wife Marion, his daughter Barbara, and his granddaughter Tracey. They have lost a beloved member of their family. And the people of Connecticut and our Nation have lost a dedicated public servant and an exceptional man.

I was honored to attend Representative Giaimo's memorial service on June 1, and found the eulogy, delivered by Reverend Hugh MacDonald, to be particularly moving. I ask unanimous consent that the text of the eulogy be printed in the RECORD.

EULOGY: ROBERT GIAIMO

(Reverend Hugh MacDonald, June 1, 2006)

The great cathedrals of Europe are a glorious part of our Christian heritage—towering testimonials to an Age of Faith. But anyone who now visits these sublime buildings soon realizes that they also have a history as cemeteries for the celebrated.

Whether interred in the basement crypts or encased in magnificent tombs scattered around the sanctuary and aisles, the famous dead almost vie for attention with our living worship.

My personal favorite among cathedral tombs is in the Cathedral of Saint Richard in the city of Chichester on the southern coast of England. In the north aisle of that elegant church is a massive stone sepulcher containing the remains of the fourteenth-century Earl of Arundel and his countess. Side by side, atop the monument, lie their carved stone likenesses.

A famous warrior, he is clad in medieval armor, and his feet rest up on a lion—the symbol of bravery. On his right, his wife is shown in nun-like robes, her feet resting on a small dog—symbol of fidelity.

Purely as sculpture, the Arundel tomb is not all that impressive, and six centuries have blurred the once precise details of the carved faces. But what finally rivets your attention is their hands! The universal custom in pious monument-sculpture is for the hands to be stiffly folded on the chest, pointing heavenward in a gesture of everlasting prayer.

Not so with the Arundels! His left arm lies at his side, and in that left hand he holds the empty glove (or gauntlet) for his right hand. So, immediately your eyes seek out that right hand. His right arm is also relaxed at his side, and the hand is thus concealed by the overlapping folds of the countess's robe as she lies beside him. But if you go to the foot of the monument and stoop down a bit, you can discover their touching secret. Under the carved armor and the pleated dress, their hands are clasped in tender love!

I find that detail enormously moving. We know almost nothing now about the once famous exploits of this heroic earl and nothing whatsoever about his wife. And in the cathedral that houses their bones, the centuries have witnessed violent religious wars and the cruel ravages of time. But through it all and despite it all, those clasped hands are a reminder of what is noblest in our lives and in our legacy. The poet Philip Larkin put it beautifully in the final line of his meditation on the Arundel tomb when he wrote: ''What will survive of us is love.''

Those words sprang to my mind on Monday after I had talked on the phone with Barbara about the shining love her parents shared. Robert and Marion were married here at Saint Barnabas sixty-one years ago. Sadly, poor health prevents Marion from being here with us this morning for this Mass of Christian Burial.

But in fact every celebration of the Eucharist reminds us that nothing can truly separate us from our love of the Lord or our love

of each other. Not miles or years or even death! Love is always present tense, and love never comes to an end!!

Clearly, what God asks of us is not just theoretical love, love-in-the-abstract. Not at all! God challenges you and me to flesh out our love in acts of living prayer and lives of authentic service. Unless our hands are clasped in love, nothing else really matters.

Robert Giaimo understood that challenge, and he lived that faith with sincerity and simple conviction. Harry Truman (God bless him!) once said that the politicians of his era used to pour God over everything—like ketchup! (By the way, I don't know what President Truman would have to say about the current level of religiosity in our political discourse, but I for one would dearly love to hear it!!!)

But Bob Giaimo's faith was never showy or self-congratulatory. He didn't preach sermons, he just served people.

This was a man who regularly walked the corridors of power, but never forgot his roots, his heritage, his humanity. His towering stature made him an imposing presence, but his genuine humility made him a caring person and a lasting friend. And, of course, a deeply devoted husband, father, and grandfather.

The pulpit is not a place to assess his political achievements, but I can't resist a heartfelt ''Thank you!'' to the man who was so influential in creating the National Endowment for the Arts and Humanities. He firmly believed that the arts not only enrich our lives but actually instruct us how to live. (That's one of the reasons I began this eulogy with that Arundel anecdote.)

Our brother has now passed beyond our sight but not at all beyond our reach. He is quite literally only a prayer away. And on each day of our continuing journey of faith, he will continue through the power of his prayer to reach into our lives: to touch us, to lead us, to help us. Because, for Robert Giaimo it has always been quite personal!

And isn't that precisely the point Jesus is making in today's gospel selection? Notice the Lord did not say to His anxious Apostle: ''Thomas, I will show you the way, I will teach you the truth, I will give you life.'' No: it's absolutely personal. ''Thomas, I AM the Way and the Truth and the Life.''

No one was ever saved by words or rituals, by laws or creeds. We are saved by the powerful Person of the Lord, and we show our acceptance of that great gift by cherishing all the precious people who share our journey.

So, when all is said and done, Bob Giaimo's gift to us was not a legacy of laws but of loving service. Power passes, and fame is fleeting. ''What will survive of us is love.''

ADDITIONAL STATEMENTS

PAYNESVILLE AREA SCHOOL DISTRICT, PAYNESVILLE, MINNESOTA

• Mr. DAYTON. Mr. President, today I honor the Paynesville Area School District, in Paynesville, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

The Paynesville Area School District is truly a model of educational success. The district administrators, teachers, staff, and parents have remained focused on the District's mission: ''Success for Everyone Through Quality Learning.''

The commitment of the entire community to the education of its children has earned the Paynesville Area School District's high school a five-star rating in both math and reading, one of only seven percent of schools in the State that can make that claim. The elementary school also earned a five-star rating in reading. Paynesville is very proud of the fact that it is the only district in greater Minnesota that has five stars in reading for both its elementary and high schools.

Paynesville, a rural community, continually seeks new ideas to remain competitive in a progressive society while cherishing local history and tradition. Along with the fundamentals of reading, writing, and mathematics, the district also emphasizes respect as a basic value.

The Paynesville Area School District offers a number of innovative programs, including full-day kindergarten for everyone; children in kindergarten and first grade are grouped by ability; teachers in grades 2 and 3 remain with the same teacher for 2 years in a row; parents can view children's grades through the district's Web site; and College in the Classroom courses are available for fundamentals of college writing, rhetoric, and introduction to literature, allowing students to earn college credit in these subjects.

The Paynesville Area School District also offers a wide variety of cocurricular activities, including: an award-winning Future Farmers of America Program, a Future Leaders of America Program, and a Business Professionals of America Program. The middle school band has been rated ''Best Young Band,'' and the high school choir performed at candlelight processionals at Disney's Epcot Center in 2000 and 2004.

Much of the credit for the Paynesville Area Public School's success belongs to its superintendent, Mr. Todd Burlingame, and the district's dedicated principals, teachers, and staff. The students and staff at the Paynesville Area School District understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at the Paynesville Area School District should be very proud of their accomplishments.

I congratulate the Paynesville Area School District in Paynesville for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.•

LITTLE FALLS COMMUNITY MIDDLE SCHOOL, LITTLE FALLS, MINNESOTA

• Mr. DAYTON. Mr. President, today I honor Little Falls Community Middle School, in Little Falls, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Little Falls Community Middle School is truly a model of educational success. Every year since 1997, its Language Arts Department has invited well-known authors to work with the students to help develop their writing skills. Students are assigned beforehand to read one or more of each author's books. This approach to teaching both an appreciation of reading and improved writing skills works very well in a middle school setting.

This year, Will Weaver was invited to work with the students. Some other authors who have participated are Will Durbin, Patricia Calvert, and Earl Fleck. The author spends 2 days teaching techniques for writing stories that allow the reader to ''feel'' what is happening. The authors discuss their favorite books, how they came up with the ideas for their books, how long it takes to write a chapter, and how they were able to get their first books published. Students come away from the experience believing that they, too, can become good writers.

Another program unique to the school is its annual Water Festival, which allows sixth-graders to travel each year to nearby Camp Ripley for hands-on experience learning about the significance of water in our environment. The festival offers children an opportunity to discover how important water is in their lives and how we ourselves affect water, positively or negatively. They learn about water purification techniques, invertebrates that live in the water, wetland habitat, the history of the Mississippi River, and the characteristics of a watershed. The school makes use of National Guard staff, Department of Natural Resources Specialists, and representatives from the Science Museum of Minnesota.

This year, Little Falls Community Middle School suffered a tremendous loss when one of its teachers, Mr. Lee Hochsprung, died suddenly. He had enjoyed spending time with his family, teaching at the middle school for 31 years in language arts, EBD, and social studies, hunting, fishing, camping, cooking, watching his children play sports, announcing wrestling matches, listening to all kinds of music, and reading history. He was a compassionate person, a motivator, and a loving husband, father, and loyal friend. The Little Falls community will remember Lee for his stories, jokes, great teaching skills, fabulous coaching ability, gift for connecting with students and parents, capacity for fun, and love for all children, especially for his own children, Laura, Paul, Phil, and Katie, and his wife Julie.

Much of the credit for Little Falls Community Middle School's success belongs to its principal, Dr. Maxine Strege, and the dedicated teachers. The students and staff at Little Falls Community Middle School understand that in order to be successful, a school must

go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at Little Falls Community Middle School should be very proud of their accomplishments.

I congratulate Little Falls Community Middle School in Little Falls for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

JOHNSVILLE ELEMENTARY SCHOOL

● Mr. DAYTON. Mr. President, today I honor Johnsville Elementary School, in Blaine, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Johnsville Elementary School is truly a model of educational success. The school has developed a wide variety of programs to meet the learning needs of all children. Unlike many elementary schools, which offer only three or four break-out curricula, Johnsville has built art, music, library, technology, and physical education into the school-day curriculum. A talent development program provides enrichment reading, math, creative writing, and science for the more advanced learners. A targeted services program offers extended-day instruction in reading and math for pupils who are struggling.

At Johnsville, those kindergarten children who have already begun to read and write can participate in an advanced reader program. In addition, for 2 consecutive years, a Johnsville kindergartner has won the Anoka Hennepin District's Anti-Bullying Kindergarten Poster Contest. This year's winner was Jake Taylor.

The school is also very proud of its choir programs, including an honors choir program, and its Fine Arts Festival, where everyone displays at least one project.

The Anoka-Hennepin School District has also established a teacher with outstanding performance, TOP, recognition program so that parents can nominate deserving teachers. Seven of Johnsville's teachers have received the award.

Parents' support for the school is reflected in the 98 percent parent participation rate in parent-teacher conferences. Johnsville also provides opportunities to involve parents in all aspects of the school day.

In the spirit of community service, this year Johnsville participated in a special fund-raiser for people affected by Hurricane Katrina, raising $2,700 for St. John's School in Louisiana.

Johnsville's principal, Mr. Patrick Murray, was recently recognized with a division leadership award from the Minnesota Elementary School Principals' Association.

In 2005, the school received a three-star rating in math and a four-star rating in reading. This is an improvement over the two-star rating in reading the school received in 2004.

Much of the credit for Johnsville Elementary School's success belongs to its principal, Mr. Patrick Murray, and the dedicated teachers and staff. The pupils and staff at Johnsville Elementary School understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where children can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and children at Johnsville Elementary School should be very proud of their accomplishments.

I congratulate Johnsville Elementary School in Blaine for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

SAINT ANTHONY MIDDLE SCHOOL, SAINT ANTHONY VILLAGE, MINNESOTA

● Mr. DAYTON. Mr. President, today I honor Saint Anthony Middle School, in Saint Anthony Village, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Saint Anthony Middle School is truly a model of educational success. The Saint Anthony and New Brighton communities, which are served by the middle school, place a high value on quality education for every student. The teachers and students have taken the initiative to establish an academic enrichment program, matching students and teachers with similar interests to participate in enrichment learning activities.

Saint Anthony Middle School has also developed curricula and teaching techniques to meet the needs of struggling learners as well as advanced students. Children who need greater support are given additional study time and assistance from paraprofessionals and high school tutors. Advanced students participate in special courses designed to move at a faster pace. The Connections Course, developed by the social studies teachers and language arts teachers, offers an advanced-level course integrating both subjects.

Recognizing that positive connections with middle school students are essential, teachers and staff work constantly to improve the educational experience. Teachers, who often go to great lengths to be sure that all students are connecting with the curriculum, helped the eighth-graders create a Colonial Day, on which community members facilitate workshops to help students to understand firsthand what it was like to live during colonial times. Among other things, students created cornhusk dolls, wove baskets, dressed in colonial attire, and ignited a fire using stones. The school is also exploring the possibility of adding an International Baccalaureate Program to the curriculum.

The success of Saint Anthony Middle School is reflected in student enrollment numbers: 42 percent of the students come to the school, through open enrollment, from neighboring districts.

In 2005, St. Anthony Middle School received a three-star rating in math and a four-star rating in reading from the Minnesota Department of Education.

Much of the credit for Saint Anthony Middle School's success belongs to its principal, Shirley Gregoire, and the dedicated teachers and staff. The students and staff at Saint Anthony Middle School understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at Saint Anthony Middle School should be very proud of their accomplishments.

I congratulate Saint Anthony Middle School in Saint Anthony Village for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

SAINT ANTHONY VILLAGE HIGH SCHOOL, SAINT ANTHONY VILLAGE, MINNESOTA

● Mr. DAYTON. Mr. President, today I honor Saint Anthony Village High School, in Saint Anthony Village, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Saint Anthony Village High School is truly a model of educational success. The high school aims to establish a ''preferred, small, caring educational community creatively meeting individual learners' needs.''

The Saint Anthony Village High School's success can be attributed to the relatively small number of students enrolled, the dedicated teachers and staff, and the strong community support. The high school and middle school share the same building, hence the innovative Tutors R Us Program has allowed high-achieving older students to help tutor middle school students who need more individualized attention.

Teachers at Saint Anthony Village High School genuinely care for their students and hold them accountable for high academic standards. When Maggie Horan, a recent graduate, and senior Dede Sirleaf were asked about their teachers, they responded by citing their experience with Mr. Olszanski, their math teacher:

> He takes the time to explain things. If you don't get it, he will explain it two or three times to make sure you get it—he really cares about you. He wants everyone to learn and be on the same page. He will even take time to stay after school with you if you don't get it.

The community has demonstrated its strong support for the schools by approving several referendums and supporting numerous fundraising activities. Community members are always represented at school functions, act as mentors for students, serve as hosts for student volunteer opportunities, and frequently offer afterschool employment for Saint Anthony students.

The results are very impressive. The number of Advanced Placement tests taken by students at Saint Anthony has grown from 5 in 1994 to 240 in 2006. Over 20 percent of juniors and seniors belong to the National Honor Society.

In both 2004 and 2005, the school received five-star ratings in both math and reading from the Minnesota Department of Education.

Much of the credit for Saint Anthony Village High School's success belongs to its principal, Mr. Tom Keith, and the dedicated teachers and staff. The students and staff at Saint Anthony Village High School understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at Saint Anthony Village High School should be very proud of their accomplishments.

I congratulate Saint Anthony Village High School in Saint Anthony Village for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

MORRIS ELEMENTARY SCHOOL, MORRIS, MINNESOTA

● Mr. DAYTON. Mr. President, today I honor Morris Elementary School, in Morris, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Morris Elementary School is truly a model of educational success. The award specifically recognizes the fifth-grade science program for three initiatives: Project Alpha, chick growing, and Tomato Fest, which all combine learning with hands-on application of scientific theory and research, and which also involve prominent scientists and parent volunteers.

Project Alpha blends learning in science, math, language, and the arts. The children form an aerospace commission designed to study space flight, aerodynamics, weather, physics, and optics. As they accomplish each intelligence-gathering mission, they earn valuable ''cash'' for their company. They then use the knowledge they have acquired to build and launch model air-powered rockets. The children then make design modifications to their rockets, based on actual flight performance. To earn the privilege of launching their rockets, pupils must pass a tough physics test which covers concepts in energy, mass, light, sound, the earth's tilt, and Newton's laws of motion.

Fifth-graders also participate in an experiment growing chicks, which includes gauging the effects of diet on growing chickens. The children write the experimental protocol, analyze weight gain, feed intake, and feed/gain conversion. They use math skills to compile data and perform measurements. The children meet with research scientists from the University of Minnesota's College of Agricultural, Food, and Environmental Sciences at the West Central Research and Outreach Center. The scientists talk with the children about research, how to write a scientific hypothesis, and how to conduct a research project that will either prove or disprove the hypothesis.

Fifth-graders also conduct a plant-growing experiment, in partnership with the USDA Soils Lab, located in Morris. The children study how certain variables affect germination, growth, and reproduction in tomato plants. The children are required to take measurements, construct data tables, and present findings at the annual Tomato Fest. One-third of the seeds were flown aboard the Space Shuttle Atlantis in 1997; another third were sealed in a dry container and kept underwater at the Scott Carpenter Space Analog Station in Key Largo, FL; and the rest were kept as a control group at Park Seed Company.

During the fifth-graders' annual science fair, research scientists from the University join area high school students who excel in science. The scientists and high school students visit the fifth- grade classrooms for a ''meet the expert day,'' when they review the science projects, answer questions, and give feedback about the fifth-graders' projects.

While the Award for Excellence in Education recognizes the Morris Elementary fifth-grade science curriculum, the school has also done very well in reading and math, receiving four stars in reading and five stars in math from the Minnesota Department of Education in 2005.

Much of the credit for Morris Elementary School's success belongs to its principal, Brad Korn, and the dedicated teachers and staff. The pupils and staff at Morris Elementary School understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where pupils can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and pupils at Morris Elementary School should be very proud of their accomplishments.

I congratulate Morris Elementary School in Morris for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

MARSHALL PUBLIC SCHOOLS, MARSHALL, MINNESOTA

● Mr. DAYTON. Mr. President, today I honor the Marshall Public School District, in Marshall, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

The Marshall Public School District is truly a model of educational success. Marshall Mayor Bob Byrnes nominated the local school district for an Award for Excellence, based largely upon the many programs offered through a collaboration of the school district, the city, and local businesses.

The programs include the Marshall Public School District's Mentor Connection Program, which gives students an opportunity to shadow Marshall business, nonprofit, and government leaders; the Talents Academy, which pairs the brightest instructors with gifted students at a very early age; and the Marshall East Campus Learning Alternative, MECLA, Program, the district's alternative education program for students at risk of dropping out of high school. All of these reflect the belief of the Marshall community that ''all children are important resources.''

The growth and achievement shown by Marshall's students have supplied benchmarks for other Minnesota school districts. Students achieved 90 percent reading proficiency and 80 percent math proficiency on the Minnesota Comprehensive Assessment tests. Over 50 percent of Marshall's teachers have at least a master's degree.

The Emerging Leadership Investment Program for Marshall's minority residents demonstrates the effectiveness of collaboration on the local level. The partnership between the city, its schools, and its businesses has also produced an extremely successful intramural sports program at Marshall High School, which allows a cross section of students to interact socially in a structured, recreational setting, while benefiting from physical activity. The program will be expanded this fall to deliver the same opportunities to middle school children. In addition, foreign languages, creative writing, and science clubs will be added to after-school activities.

Mayor Byrnes said, ''Our community is fortunate to understand the common goal of educating our youth and developing communities that demonstrate their interest in our youth. Communities that value youth, in the end, will retain youth for its sustainable future.''

In 2005, the Marshall High School received a three-star rating in math and a five-star rating in reading from the Minnesota Department of Education; the junior high school received a four-star rating in math and a three-star rating in reading; and the elementary schools received three-star ratings in both math and reading.

Much of the credit for the Marshall Public School District's success belongs to its superintendent, Mr. Klint

Willert, and the dedicated principals, teachers, and staff. The students and staff at Marshall Public Schools understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at Marshall Public Schools should be very proud of their accomplishments.

I congratulate the Marshall Public School District in Marshall for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

WALKER-HACKENSACK-AKELEY SCHOOL DISTRICT'S SPEECH TEAM, WALKER, MINNESOTA

● Mr. DAYTON. Mr. President, today I honor Walker-Hackensack-Akeley School District's speech team, in Walker, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

The Walker-Hackensack-Akeley speech team is truly a model of educational success. The team has demonstrated that when a school establishes a reputation in a specific area, this promotes high expectations, community involvement and support, and an atmosphere encouraging further success. The competitive speech program at Walker-Hackensack-Akeley High School truly sets this school apart from most others in the State. The program is primarily for senior high school, but exceptionally gifted seventh- and eighth-graders can also participate.

The speech program focuses on the Minnesota State High School Speech Competition and the National Forensic League. Both areas of concentration have brought numerous awards and recognition to Walker-Hackensack-Akeley communities. More important, the program has helped develop students' skills and led them, in some cases, to world-class opportunities.

Walker-Hackensack-Akeley's speech program has produced more State champions and medal winners at State-level competition than any school its size, and the high school consistently ranks among the top schools throughout Minnesota. Many students have gone on to compete in the prestigious National Forensic League, and 10 former students have achieved National Forensic League Academic All-American status. Many have also pursued distinguished careers in law, medicine, and business.

The Walker-Hackensack-Akeley speech program has a 40-year record of success, during which participants earned 163 State speech medals, including 31 individual State championships. Participants of the program have competed 21 times at the national level and have won dozens of invitational, subsection, and sectional titles.

Last year, the high school's graduating class of 61 students received in excess of $650,000 in merit-based scholarships from universities and colleges across the country.

Much of the credit for the Walker-Hackensack-Akeley's speech team's success belongs to its coach, Chuck Cravens. The students and staff at Walker-Hackensack-Akeley Schools understand that in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at Walker-Hackensack-Akeley Schools should be very proud of the accomplishments of its speech team.

I congratulate the Walker-Hackensack-Akeley School District's speech team in Walker for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.

WABASSO PUBLIC SCHOOLS, WABASSO, MINNESOTA

● Mr. DAYTON. Mr. President, today I honor the Wabasso Public Schools, in Wabasso, MN, which recently earned an Award for Excellence in Education for exceptional and innovative achievements in educating children.

The Wabasso Public Schools are truly a model of educational success. The district is a small, rural district that has a single building for its entire program, prekindergarten through grade 12. Superintendent Ted Suss describes the District as the ''center of local activity, the most important institution within its community, and the emblem of community pride.'' Wabasso Public Schools have demonstrated that quality education can be provided in a small, rural school district. The district prides itself for its success in academics, athletics, and the arts.

Wabasso Public Schools' amenities include a comprehensive early childhood education program, a formal prekindergarten for 4-year-olds and an all-day kindergarten. In the high school, Wabasso offers a full-year physics class and a full-year calculus class. The vocational agriculture department offers additional opportunities for students to earn science credits, including hands-on learning in floriculture, agriculture, crop science, and animal science. The district will begin offering advanced placement classes next year, which very few rural districts are able to do.

The Wabasso community is proudest of a Future Farmers of America Chapter in which 25 percent of all students in grades 9 through 12 won the opportunity to compete at the FAA State Convention; the Wabasso High School choir, which won three ''superior'' ratings, the maximum possible under Minnesota State High School League rules; the Wabasso High School Rabbits, which have an extraordinary record of success, including State championships in girls' fast-pitch softball and basketball; the boys' wrestling team has qualified for the State tournament in 2 of the past 3 years, winning second place in 2001 and reaching the semifinals in 2003; and the football team has also advanced to the State tournament in 2 of the past 3 years. The success of the football team is even more impressive, given that the school has opted to play in the more competitive 11-man league even though the small enrollment would have allowed them to compete in the 9-man league.

To control costs, the Wabasso School District has hired a single dean of students to serve as the principal for the elementary school, middle school, and high school. A site council makes many of the decisions traditionally made by a school principal.

The Wabasso Elementary School received a four-star rating in math and a five-star rating in reading from the department of education, while the high school received three-star ratings in both math and reading. Last year, every 10th-grade student passed the state MCA writing test on the first attempt. Well over 90 percent of the class of 2005 continued on to a postsecondary education program or entered the military.

Much of the credit for Wabasso Public School's success belongs to its superintendent, Ted Suss, its dean of students, Amy Iverson, and the dedicated teachers and staff. The students and staff at Wabasso Public Schools understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at Wabasso Public Schools should be very proud of their accomplishments.

I congratulate Wabasso Public Schools in Wabasso for winning the Award for Excellence in Education and for exceptional contributions to education in Minnesota.●

THOMAS JEFFERSON HIGH SCHOOL, BLOOMINGTON, MINNESOTA

● Mr. DAYTON. Mr. President, today I honor Thomas Jefferson High School, in Bloomington, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Thomas Jefferson High School is truly a model of educational success. The school is to be commended for its overall commitment to quality education, including its curriculum and scheduling, staffing, materials and equipment, and facilities. The quality of Jefferson's programs in the sciences, mathematics, language arts, health,

music, languages, special education, technology, media, and the arts has set the standard for secondary education in Minnesota. In 2004 and 2005, the school ranked as one of the top six schools in the State on the Minnesota Comprehensive Assessments reading and math scores.

Thomas Jefferson High School, which opened in 1970, has 1,748 students and prides itself for its academic rigor. During the past 3 years, 30 students have earned distinction as National Merit Scholar Semifinalists and Commended Scholars. Each year, over 150 students earn college credits at Jefferson by scoring three points or higher on advanced placement tests. After graduation, more than 80 percent of Jefferson students go on to postsecondary educational opportunities.

Academics alone, however, do not present the whole picture. According to the Thomas Jefferson High School mission statement: ''The Jefferson High School Community will develop and nurture responsible leaders and enlightened citizens who challenge themselves to create the present and enrich the future.'' The teachers and administrators at Jefferson High are proud of their students' academic, athletic, and artistic accomplishments, especially when achieved in the spirit of the Thomas Jefferson core ethical values of respect, responsibility, integrity, citizenship, and honesty.

For example, in keeping with Jefferson's broad mission statement, students demonstrated their personal integrity and desire to serve others by working to raise over $12,000 for hurricane relief and $10,000 for the Red Cross relief efforts.

In addition, the Jefferson Marching Band, which is fondly known as the Pride of Minnesota, is a source of special luster and has performed at the Cotton Bowl, Alamo Bowl, Fiesta Bowl, and Tournament of Roses Parade. Students are also offered a choice of two orchestra programs.

The school does well in athletic competition. Over its 35-year history, Jefferson High School has won 51 State championships in hockey, soccer, football, baseball, and other men's and women's sports. Recent accomplishments of Jefferson sports teams include a 2004–2005 Boys State Soccer Championship, a 2004–2005 Boys' Hockey Lake Conference and 6AA Championship Title, and a 2003–2004 Girls State Alpine Ski Academic Championship.

Much of the credit for Thomas Jefferson High School's success belongs to its principal, Steve Hill, and the dedicated teachers. The students and staff at Thomas Jefferson High School understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at Thomas Jefferson High School should be very proud of their accomplishments.

I congratulate Thomas Jefferson High School in Bloomington for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

WILSHIRE PARK ELEMENTARY SCHOOL, SAINT ANTHONY VILLAGE, MINNESOTA

● Mr. DAYTON. Mr. President, today I honor Wilshire Park Elementary School, in Saint Anthony Village, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Wilshire Park Elementary School is truly a model of educational success. Wilshire's motto is: ''Making Kids #1 for Over 40 Years.'' The school's reputation is reflected in the fact that nearly half its pupils enter through open enrollment, and there is a long waiting list for acceptance. Families choose Wilshire because it is known for academic excellence and for its safe, caring environment

Test scores at Wilshire Park Elementary School are well above the State average and continue to improve every year. Three years ago, Wilshire received three stars in reading and math from the Minnesota Department of Education. Two years ago, the school received four stars in reading and three in math. Last year, Wilshire received four stars in reading and five stars in math.

However, test scores and ratings alone do not fully represent a school's true success. The principal and teachers at Wilshire Park Elementary believe many other factors influence children's ability to learn, qualities often better revealed through personal stories describing an atmosphere of caring and nurturing.

The true sense of the Wilshire community is evident from the support the entire school gives to children experiencing tragedies in their lives. One Wilshire student has been on kidney dialysis for several years, waiting to receive a transplant. Last fall, the school held a dance to raise funds to help cover the family's medical expenses. Also, earlier this year, staff rallied to support a first-grader whose mother died suddenly.

Wilshire was the first school in the five-State area to have a K-Kids Club, which is a Kiwanis Club for children to work on projects to benefit the whole community.

Wilshire Park Elementary School is also proud of the tremendous volunteer support it receives from the community. The school currently has 252 active volunteers, of whom 70 to 80 work at the school at least 1 to 2 days per week. These volunteers not only include parents of Wilshire pupils; aunts, grandparents, and community members are also regulars in the volunteer room.

Much of the credit for Wilshire Park Elementary School's success belongs to its recently retired principal, Dr. Bonnie Kirkpatrick, and the dedicated teachers and staff. The pupils and staff at Wilshire Park Elementary School understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where children can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and pupils at Wilshire Park Elementary School should be very proud of their accomplishments.

I congratulate Wilshire Park Elementary School in Saint Anthony Village for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

RENVILLE COUNTY WEST SCHOOL DISTRICT, RENVILLE, MINNESOTA

● Mr. DAYTON. Mr. President, today I honor Renville County West School District, in Renville, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Renville County West School District is truly a model of educational success. The district has struggled financially for many years, primarily as a result of declining enrollment. It has addressed its financial problems through multiple consolidations of many districts into a single district, and last year, the closing of yet another school building. These moves, while financially necessary, are extremely hard on the students, staff, and community.

While the district has been plagued by falling enrollment due to population trends, statutory operating debt, reductions in staff and programs, and staff development funds that have been suspended, the district maintains its commitment to quality education. Its schools have consistently made yearly progress toward the goals of No Child Left Behind.

Despite these challenges, test scores in Renville County West schools have improved over the past few years. Last year, Renville County West Elementary School earned four-star ratings in math and reading; and its high school earned a four-star rating in math. Renville County West's continued academic progress has also overcome changes created by greater numbers of special education, low-income, and minority students.

The statements of teachers and students offer yet another reflection of the success of the district. Social sciences teacher Daniel Rohman writes: ''I have developed a senior economics class that gives kids a springboard into life. In this class, I teach the concepts of micro and macro but try to put it into real life examples that the kids have to work at. In this class I teach investments. We do mock

portfolios; we track stocks; we do government securities, 403s and 401s, IRAs, mutual funds, insurance plans, money market accounts, and on and on.

''I have had kids so interested in this class that they have gone into the securities profession as investment brokers, insurance sales, working for firms such as State Farm and Piper Jaffrey. Do you think that makes me proud? You bet it does. That is what teaching is all about. Seeing a kid make three times what I make and feeling good about it when they come back to share their success story with you and saying, 'Thank you, you made a difference in my life.'''

Molly Forkrud, a 2006 graduate of Renville, describes her academic career, writing: ''I can honestly say in all four campuses, I have received a wonderful education. This education did not come from the walls, halls, or classrooms of certain buildings, but rather the consistent ambition of the teachers and staff who instructed me. The buildings themselves have had nothing to do with my education, but it's the people inside who have impacted my life as a student.''

Although the district has struggled financially, it has made the financial commitment to fund an all-day kindergarten for all children, something the State of Minnesota has refused to provide.

Much of the credit for the Renville County West School District's success belongs to its Superintendent, Mr. Doug Conboy, and the dedicated principals, teachers, and staff. The students and staff at the Renville County West School District understand that in order to be successful, a school must go beyond achieving academic success. It must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at the Renville County West School District should be very proud of their accomplishments.

I congratulate the Renville County West School District in Renville for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

SAINT MICHAEL-ALBERTVILLE HIGH SCHOOL, ALBERTVILLE, MINNESOTA

● Mr. DAYTON. Mr. President, today I honor Saint Michael-Albertville High School, in Albertville, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Saint Michael-Albertville High School is truly a model of educational success. Its students and staff recently completed a collaborative effort uniting the environmental sciences classes, studio art classes, and members of the community to create a mural, now displayed in the school's courtyard. The students also designed a flower garden to beautify the building's landscaping. Each of the mural's components depicts one of the four seasons in Minnesota.

The mural, which was completed last November, was funded through a grant from the Minnesota Arts Board. Over 180 high school students contributed, under the direction of Mr. Danny Saathoff, an artist in residence. Students from the environmental sciences department helped develop the ideas for each component of the mural. Then studio art students transformed those ideas into a proposed design. A local business, Timberland Clothing Store, also helped install the finished mural in the courtyard.

Although the Award for Excellence is in recognition of the school's creation of a mural, its academic performance over the past few years also merits recognition. In 2005, the high school received five stars in reading and four stars in math from the Minnesota Department of Education, which is a significant improvement over the three-star rating the district received in reading and math in 2004. The school also offers a College in a Classroom Program, allowing high school students to take college-level courses and earn college credits through a partnership with St. Cloud State University.

Much of the credit for the Saint Michael-Albertville High School's success belongs to its Principal, Mark Minkler, and the dedicated teachers. The students and staff at Saint Michael-Albertville High School understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at Saint Michael-Albertville High School should be very proud of their accomplishments.

I congratulate Saint Michael-Albertville High School in Albertville for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

TRIBUTE TO HELEN ARMSTRONG

● Mr. DODD. Mr. President, today I pay tribute to a gifted musician, successful entrepreneur, devoted wife and mother, constituent, and friend, Helen Armstrong, who passed away on April 28 of this year. Helen was an international virtuoso violinist who dedicated her life to enriching the lives of others through music.

Helen Armstrong was born on March 16, 1943, in Rockford, IL. Her career as a violinist began at the age of 3. Before long, she was enrolled at the Juilliard School where she quickly caught the eye of renowned instructors Ivan Galamian and Dorothy DeLay. She was among the select few chosen to study under them in pursuit of a solo career. Other violinists in this group include Helen's childhood friend Yitzhak Perlman and Pinchas Zuckerman. In 1976 Helen made her Lincoln Center debut and went on to perform with various orchestras including the Boston Pops, the Indianapolis Symphony, and the New Polish Philharmonic. She has also toured North America, Europe, and Asia as a recitalist.

But Helen Armstrong was not content to be a successful and highly accomplished musician. She was also an entrepreneur and philanthropist who brought music into the lives of others through performance and education. She founded Armstrong Chamber Concerts, Inc. and served as its artistic director for more than 22 years. What began one summer as a way to lure musicians out of New York City to perform in Helen's home in Washington, CT became a thriving enterprise encompassing performance series in Litchfield and Fairfield counties as well as Carnegie Hall recitals, corporate events, and educational programs in schools in Connecticut and New York City. At the heart of ACC is Helen's artistic vision to broaden public interest in chamber music through performance and education, and its primary focus has been to bring musical education to public and private schools through its unique Students' Music Enrichment Program. Over 100,000 students have benefited from this program thanks to Helen Armstrong's remarkable vision an dedication to this cause. One of the most noteworthy examples of Helen's benevolent spirit were her performances at a prison in Danbury. She counted those performances as some of her most rewarding outreach experiences, and said the music made the inmates feel that life was worth living. Helen dedicated her life to spreading her love of classical music, and she has touched the lives and hearts of countless citizens, including my own. I had the privilege of seeing Helen perform, and was truly captivated by her immense talent and passion. Her performance moved me to act as an honorary chairperson of the concert series she organized, and I am honored to have been associated with her organization.

Helen Armstrong was a remarkable woman in several respects. Along with her accomplishments as a solo violinist and founder of a successful nonprofit chamber music organization, she was a devoted wife, mother, and grandmother. She was widowed by her first husband, Alan Cohen, in 1978. Despite this terrible loss, Helen continued to promote ACC's mission and to perform while raising her two children. After a long relationship, she married Ajit Hutheesing in 1996. In addition to him, she is survived by her children Debbie and David, her grandchildren Brenden, Tyler, and Cailey, her sister Nancy, and her brother Robert. I offer my deepest condolences to all of them. They have lost a beloved member of their family. Helen's great talent and generous spirit will be sorely missed by them and countless others.●

TRIBUTE TO NICK WALTERS

● Mr. LOTT. Mr. President, I want to take a moment and wish best of luck to an accomplished, young and promising Mississippian who is leaving federal service to pursue private sector opportunities.

Nick Walters, originally of Wiggins, MS, was appointed as Mississippi's USDA Rural Development Director by President George Bush in 2001. Since then, Nick has done a great job supporting Mississippi's communities, helping to secure resources needed for public facilities, utilities, and for economic development.

This is a key Federal position for my State. As Nick likes to say, this is the ''nonfarm,'' or ''nonfood'' part of USDA. It is about new water and waste water systems, so people can have clean, dependable running water. It is about new community centers, town halls, and even high-tech or educational assets like broadband service, telemedicine and long-distance learning.

Since taking office, Nick has presented scores of oversized checks, in countless, photos for local papers telling stories about a new water tower or a new police car or fire truck.

Some people might think these things are small, and they often are in terms of Federal dollars. But these modest services will reverberate for years to come. As Nick says: USDA Rural Development is really about economic development, helping to encourage and sustain job creation—paving the way for communities to grow.

Nick has helped administer more than $100 million to Mississippi's cities and towns through this agency.

He hasn't sat on his laurels waiting for mayors, supervisors, town alderman or CEOs to approach him. Nick has been proactive, innovative, and he has actively sought cases and ways to meet individual community needs through USDA's various Rural Development Programs.

We've all heard the old saying: Don't tel1 me what you can't do, tell me what you can do. That has been Nick Walters' approach to public service. His first inclination is to act.

That is something we Mississippians appreciate. After Hurricane Katrina, we saw many Federal bureaucrats in FEMA and elsewhere strapped by indecision, blinded by tunnel vision, stuck on what they could not do, obsessed with the word ''no,'' when they should have been saying ''yes.''

Nick isn't that type. He has provided a great example of what someone in this office can do using its authority to the utmost, and we are working hard to find a successor who will continue this strong leadership.

Nick Walters will be missed, but my guess is that he will be back in public service one day. In what capacity? I don't know. That's a decision for him, his wife Lisa and his young children, Porter and John Garrett.

But now with this success behind him and given his previous experience in the private sector, his work with former Mississippi Governor Kirk Fordice, his stint as chief of staff for the Mississippi Public Service Commission—Nick Walters will be successful in wherever his endeavors may lead.

I hope my colleagues will join me in thanking Nick Walters for his exemplary service to the Federal Government and, more importantly, to America as Mississippi's USDA rural development director.●

TRIBUTE TO BRAD EXTON

● Mr. JOHNSON. Mr. President, today I wish to honor Brad Exton, an individual with a long and outstanding record as member of the U.S. Forest Service. Over the course of his 29 years in the Forest Service, Mr. Exton has held many demanding posts, including deputy forest supervisor and acting forest supervisor of the Black Hills National Forest, BHNF, in South Dakota. He has also been instrumental in helping the Forest Service improve relations with Native American tribes, and helped to create a closer relationship between the Forest Service, National Park Service, and the State park system.

Before his tenure in South Dakota, Mr. Exton served in several States and numerous positions within the Forest Service. He was a graduate forester in Oregon; a river ranger in the Frank Church River of No Return Wilderness in Idaho; a district ranger in Caribou-Targhee National Forest, encompassing 3 million acres in Idaho, Montana, Wyoming, and Utah; and a recreation staff officer in the Ashley National Forest in Utah. He brought this wealth of experience with him to BHNF in April of 2003.

As deputy forest supervisor and acting forest supervisor at BHNF, Mr. Exton took a leadership role in confronting some of the most difficult challenges facing the organization. For example, Mr. Exton was a BHNF spokesman and negotiator on issues of concern to Indian tribes. The Black Hills area is sacred land to 22 tribes, including the Lakota people, and there has often been tension with the Forest Service over the role of the tribes in land management and usage. Through meetings and the formation of an advisory group, Mr. Exton has partnered with tribal members to seek a more active role for the tribes in maintaining healthy forests and creating an atmosphere of respect for indigenous cultures and knowledge. His commitment was reflected in 2005, when he was awarded a Regional Forester Honor Award for his work with the Rosebud Sioux Tribe in developing a program of fuel reduction.

While it is unfortunate for BHNF to lose a valuable public servant such as Mr. Exton, I am confident he will thrive in his new position as manager of the Grand Staircase-Escalante National Monument in Utah. I wish to congratulate Mr. Exton on this exciting new opportunity, and wish him all the best. The cooperation and respect Mr. Exton has fostered in South Dakota will remain as a worthy legacy.●

HONORING RUDY GARCIA

● Mr. COLEMAN. Mr. President, I would like to take this opportunity to honor the memory of Rudolph ''Rudy'' Garcia, a quintessential entrepreneur and fixture in the St. Paul community, who passed away on August 27, 2006, at the age of 61. As Rudy's close friends have noted: ''He truly personified the American Dream.'' Having grown up in an orphanage without any formation education, Rudy decided at an early age to chase his dream of owning and operating his own restaurant a dream that went hand in hand with his great love of cooking.

At the age of 21, he opened his first establishment, Garcia's Casita on the West Side of the city, becoming St. Paul's first Latino businessowner. Through a combination of Rudy's personality and commonsense business practices, he was able to grow Garcia's Casita into a string of six different St. Paul eating establishments during the 1990s. From steakhouses to nightclubs, Rudy's perseverance continually led him to success even in the face of several failures and a St. Paul that was still on the edge of revitalization.

Rick Aguilar, a St. Paul businessman and longtime friend, described Rudy as ''a man with a million ideas'' whose energy helped him roll with the punches and make his dreams a reality. Rudy continued to stay the course as both he and St. Paul grew alongside each other through the years. In 1994, while serving as the mayor of St. Paul, I had the distinct privilege of proclaiming a day in his honor. While the St. Paul community mourns Rudy's passing, we can't help but celebrate his life that should serve as a model for not only Latinos, but all Americans who are looking to make their dreams a reality.

The St. Paul area and I will sincerely miss Garcia's great commitment to our community. Whether it was his work in the restaurant business or his participation in the early 1960s band the Jaymars a popular area band that played a mix of jazz, rock 'n' roll and blues—Garcia's impact on St. Paul is immeasurable.●

TRIBUTE TO LYN McCLELLAND

● Mrs. MURRAY. Mr. President, today I wish to honor Lyn McClelland, a highly respected leader in the maritime community, who is retiring this month after 21 years of service as the Maritime Administration's Seattle representative. Lyn has helped support the success, safety, and security of the U.S. maritime community in the Pacific Northwest.

Over the years, we have turned to Lyn time and again for her expertise, her judgment, and her ability to come

up with practical solutions. If there is a challenge in the maritime community, you can bet that Lyn's worked to solve it.

I am especially proud of Lyn's work on critical security programs, which as my colleagues know is an area of special interest for me. I was so pleased that Lyn worked on Operation Safe Commerce, which I helped create here in the Senate. She has worked on the STEP program Seattle/Tacoma/Everett Port Security Program, and the Washington State Transportation Research Center electronic seal test. She's been a key player on three Area Maritime Security Committees Alaska, Washington, and Oregon, and Lyn partnered with the Coast Guard on a number of maritime security programs including reviewing applications for port security grants. Lyn's work also helped ensure the development, availability and security of military out-load ports in support of our men and women engaged in hostilities overseas.

Lyn's contributions were not limited to port security. She has also been a major supporter of the development of the Marine Transportation System, the U.S. Merchant Marine, and she has always been involved in encouraging young people to pursue careers in the maritime industry. Her support of the Puget Sound Harbor Safety Committee spurred the adoption of new safety measures for vessel and waterfront facility operation. Lyn's eager participation in a wide array of maritime events and celebrations helped make them successful.

Lyn has been a stalwart leader and mainstay of the Pacific Northwest maritime industry, and she has strengthened the relationship between industry and government. As other leaders came and went, we could always rely on the energy, knowledge, dedication, and professionalism of Lyn McClelland for any challenge. I want to wish her ''fair winds and following seas'' in her well-deserved retirement. She will be greatly missed. Lyn may be leaving her job, but she is leaving all of us with a tremendous legacy of service and success. Congratulations, Lyn.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the presiding officer laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under authority of the order of the Senate of January 4, 2005, the Secretary of the Senate, on August 4, 2006, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. DAVIS) has signed the following enrolled bills:

H.R. 4. An act to provide economic security for all Americans, and for other purposes.

H.R. 4646. An act to designate the facility of the United States Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the ''Coach John Wooden Post Office Building''.

H.R. 4811. An act to designate the facility of the United States Postal Service located at 215 West Industrial Park Road in Harrison, Arkansas, as the ''John Paul Hammerschmidt Post Office Building'' .

H.R. 4962. An act to designate the facility of the United States Postal Service located at 100 Pitcher Street in Utica, New York, as the ''Captain George A. Wood Post Office Building''.

H.R. 5104. An act to designate the facility of the United States Postal Service located at 1750 16th Street South in St. Petersburg, Florida, as the ''Morris W. Milton Post Office''.

H.R. 5107. An act to designate the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the ''Earl D. Hutto Post Office Building''.

H.R. 5169. An act to designate the facility of the United States Postal Service located at 1310 Highway 64 NW. in Ramsey, Indiana, as the ''Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office'' .

H.R. 5540. An act to designate the facility of the United States Postal Service located at 217 Southeast 2nd Street in Dimmitt, Texas, as the ''Sergeant Jacob Dan Dones Post Office''.

Under authority of the order of the Senate of January 4, 2005, the enrolled bills were subsequently signed by the Vice President during the adjournment of the Senate, on August 14, 2006.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 4157. To promote a better health information system.

H.R. 4761. An act to provide for exploration, development, and production activities for mineral resources on the outer Continental Shelf, and for other purposes.

H.R. 4890. To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

MEASURES READ THE FIRST TIME—AUGUST 3, 2006

The following bills were read the first time:

H.R. 4157. To promote a better health information system.

H.R. 4761. To provide for exploration, development, and production activities for mineral resources on the outer Continental Shelf, and for other purposes.

H.R. 4890. To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–7862. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to conducting a standard competition of the base support, vehicle operations, and equipment functions performed by Department of the Navy civilian personnel for possible performance by private contractor; to the Committee on Armed Services.

EC–7863. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, the National Defense Stockpile (NDS) Annual Materials Plan (AMP) for Fiscal Year (FY) 2007; also included are AMPs for Fiscal Years 2008 through 2011; to the Committee on Armed Services.

EC–7864. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 06-186-06-195); to the Committee on Foreign Relations.

EC–7865. A communication from the Secretary of State, transmitting, pursuant to law, a report relative to the military, diplomatic, political, and economic measures that have been or are being taken to successfully complete the mission in Iraq; to the Committee on Foreign Relations.

EC–7866. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the International Atomic Energy Agency's (IAEA) technical assistance to Iran during 2005; to the Committee on Foreign Relations.

EC–7867. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the U.S. military personnel and civilian contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC–7868. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the effectiveness of United Nations efforts to prevent sexual exploitation, abuse, and trafficking; to the Committee on Foreign Relations.

EC–7869. A communication from the Chairman, National Endowment for the Humanities, transmitting, pursuant to law, the report of a violation of the Antideficiency Act; to the Committee on Appropriations.

EC–7870. A communication from the Acting Senior Procurement Executive, Office of the Chief Acquisition Officer, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005-12'' (FAC 2005-12) received on August 18, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7871. A communication from the District of Columbia Auditor, transmitting, pursuant to law, the report entitled ''Auditor's

Examination of Contracts for Four (4) Consumers Under the Care of the Mental Retardation and Developmental Disabilities Administration''; to the Committee on Homeland Security and Governmental Affairs.

EC–7872. A communication from the Chair, Corporation of Public Broadcasting (CPB) Board of Directors, transmitting, pursuant to law, the semiannual report of the Inspector General of the CPB for the period ending March 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7873. A communication from the Chief, Human Capital Officer, Corporation for National and Community Service, transmitting, pursuant to law, the report of a vacancy in the position of Inspector General, Corporation for National and Community Service, received on August 16, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7874. A communication from the President, Federal Financing Bank, transmitting, pursuant to law, a report relative to the performance plan of the Federal Financing Bank for fiscal years 2005–2007; to the Committee on Homeland Security and Governmental Affairs.

EC–7875. A communication from the White House Liaison and Executive Director, Commission on Remembrance, transmitting, pursuant to law, the annual report of the White House Commission on the National Moment of Remembrance; to the Committee on the Judiciary.

EC–7876. A communication from the Staff Director, Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Connecticut Advisory Committee; to the Committee on the Judiciary.

EC–7877. A communication from the Staff Director, Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the North Carolina Advisory Committee; to the Committee on the Judiciary.

EC–7878. A communication from the Program Manager, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Commerce in Explosives—Hobby Rocket Motors'' (RIN1140–AA25) received on August 18, 2006; to the Committee on the Judiciary.

EC–7879. A communication from the Program Manager, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Commerce in Explosives—Hobby Rocket Motors'' (RIN1140–AA25) received on August 18, 2006; to the Committee on the Judiciary.

EC–7880. A communication from the General Counsel, Office of Justice Programs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Public Safety Officers' Benefits Program'' (RIN1121–AA56) received on August 18, 2006; to the Committee on the Judiciary.

EC–7881. A communication from the Chief Justice, U.S. Supreme Court, transmitting, pursuant to law, the report of the proceedings of the Judicial Conference of the United States which was held on March 14, 2006; to the Committee on the Judiciary.

EC–7882. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''REMIC Residual Interests—Accounting for REMIC Net Income (Including Any Excess Inclusions) (Foreign Holders)'' ((RIN1545–BE81)(TD9272)) received on August 18, 2006; to the Committee on Finance.

EC–7883. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''GO Zone Bonus Depreciation'' (Notice 2006-67) received on August 18, 2006; to the Committee on Finance.

EC–7884. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Amplification and Modification of Rev. Rul. 81–35, Rev. Rul. 81–36 and Rev. Rul. 87–10'' (Rev. Rul. 2006–43) received on August 8, 2006; to the Committee on Finance.

EC–7885. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revision of Forms 8898 and 8840'' (Notice 2006-73) received on August 8, 2006; to the Committee on Finance.

EC–7886. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update'' (Notice 2006-74) received on August 15, 2006; to the Committee on Finance.

EC–7887. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Stock Transfer Rules: Carryover of Earnings and Taxes'' ((RIN1545-AX65)(TD9273)) received on August 15, 2006; to the Committee on Finance.

EC–7888. A communication from the Regulations Officer, Office of Disability and Income Security Programs, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Changes to the Income and Resources Provisions for Supplemental Security Income (SSI) Based on Sections 430, 435, and 436 of the Social Security Protection Act (SSPA) of 2004'' (RIN0960-AG13) received on August 15, 2006; to the Committee on Finance.

EC–7889. A communication from the Chief, Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Andean Trade Promotion and Drug Eradication Act'' (RIN1505-AB37) received on August 2, 2006; to the Committee on Finance.

EC–7890. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Flat Rate Supplemental Wage Withholding'' (RIN1545-BD96) received on August 3, 2006; to the Committee on Finance.

EC–7891. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Reporting Requirements for Widely Held Fixed Investment Trusts'' ((RIN1545-BF86)(TD9279)) received on August 3, 2006; to the Committee on Finance.

EC–7892. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modification of Notice 2006-53'' (Notice 2006-71) received on August 2, 2006; to the Committee on Finance.

EC–7893. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 411(d)(6) Protected Benefits'' ((RIN1545-BE10)(TD9280)) received on August 8, 2006; to the Committee on Finance.

EC–7894. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''TD: Determination of Interest Expense Deduction of Foreign Corporations'' ((RIN1545-BF70)(TD9281)) received on August 18, 2006; to the Committee on Finance.

EC–7895. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Bureau of Labor Statistics Price Indexes for Department Stores—June 2006'' (Rev. Rul. 2006-41) received on August 18, 2006; to the Committee on Finance.

EC–7896. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—September 2006'' (Rev. Rul. 2006-44) received on August 18, 2006; to the Committee on Finance.

EC–7897. A communication from the Deputy Chief Counsel for Regulations, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Privacy Act of 1974: Implementation of Exemptions; Intelligence, Enforcement, Internal Investigation, and Background Investigation Records'' (RIN1652–AA34) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7898. A communication from the Deputy Chief Counsel for Regulations, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drivers Licensed by Canada or Mexico Transporting Hazardous Materials To and Within the United States'' (RIN1652–AA50) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7899. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Wellington, KS'' ((RIN2120–AA66)(Docket No. 06–ACE–4)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7900. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Jackson, WY'' ((RIN2120–AA66)(Docket No. 05–ANM–13)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7901. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Offshore Airspace Area; Control 1234L; AK'' ((RIN2120–AA66)(Docket No. 06–AAL–1)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7902. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Offshore Airspace Area, Control 1487L; AK'' ((RIN2120–AA66)(Docket No. 06–AAL–8)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7903. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Removal of Class D and E Airspace

at Roosevelt Roads PR. The Roosevelt Roads Naval Station, Ofstie Field, PR'' ((RIN2120–AA66)(Docket No. 06–ASO–5)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7904. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Vandenberg AFB, CA'' ((RIN2120–AA66)(Docket No. 06–AWP–3)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7905. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D Airspace at Pompano Beach FL, Fort Lauderdale Executive Airport, FL'' ((RIN2120–AA66)(Docket No. 06–ASO–6)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7906. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Corp. Ltd. Model 750 XL Airplanes'' ((RIN2120–AA64)(Docket No. 2005–CE–15)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7907. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–300, 400, 500, 700, and 800 Series Airplanes; Model 747-400 and 400F Series Airplanes; Model 757–200 Series Airplanes, Model 767–300 Series Airplanes; and Model 777–300 Series Airplanes Equipped with Certain Driessen or Showa Galleys or Driessen Closets'' ((RIN2120–AA64)(Docket No. 2005–NM–056)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7908. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 B4 Series Airplanes, Model A300 B4 600 Series Airplanes; Model A300 C4 605R Variant F Airplanes; Model A310 200 Series Airplanes; and Model A310 300 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–012)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7909. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 767–200 and 300 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–151)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7910. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Model AS350B, BA, B1, B2, B3, C, D, and D1 Helicopters'' ((RIN2120–AA64)(Docket No. 2005–SW–03)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7911. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; DORNIER LUFTFAHRT GmbH Models 228–100, 228–101, 282–200, 228–201, 229–202, and 228–212 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–CE–21)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7912. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Engine Components Incorporated Reciprocating Engine Cylinder Assemblies'' ((RIN2120–AA64)(Docket No. 2005–NE–20)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7913. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Herlong, CA'' ((RIN2120–AA66)(Docket No. 04–ANM–24)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7914. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 B2 and A300 B4 Series Airplanes; A300 B4–600, B4–600R, and F4–600R Series Airplanes; and Model C4–605R Variant F Airplanes'' ((RIN2120–AA64)(Docket No. 2003–NM–27)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7915. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 B4–600R Series Airplanes, A300 C4–605R Variant F Airplanes; A300 F4–600R Series Airplanes; and Model A310–300 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–241)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7916. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–100, 100B, 100B SUD, 200B, 200C, 300, 400, 400D, and 747–SR Series Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–244)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7917. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC–8–400 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–022)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7918. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hamilton Sundstrand Model 14RF–19 Propellers'' ((RIN2120–AA64)(Docket No. 2005–NE–13)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7919. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira del Aeronautica SA, Model EMB–120, –120ER, –120FC, –120OC, and –120RT Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–015)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7920. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–200C Series Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–166)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7921. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC–8–102, –103, –106 , –202, –301, –311, –314, and –315 Airplanes; Equipped with Certain Cockpit Door Installations'' ((RIN2120–AA64)(Docket No. 2006–NM–033)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7922. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–600, –700, –700C, –800, and –900 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2004–NM–243)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7923. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Goodrich Evacuation Systems Approved Under Technical Standard Order TSO–C69b and Installed on Airbus Model A330–200 and –300 Series Airplanes, Model A340–200 and –300 Series Airplanes, and Model A340–541 and –642 Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–229)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7924. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–400 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–150)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7925. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE Systems Limited Model BAE 146 and Avro 146–RJ Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–163)) received on August 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7926. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to the establishment of an Intelligent Transportation Systems (ITS) Program Advisory Committee; to the Committee on Commerce, Science, and Transportation.

EC–7927. A communication from the Under Secretary of Commerce for Intellectual Property, and Director, Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled ''Clarification of Filing Date Requirements for Ex Parte and Inter Partes Reexamination Proceedings'' (RIN0651–AC02) received on August 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7928. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A319, A320, and A321 Airplanes'' ((RIN2120–AA64) (Docket No. 2006–NM–011)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7929. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Short Brothers Model SD3 Airplanes'' ((RIN2120–AA64) (Docket No. 2005–NM–190)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7930. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; CORRECTION: Boeing Model 757–200 Series Airplanes; Modified by Supplemental Type Certificate (STC) SA979NE'' ((RIN2120–AA64) (7–13/NM–099)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7931. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 B2 and A300 B4 Series Airplanes; and Model A300 B4–600, B4–600R, and F4–600R Series Airplanes, and Model C4–605R Variant F Airplanes'' ((RIN2120–AA64) (Docket No. 2004–NM–72) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7932. A communication from the Assistant Chief Counsel for Hazmat Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Incorporation of Statutorily Mandated Revisions to the Hazardous Materials Regulations; Correction'' (RIN2137–AE12) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7933. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (19); Amdt. No. 3173'' (RIN2120–AA65) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7934. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (62); Amdt. No. 3174'' (RIN2120–AA65) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7935. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (57); Amendment No. 3175'' (RIN2120–AA65) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7936. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (54); Amdt. No. 3176'' (RIN2120–AA65) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7937. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (67); Amdt. No. 3177'' ((RIN2120–AA65) (7–21/3177)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7938. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Raytheon Aircraft Company 65, 90, 99, and 100 Series Airplanes'' ((RIN2120–AA64) (Docket No. 2005–CE–52)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7939. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–6, PC–6–H1, PC–6–H2, PC–6/350, PC–6/350–H1, PC–6/350–H2, PC–6/A, PC–6/A–H1, PC–6/A–H2, PC–6/B–H2, PC–6/B1–H2, PC–6/B2–H2, PC–6/B2–H4, PC–6/C–H2, and PC–6/C1–H2 Airplanes'' ((RIN2120–AA64) (Docket No. 2006–CE–16)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7940. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–6, PC–6–H1, PC–6–H2, PC–6/350, PC–6/350–H1, PC–6/350–H2, PC–6/A, PC–6/A–H1, PC–6/A–H2, PC–6/B–H2, PC–6/B1–H2, PC–6/B2–H2, PC–6/B2–H4, PC–6/C–H2, and PC–6/C1–H2 Airplanes'' ((RIN2120–AA64) (Docket No. 2006–CE–17)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7941. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model MD–11 and MD–11F Airplanes'' ((RIN2120–AA64) (Docket No. 2005–NM–147)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7942. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 742–400 and 747–400D Series Airplanes'' ((RIN2120–AA64) (Docket No. 2005–NM–248)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7943. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330–200, A330–300, A340–200 and A340–300 Series Airplanes; and Model A340–541, and A340–642 Airplanes'' ((RIN2120–AA64) (6–22/NM–115)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7944. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Corporation 250–B and 250–C Series Turboprop and Turboshaft Engines'' ((RIN2120–AA64) (Docket No. 2005–NE–28)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7945. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 757 Airplanes'' ((RIN2120–AA64) (Docket No. 2004–NM–197)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7946. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Brasileira de Aeronautica S.A. Model ERJ 170 Airplanes'' ((RIN2120–AA64) (Docket No. 2006–NM–057)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7947. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 727–200 Series Airplanes Equipped with a No. 3 Cargo Door'' ((RIN2120–AA64) (Docket No. 2002–NM–272)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7948. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Corporation Ltd. Model 750XL Airplanes'' ((RIN2120–AA64) (Docket No. 2006–CE–02)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7949. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Machine—Diecron, Inc. Actuator Nut Assembly for the Right Main Landing Gear Installed on Certain Raytheon Aircraft Company Airplanes'' ((RIN2120–AA64) (Docket No. 2005–CE–53)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7950. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737 Airplanes'' ((RIN2120–AA64) (Docket No. 2006–NM–117)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7951. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 777–200, –300, and –300ER Series Airplanes'' ((RIN2120–AA64) (Docket No. 2005–NM–262)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7952. A communication from the Acting Secretary of Transportation, transmitting, pursuant to law, a report relative to the financial performance of projects assisted by the Transportation Infrastructure Finance and Innovation Act of 1998; to the Committee on Commerce, Science, and Transportation.

EC–7953. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 727 Airplanes'' ((RIN2120–AA64) (Docket No. 2006–NM–006)) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7954. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Part 15 Regarding New Requirements and Measurement Guidelines for Access Broadband Over Power Line Systems'' (Docket No. 04–37 & 03–104) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7955. A communication from the Legal Advisor to the Bureau Chief, Media Bureau,

Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Brawley and Campo, California)'' (MB Docket No . 05–219) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7956. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Willcox, Arizona)'' (MB Docket No. 04–84) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7957. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Savanna, Oklahoma)'' (MB Docket No. 05–297) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7958. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole in the Bering Sea and Aleutian Islands Management Area'' (ID071806A) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7959. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Nantucket Lightship Scallop Access Area (NLCA) Closure for Scallop Vessels'' (RIN0648–AU47) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7960. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement Amendment 21 to the FMP for BSAI King and Tanner Crabs'' (RIN0648–AU37) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7961. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement Framework Adjustment 6 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan'' (RIN0648–AT26) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7962. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule; Inseason Adjustment (2006 Scup Winter II Quota)'' (ID071306A) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7963. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule; Inseason Bluefish Quota Transfer from VA to NY'' (ID071906C) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7964. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, U.S. Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Export Administration Regulations Based on the 2005 Missile Technology Control Regime Plenary Agreements'' (RIN0694–AD65) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7965. A communication from the White House Liaison, Office of Legislative and Intergovernmental Affairs, Department of Commerce, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Legislative and Intergovernmental Affairs, received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7966. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, the annual report relative to the operation of the National Do Not Call Registry for fiscal year 2005; to the Committee on Commerce, Science, and Transportation.

EC–7967. A communication from the Attorney Advisor, Office of the Inspector General, Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Inspector General, received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7968. A communication from the Undersecretary of Commerce for Oceans and Atmosphere, Department of Commerce, transmitting, pursuant to law, the 2006 Annual Report of the National Oceanographic Partnership Program; to the Committee on Commerce, Science, and Transportation.

EC–7969. A communication from the Program Analyst, National Highway Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Schedule of Fees Authorized by 49 U.S.C. 30141'' (RIN2127–AJ87) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7970. A communication from the White House Liaison, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Export Administration, received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7971. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operations (including 4 regulations beginning with CGD01–06–019'' (RIN1625–AA09) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation .

EC–7972. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone, Mackinac Bridge and Straits of Mackinac, Mackinaw City, MI (CGD09–06–019)'' (RIN1625–AA87) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7973. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; Captain of the Port Zone Jacksonville, FL [COTP Jacksonville 06–164]'' (RIN1625–AA87) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7974. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations (including 5 regulations beginning with CGD05–06–057)'' (RIN1625–AA08) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7975. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations (including 2 regulations beginning with CGD05–06–037)'' (RIN1625–AA08) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7976. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operations (including 9 regulations beginning with CGD01–06–089)'' (RIN1625–AA09) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7977. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones (including 9 regulations beginning with CGD13–06–025)'' (RIN1625–AA00) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7978. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments (USCG–2006–25150)'' (RIN1625–ZA08) received on August 18, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7979. A communication from the Secretary to the Board, Railroad Retirement Board, transmitting, pursuant to law, a draft of its Strategic Plan for 2006–2011; to the Committee on Health, Education, Labor, and Pensions.

EC–7980. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drug Products for Over-the-Counter Human Use; Amendment of Monograph for OTC Decongestant Drug Products'' ((RIN0910–AF34) (Docket No. 1976N–0052N)) received on August 15, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–7981. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the addition of a class of employees from the Ames Laboratory to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–7982. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the addition of a certain class of employees from the Y–12 Plant in Oakridge, Tennessee, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–7983. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the final report mandated by section 5006 of the Deficit Reducation Act of 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–7984. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities''

(RIN1820–AB57) received on August 18, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–7985. A communication from Railroad Retirement Board, transmitting, pursuant to law, the Board's 2006 annual report for the fiscal year ended September 30, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–7986. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report on the Developmental Disabilities Programs for Fiscal Years 2003–2004; to the Committee on Health, Education, Labor, and Pensions.

EC–7987. A communication from the Acting Executive Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Duties of Plan Sponsor Following Mass Withdrawal'' (RIN1212–AA55) received on August 18, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–7988. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt From Certification; Mica-Based Pearlescent Pigments'' (Docket No. 1998C–0431) received on August 18, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–7989. A communication from the White House Liaison, Office of Communications and Outreach, Department of Education, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Assistant Secretary, received on August 18, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–7990. A communication from the White House Liaison, Office of Communications and Outreach, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, received on August 18, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–7991. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Special Demonstration Programs—Model Demonstrations for Assistive Technology Reutilization'' (CFDA No. 84.235V) received on August 18, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–7992. A communication from the Acting Director, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Assigned Protection Factors'' (RIN1218–AA05) received on August 18, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–7993. A communication from the Assistant Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Executive Compensation and Related Party Disclosure'' (RIN3235–AI80) received on August 15, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–7994. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''12 CFR Part 701—Loan Interest Rates'' (RIN3133–AD26) received on August 15, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–7995. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Organization and Operations of Federal Credit Unions, Interpretive Ruling and Policy Statement 06–1'' (12 CFR Part 701) received on August 15, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–7996. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Canada; to the Committee on Banking, Housing, and Urban Affairs.

EC–7997. A communication from the President, Federal Financing Bank, transmitting, pursuant to law, the management report of the bank for fiscal years 2004 and 2005 and the independent auditor's report on the bank's financial statements for 2004 and 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–7998. A communication from the Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Management of Federal Agency Disbursements'' (RIN1510–AB07) received on August 2, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–7999. A communication from the Secretary, Office of the Chief Accountant, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Rule 11 of the Commission's Informal and Other Procedures; Public Company Accounting Oversight Board Budget Approval Process'' (RIN3235–AJ63) received on August 8, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–8000. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to Cote d'Ivoire that was declared in Executive Order 13396 of February 7, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–8001. A communication from the Assistant to the Board, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Regulation Z (Truth in Lending)'' (Docket No. 1263) received on August 18, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–8002. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–8003. A communication from the Acting Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Iranian Transactions Regulations'' (31 CFR part 560) received on August 18, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–8004. A communication from the Chief Counsel, Bureau of Public Debt, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''31 CFR Parts 315, 341, 346, 351, 352, 353, 359, and 360; Regulations Governing U.S. Savings Bonds, Series A, B, C, D, E, F, G, H, J, and K, and U.S. Savings Notes; Regulations Governing United States Retirement Plan Bonds; Regulations Governing United States Individual Retirement Bonds; Offering of United States Savings Bonds, Series EE; Offerings of United States Savings Bonds, Series HH; Regulations Governing United States Savings Bonds, Series EE and HH; Offering of United States Savings Bond, Series I; Regulations Governing Definitive United States Savings Bonds, Series I'' received on August 18, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–8005. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Renewable Energy Production Incentives'' (RIN1904–AB62) received on August 15, 2006; to the Committee on Energy and Natural Resources.

EC–8006. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the first semi-annual report relative to the implementation of energy conservation standards; to the Committee on Energy and Natural Resources.

EC–8007. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to planning for U.S. fusion community participation in the ITER Program; to the Committee on Energy and Natural Resources.

EC–8008. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Long-Term Firm Transmission Rights in Organized Electricity Markets'' (Docket No. RM06–8–000) received on August 2, 2006; to the Committee on Energy and Natural Resources.

EC–8009. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the performance milestones for the 2020 Goals for the Clean Coal Power Initiative; to the Committee on Energy and Natural Resources.

EC–8010. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the research and development needs for the electric transmissions and distribution system; to the Committee on Energy and Natural Resources.

EC–8011. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the Department's study of national electric transmission congestion; to the Committee on Energy and Natural Resources.

EC–8012. A communication from the Director, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report relative to bringing gas hydrates to the market; to the Committee on Energy and Natural Resources.

EC–8013. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the re-use of used lubricating oils; to the Committee on Energy and Natural Resources.

EC–8014. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to hydrogen program goal-setting methodologies; to the Committee on Energy and Natural Resources.

EC–8015. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the benefits of using mobile transformers and mobile substations to rapidly restore electrical service to certain areas subjected to blackouts; to the Committee on Energy and Natural Resources.

EC–8016. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the assessment of demand response and advanced metering; to the Committee on Energy and Natural Resources.

EC–8017. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Standby Support for Certain Nuclear Plant Delays'' (RIN1901–AB17) received on August 18, 2006;

to the Committee on Energy and Natural Resources.

EC–8018. A communication from the Assistant Secretary, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS) and Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line—Change in Reference to Official Title'' (RIN1010–AD35) received on August 18, 2006; to the Committee on Energy and Natural Resources.

EC–8019. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting and Permits: Regulations for Managing Resident Canada Goose Populations'' (RIN1018–AI32) received on August 18, 2006; to the Committee on Energy and Natural Resources.

EC–8020. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to identifying alternative technologies to replace the use of radioactive sealed sources; to the Committee on Energy and Natural Resources.

EC–8021. A communication from the Chairman and CEO of the Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled ''Organization; Termination of System Institution Status'' (RIN3052–AC29) received on August 8, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8022. A communication from the Executive Director of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Recognition of Multilateral Clearing Organizations'' (71 FR 10958) received on August 18, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8023. A communication from the Executive Director of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Market and Large Trading Reporting'' (RIN3038–AC22) received on August 18, 2006 to the Committee on Agriculture, Nutrition, and Forestry.

EC–8024. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Guaranteed Loans—Retaining PLP Status and Payment of Interest Accrued During Bankruptcy and Redemption Rights Periods'' (RIN0560–AH07) received on August 15, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8025. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Azoxystrobin; Pesticide Tolerance'' (FRL No. 8086–9) received on August 15, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8026. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dimethenamid; Pesticide Tolerance'' (FRL No. 8079–3) received on August 15, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8027. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Triflumizole; Pesticide Tolerances for Emergency Exemptions'' (FRL No. 8078–1) received on August 15, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8028. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Inert Ingredient; Revocation of the Tetrahydrofurfyl Alcohol (THFA) Tolerance Exemption'' (FRL No. 8082–2) received on August 3, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8029. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Inert Ingredients; Revocation of Tolerance Exemptions with Insufficient Data for Reassessment'' (FRL No. 8084–1) received on August 3, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8030. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Inert Ingredient; Revocation of the Tolerance Exemption for Mono- and Bis-(1H, 1H, 2H, 2H-perfluoroalkyl) Phosphates Where the Alkyl Group is Even Numbered and in the C6–C12 Range'' (FRL No. 8082–3) received on August 3, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8031. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Isophorone; Exemption from the Requirement of a Tolerance'' (FRL No. 8082–1) received on August 3, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8032. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bifenthrin; Pesticide Tolerance'' (FRL No. 8081–7) received on August 15, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8033. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Copper Sulfate Pentahydrate; Tolerance Exemption in or on Various Food and Feed Commodities'' (FRL No. 8085–3) received on August 15, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8034. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Imidacloprid; Pesticide Tolerances'' (FRL No. 8081–8) received on August 15, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8035. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Lepidopteran Pheromones; Exemption from the Requirement of a Tolerance'' (FRL No. 8083–8) received on August 15, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8036. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pesticide Management and Disposal; Standards for Pesticide Containers and Containment'' (FRL No. 8076–25) received on August 15, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8037. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pesticides; Procedural Regulations for Registration Review'' (FRL No. 8080–4) received on August 15, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8038. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Inorganic Bromide; Tolerance Actions'' (FRL No. 8077–6) received on August 15, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8039. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Endothall; Pesticide Tolerance'' (FRL No. 8080–7) received on August 18, 2006; to the Committee on Environment and Public Works.

EC–8040. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendments to Existing Regulation Provisions Concerning Maintenance, Nonattainment, and Prevention of Significant Deterioration Areas'' (FRL No. 8211–2) received on August 15, 2006; to the Committee on Environment and Public Works.

EC–8041. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revised Definition of 'Volatile Organic Compound'" (FRL No. 8211–1) received on August 15, 2006; to the Committee on Environment and Public Works.

EC–8042. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri'' (FRL No. 8209–9) received on August 15, 2006; to the Committee on Environment and Public Works.

EC–8043. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Health and Safety Data Reporting; Addition of Certain Chemicals'' (FRL No. 7764–7) received on August 15, 2006; to the Committee on Environment and Public Works.

EC–8044. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Preliminary Assessment Information Reporting; Addition of Certain Chemicals'' (FRL No. 7764–9) received on August 15, 2006; to the Committee on Environment and Public Works.

EC–8045. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Reportable Quantity Adjustments for Carbamates and Carbamate-Related Hazardous Waste Streams; Reportable Quantity Adjustment for Inorganic Chemical Manufacturing Process Waste (K178)'' (FRL No. 8210–5) received on August 15, 2006; to the Committee on Environment and Public Works.

EC–8046. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of South Dakota; Revisions to the Administrative Rules of South Dakota'' (FRL No. 8208–8) received on August 15, 2006; to the Committee on Environment and Public Works.

EC–8047. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Designation of Areas for Air

Quality Planning Purposes; Tennessee; Redesignation of the Montgomery County, Tennessee Portion of the Clarksville-Hopkinsville 8-Hour Ozone Nonattainment Area to Attainment; Correcting Amendment'' (FRL No. 8308–9) received on August 15, 2006; to the Committee on Environment and Public Works .

EC–8048. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sanitizers with No Food-Contact Uses in Registered Pesticide Products; Revocation of Tolerance Exemptions'' (FRL No. 8086–1) received on August 15, 2006; to the Committee on Environment and Public Works.

EC–8049. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Alabama; Nitrogen Oxides Budget and Allowance Trading Program, Phase II; Correcting Amendment'' (FRL No. 8205–2) received on August 2, 2006; to the Committee on Environment and Public Works.

EC–8050. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of Arizona; Finding of Attainment for Rillito Particulate Matter of 10 Microns or Less (PM10) Nonattainment Area; Determination Regarding Applicability of Certain Clean Air Act Requirements; Correction'' (FRL No. 8206–4) received on August 2, 2006; to the Committee on Environment and Public Works.

EC–8051. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Las Vegas Valley Carbon Monoxide Attainment Plan'' (FRL No. 8190–2) received on August 2, 2006; to the Committee on Environment and Public Works.

EC–8052. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Tribal Strategy; Solid Waste Disposal Act, Subtitle I, as amended by Title XV, Subtitle B of the Energy Policy Act of 2005'' (FRL No. 8208–4) received on August 18, 2006; to the Committee on Environment and Public Works.

EC–8053. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Delivery Prohibition Grant Guidelines for States; Solid Waste Disposal Act , Subtitle I, as amended by Title XV, Subtitle B of the Energy Policy Act of 2005'' (FRL No. 8208–5) received on August 18, 2006; to the Committee on Environment and Public Works.

EC–8054. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report relative to the efforts of the Radiation Source Protection and Security Task Force; to the Committee on Environment and Public Works.

EC–8055. A communication from the Deputy Director for Management, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to the competitive sourcing activities conducted by the office for Fiscal Year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–8056. A message from the President of the United States, transmitting, pursuant to law, a report of the continuation of the emergency regarding export control regulations for one year from August 17, 2006; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

Under the authority of the order of the Senate of August 4, 2006, the following reports of committees were submitted on August 30, 2006:

By Ms. COLLINS, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 939, A bill to expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to authorize the reimbursement under that Act of certain expenditures, and for other purposes (Rept. No. 109–320).

By Mr. GRASSLEY, from the Committee on Finance:

Report to accompany S. 3495, A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam (Rept. No. 109–321).

By Ms. COLLINS, from the Committee on Homeland Security and Governmental Affairs:

Special Report entitled ''Hurricane Katrina: A Nation Still Unprepared'' (Rept. No. 109–322). Additional views filed.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ENZI, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1902. A bill to amend the Public Health Service Act to authorize funding for the establishment of a program on children and the media within the Centers for Disease Control and Prevention to study the role and impact of electronic media in the development of children (Rept. No. 109–323).

S. 3546. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to serious adverse event reporting for dietary supplements and nonprescription drugs, and for other purposes (Rept. No. 109–324).

By Mr. MCCAIN, from the Committee on Indian Affairs:

Special Report entitled '''Gimme Five'—Investigation of Tribal Lobbying Matters'' (Rept. No. 109–325).

EXECUTIVE REPORTS OF COMMITTEE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of July 27, 2006, the following executive reports of committee were submitted on August 30, 2006:

By Mr. LUGAR, from the Committee on Foreign Relations:

[Treaty Doc. 109–9 Investment Treaty with Uruguay (Ex. Rept. 109–17); and Treaty Doc. 109–6 U.N. Convention Against Corruption (Ex. Rept. 109–18)]

The text of the committee-recommended resolutions of advice and consent to ratification are as follows:

[109–9 Investment Treaty with Uruguay]

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty between the United States of America and the Oriental Republic of Uruguay Concerning the Encouragement and Reciprocal Protection of Investment, with Annexes and Protocol, signed at Mar del Plata on November 4, 2005 (Treaty Doc. 109–9).

[109–6 U.N. Convention Against Corruption]

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent subject to reservations and declarations.

The Senate advises and consents to the ratification of the United Nations Convention Against Corruption (hereinafter in this resolution referred to as the ''Convention''), adopted by the United Nations General Assembly on October 31, 2003, and signed by the United States on December 9, 2003, at Merida, Mexico (T. Doc. 109096), subject to the reservations in section 2 and the declarations in section 3.

Section 2. Reservations.

The advice and consent of the Senate under section 1 is subject to the following reservations, which shall be included in the United States instrument of ratification:

(1) The United States of America reserves the right to assume obligations under the Convention in a manner consistent with its fundamental principles of federalism, pursuant to which both federal and state criminal laws must be considered in relation to the conduct addressed in the Convention. U.S. federal criminal law, which regulates conduct based on its effect on interstate or foreign commerce, or another federal interest, serves as an important component of the legal regime within the United States for combating corruption and is broadly effective for this purpose. Federal criminal law does not apply where such criminal conduct does not so involve interstate or foreign commerce, or another federal interest. There are conceivable situations involving offenses of a purely local character where U.S. federal and state criminal law may not be entirely adequate to satisfy an obligation under the Convention. Similarly, in the U.S. system, the states are responsible for preventive measures governing their own officials. While the states generally regulate their own affairs in a manner consistent with the obligations set forth in the chapter on preventive measures in the Convention, in some cases they may do so in a different manner. Accordingly, there may be situations where state and federal law will not be entirely adequate to satisfy an obligation in Chapters II and III of the Convention. The United States of America therefore reserves to the obligations set forth in the Convention to the extent they (1) address conduct that would fall within this narrow category of highly localized activity or (2) involve preventive measures not covered by federal law governing state and local officials. This reservation does not affect in any respect the ability of the United States to provide international cooperation to other States Parties in accordance with the provisions of the Convention.

(2) The United States of America reserves the right not to apply in part the obligation set forth in Article 42, paragraph 1(b) with respect to the offenses established in accordance with the Convention. The United States does not provide for plenary jurisdiction over offenses that are committed on board ships flying its flag or aircraft registered under its laws. However, in many circumstances, U.S. law provides for jurisdiction over such offenses committed on board U.S.-flagged ships or aircraft registered under U.S. law. Accordingly, the United States shall implement paragraph 1(b) to the extent provided for under its federal law.

Section 3. Declarations.

(a) The advice and consent of the Senate under section 1 is subject to the following

declaration: The United States of America declares that, in view of its reservations, current United States law, including the laws of the States of United States, fulfills the obligations of the Convention for the United States. Accordingly, the United States of America does not intend to enact new legislation to fulfill its obligations under the Convention.

(b) The advice and consent of the Senate under section 1 is subject to the following declarations, which shall be included in the United States instrument of ratification:

(1) In accordance with Article 66, paragraph 3, the United States of America declares that it does not consider itself bound by the obligation set forth in Article 66, paragraph 2.

(2) The United States declares that the provisions of the Convention (with the exception of Articles 44 and 46) are non-self-executing. None of the provisions of the Convention creates a private right of action.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER:

S. 3840. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive to produce ethanol in high-consumption, low-production States, and for other purposes; to the Committee on Finance.

By Mr. KYL (for himself, Mr. ENSIGN, Mr. REID, and Mrs. FEINSTEIN):

S. 3841. A bill to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself and Mrs. CLINTON):

S. 3842. A bill to suspend temporarily the duty on synthetic quartz or fused silica photomask blank substrates; to the Committee on Finance.

By Mr. LUGAR:

S. 3843. A bill to amend the African Growth and Opportunity Act to extend certain trade benefits to eligible sub-Saharan African countries, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3844. A bill to provide for the investment of all funds collected from the tariff on imports of ethanol in the research, development, and deployment of biofuels, especially cellulosic ethanol produced from biomass feedstocks; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 13

At the request of Mr. AKAKA, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 13, a bill to amend titles 10 and 38, United States Code, to expand and enhance health care, mental health, transition, and disability benefits for veterans, and for other purposes.

S. 241

At the request of Ms. SNOWE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 241, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 311

At the request of Mr. SMITH, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 311, a bill to amend title XIX of the Social Security Act to permit States the option to provide medicaid coverage for low-income individuals infected with HIV.

S. 331

At the request of Mr. JOHNSON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 331, a bill to amend title 38, United States Code, to provide for an assured adequate level of funding for veterans health care.

S. 407

At the request of Mr. JOHNSON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 407, a bill to restore health care coverage to retired members of the uniformed services, and for other purposes.

S. 558

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 558, a bill to amend title 10, United States Code, to permit certain additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special compensation and to eliminate the phase-in period under current law with respect to such concurrent receipt.

S. 1035

At the request of Mr. INHOFE, the names of the Senator from Michigan (Mr. LEVIN), the Senator from North Carolina (Mrs. DOLE) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 1035, a bill to authorize the presentation of commemorative medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th century in recognition of the service of those Native Americans to the United States.

S. 1046

At the request of Mr. KYL, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 1046, a bill to amend title 28, United States Code, with respect to the jurisdiction of Federal courts over certain cases and controversies involving the Pledge of Allegiance.

S. 1324

At the request of Mr. FRIST, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1324, a bill to reduce and prevent childhood obesity by encouraging schools and school districts to develop and implement local, school-based programs designed to reduce and prevent childhood obesity, promote increased physical activity, and improve nutritional choices.

S. 1325

At the request of Mr. FRIST, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1325, a bill to establish grants to provide health services for improved nutrition, increased physical activity, obesity and eating disorder prevention, and for other purposes.

S. 1353

At the request of Mr. REID, the names of the Senator from New York (Mrs. CLINTON), the Senator from New York (Mr. SCHUMER) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 1353, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1423

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1423, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representatives of those individuals killed as a result of the terrorist attacks of September 11, 2001.

S. 1537

At the request of Mr. AKAKA, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1537, a bill to amend title 38, United States Code, to provide for the establishment of Parkinson's Disease Research Education and Clinical Centers in the Veterans Health Administration of the Department of Veterans Affairs and Multiple Sclerosis Centers of Excellence.

S. 1948

At the request of Mrs. CLINTON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1948, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of passenger motor vehicles, and for other purposes.

At the request of Mr. SUNUNU, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1948, supra.

S. 2200

At the request of Mr. LUGAR, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2200, a bill to establish a United States-Poland parliamentary youth exchange program, and for other purposes.

S. 2292

At the request of Mr. SPECTER, the name of the Senator from Nebraska

(Mr. HAGEL) was added as a cosponsor of S. 2292, a bill to provide relief for the Federal judiciary from excessive rent charges.

S. 2401

At the request of Mr. BAUCUS, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 2401, a bill to amend the Internal Revenue Code of 1986 to extend certain energy tax incentives, and for other purposes.

S. 2475

At the request of Mr. SALAZAR, the names of the Senator from Indiana (Mr. BAYH), the Senator from Texas (Mr. CORNYN), the Senator from Indiana (Mr. LUGAR), the Senator from Massachusetts (Mr. KENNEDY), the Senator from California (Mrs. FEINSTEIN) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 2475, a bill to establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community, to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, DC, and for other purposes.

S. 2503

At the request of Mrs. LINCOLN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2503, a bill to amend the Internal Revenue Code of 1986 to provide for an extension of the period of limitation to file claims for refunds on account of disability determinations by the Department of Veterans Affairs.

S. 2545

At the request of Mr. DEWINE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2545, a bill to establish a collaborative program to protect the Great Lakes, and for other purposes.

S. 2590

At the request of Mr. COBURN, the names of the Senator from Missouri (Mr. TALENT), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Nebraska (Mr. HAGEL), the Senator from Connecticut (Mr. DODD) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 2590, a bill to require full disclosure of all entities and organizations receiving Federal funds.

S. 2677

At the request of Mr. SMITH, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 2677, a bill to amend the Internal Revenue Code of 1986 to extend the investment tax credit with respect to solar energy property and qualified fuel cell property, and for other purposes.

S.2917

At the request of Ms. SNOWE, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 2917, a bill to amend the Communications Act of 1934 to ensure net neutrality.

S. 3490

At the request of Mr. SANTORUM, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 3490, a bill to direct the Secretary of the Interior to initiate and complete an evaluation of land and water located in northeastern Pennsylvania for future acquisition and inclusion in a potential Cherry Valley National Wildlife Refuge, and for other purposes.

S. 3535

At the request of Mr. TALENT, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 3535, a bill to modernize and update the National Housing Act and to enable the Federal Housing Administration to use risk based pricing to more effectively reach underserved borrowers, and for other purposes.

S. 3633

At the request of Mr. INHOFE, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 3633, a bill to require the withholding of United States contributions to the United Nations until the President certifies that the United Nations is not engaged in global taxation schemes.

S. 3652

At the request of Ms. MIKULSKI, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 3652, a bill to amend the definition of a law enforcement officer under subchapter III of chapter 83 and chapter 84 of title 5, United States Code, respectively, to ensure the inclusion of certain positions.

S. 3694

At the request of Mr. OBAMA, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 3694, a bill to increase fuel economy standards for automobiles, and for other purposes.

S. 3696

At the request of Mr. BROWNBACK, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Arizona (Mr. KYL) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. 3696, a bill to amend the Revised Statutes of the United States to prevent the use of the legal system in a manner that extorts money from State and local governments, and the Federal Government, and inhibits such governments' constitutional actions under the first, tenth, and fourteenth amendments.

S. 3705

At the request of Mr. KENNEDY, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 3705, a bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes.

S. 3718

At the request of Mr. ALLEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3718, a bill to increase the safety of swimming pools and spas by requiring the use of proper anti-entrapment drain covers and pool and spa drainage systems, by establishing a swimming pool safety grant program administered by the Consumer Product Safety Commission to encourage States to improve their pool and spa safety laws and to educate the public about pool and spa safety, and for other purposes.

S. 3724

At the request of Mr. ROCKEFELLER, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 3724, a bill to enhance scientific research and competitiveness through the Experimental Program to Stimulate Competitive Research, and for other purposes.

S. 3737

At the request of Mr. LIEBERMAN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 3737, a bill to amend the National Trails System Act to designate the Washington-Rochambeau Route National Historic Trail.

S. 3765

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 3765, a bill to designate Lebanon under section 244(b) of the Immigration and Naturalization Act to permit nationals of Lebanon to be granted temporary protected status in the United States.

S. 3773

At the request of Mr. DOMENICI, the names of the Senator from Arizona (Mr. KYL) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 3773, a bill to increase the number of Federal judgeships, in accordance with recommendations by the Judicial Conference, in districts that have an extraordinarily high immigration caseload.

S. 3795

At the request of Mr. SMITH, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 3795, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

S. 3807

At the request of Mr. ENZI, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 3807, a bill to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act to improve drug safety and oversight, and for other purposes.

S. 3825

At the request of Mr. BURNS, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 3825, a bill to end the flow of methamphetamine and precursor chemicals coming across the border of the United States.

S. 3828

At the request of Mr. INHOFE, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 3828, a bill to amend title 4, United States Code, to declare English as the official language of the Government of the United States, and for other purposes.

S. CON. RES. 71

At the request of Mr. AKAKA, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Con. Res. 71, a concurrent resolution expressing the sense of Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual.

S. CON. RES. 97

At the request of Mr. SALAZAR, the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from Vermont (Mr. LEAHY) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. Con. Res. 97, a concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber.

S. CON. RES. 101

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. Con. Res. 101, a concurrent resolution condemning the repression of the Iranian Baha'i community and calling for the emancipation of Iranian Baha'is.

S. RES. 494

At the request of Mr. SANTORUM, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 494, a resolution expressing the sense of the Senate regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations.

S. RES. 552

At the request of Mr. SESSIONS, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from California (Mrs. BOXER) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. Res. 552, a resolution designating September 2006 as ''National Prostate Cancer Awareness Month''.

AMENDMENT NO. 4764

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 4764 intended to be proposed to H.R. 5631, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS—AUGUST 3, 2006

By Mr. SMITH (for himself, Mr. BINGAMAN, and Ms. MURKOWSKI):

S. 3813. A bill to permit individuals who are employees of a grantee that is receiving funds under section 330 of the Public Health Service Act to enroll in health insurance coverage provided under the Federal Employees Health Benefits Program; to the Committee on Homeland Security and Governmental Affairs.

Mr. BINGAMAN. Mr. President, I am pleased to be an original coauthor of the Community Health Center Employee Health Coverage Act of 2006 with Senators SMITH and MURKOWSKI. I ask for unanimous consent that a fact sheet with respect to the legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FACT SHEET

Problem: Like many small businesses, health centers have seen their health insurance premiums sky-rocket. Although they delivered comprehensive primary and preventive care to more than 15 million people in 2004, more than 6 million of whom had no health insurance coverage, these rising costs will have detrimental impacts on health centers as they are forced to channel federal grant dollars (which are intended for the uninsured and underinsured) to pay for the increasing insurance expenditures. If this continues, health centers may eventually be forced to either reduce the coverage of their own employees or reduce the availability of health care in their already underserved communities.

Fortunately, employees of health centers are generally healthy individuals and largely do not have chronic diseases or high medical bills. The irony here is that at the same time that health center employees are providing quality care to the uninsured and very poor, they are often unable to afford health insurance themselves. Furthermore, health centers have cited affordable health care as a key concern in recruiting and retaining quality employees and clinical staff.

Solution: This bipartisan legislation, introduced by Senators Smith, Bingaman, and Murkowski, would reduce health centers' rising health insurance costs and also improve coverage in many cases and therefore save taxpayer grant money that would otherwise be used to pay health insurance premiums. The bill would enable health centers to use scarce funds to continue providing care in their communities. In addition, extending coverage under FEHBP to health centers would allow health centers to continue to offer health insurance to their employees so they too don't join the ranks of the uninsured.

This bill would not set a precedent. The law currently provides for Federal Employees Health Benefit Program (FEHBP) coverage for other individuals who are not federal employees but do receive federal grant funds for their operations, such as Gallaudet University or USDA grant recipients comprised of local farmers. Currently FEHBP covers over nine million federal employees, while Heath Centers employ nearly 100,000 people across the country.

This would be a logical extension of the health centers' Federal Tort Claims Act (FTCA) legislation, where health center staffers are deemed as federal employees for medical malpractice coverage purposes. This bill would extend the same mechanism for health insurance purposes.

Benefit: This bill will aid in the continuation of providing quality health care to those who need it most. It would also provide relief to community health centers in the form of lower premiums and better coverage for their employees by deeming them as federal employees for purposes of the Federal Employee Health Benefit Program (FEHBP). There should be no federal cost for this bill as health centers will pay the health care premiums for their employees but at a less expensive cost.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KYL (for himself, Mr. ENSIGN, Mr. REID, and Mrs. FEINSTEIN):

S. 3841. A bill to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. KYL. Mr. President, today I am pleased to join with Senators ENSIGN, FEINSTEIN and REID to introduce the Lower Colorado River Multi-Species Conservation Program Act. This bipartisan legislation is designed to protect and maintain wildlife habitat on the lower Colorado River and to provide assurances to the affected water and power agencies of Arizona, California, and Nevada that their river operations may continue upon compliance with the underlying program.

The Lower Colorado River Multi-Species Conservation Program, otherwise known as the MSCP, is a comprehensive, cooperative effort among 50 Federal and non-Federal entities in Arizona, California, and Nevada whose purposes are to: 1. protect the lower Colorado River environment while ensuring the certainty of existing river water and power operations; 2. protect threatened and endangered wildlife under the Endangered Species Act; and 3. prevent the listing of additional species on the lower Colorado River.

To accomplish these goals, the MSCP will create more than 8,100 acres of riparian, marsh, and backwater habitat and implement additional measures to protect 26 endangered, threatened and sensitive species. The program covers approximately 400 miles, including the full-pool elevations of Lake Mead to the United States-Mexico Southerly International Boundary.

The program costs will be spread over 50 years, and split 50/50 between the Federal Government and the non-

Federal entities covered by MSCP. Arizona and Nevada will each bear 25 percent of the non-Federal costs and California will bear 50 percent of the non-Federal costs.

Although implementation of the program began in April 2005 under the U.S. Department of the Interior's existing authority, legislation is needed to protect the substantial financial commitments that the non-Federal parties are making to species protection. To that end, the bill: 1. expressly authorizes appropriations to cover the Federal share of the program costs; 2. directs the Secretary of the Interior to manage and implement the MSCP in accordance with the underlying program documents; and 3. provides a waiver of sovereign immunity to allow the non-Federal parties to enforce, if necessary, the underlying program documents. The waiver, however, does not allow an action to be brought against the United States for money damages.

While some minor issues remain regarding the continuity of the program documents, we have every confidence that these issues will be resolved as the legislation progresses.

In summary, this bill will ensure the certainty of existing river water and power operations while at the same time conserving and helping the recovery of endangered species on the lower Colorado River. I urge my colleagues to support this legislation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4882. Mrs. FEINSTEIN (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

SA 4883. Mr. ALLEN (for himself, Mr. DURBIN, Mr. STEVENS, Mr. MENENDEZ, Ms. MIKULSKI, Mr. KENNEDY, Mr. BINGAMAN, Mr. OBAMA, Mr. KERRY, Mr. LAUTENBERG, Mr. TALENT, Mr. DEWINE, Mr. BYRD, Mr. SALAZAR, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra.

SA 4884. Mr. DURBIN (for himself, Mr. MENENDEZ, Ms. MIKULSKI, Mr. KENNEDY, Mr. BINGAMAN, Mr. OBAMA, Mr. KERRY, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4885. Mr. KENNEDY (for himself and Mr. REID) proposed an amendment to the bill H.R. 5631, supra.

SA 4886. Mr. FRIST (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4887. Mr. FRIST (for Ms. SNOWE) proposed an amendment to the bill S. 466, to deauthorize a certain portion of the project for navigation, Rockland Harbor, Maine.

SA 4888. Mr. FRIST (for Mr. JEFFORDS (for himself and Mr. OBAMA)) proposed an amendment to the bill S. 466, supra.

SA 4889. Mr. FRIST (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4882. Mrs. FEINSTEIN (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the end of title VIII, add the following:

SEC. 8109. No funds appropriated or otherwise made available by this Act my be obligated or expended to acquire, utilize, sell, or transfer any cluster munition unless the rules of engagement applicable to the cluster munition ensure that the cluster munition will not be used in or near any concentrated population of civilians, whether permanent or temporary, including inhabited parts of cities or villages, camps or columns of refugees or evacuees, or camps or groups of nomads.

SA 4883. Mr. ALLEN (for himself, Mr. DURBIN, Mr. STEVENS, Mr. MENENDEZ, Ms. MIKULSKI, Mr. KENNEDY, Mr. BINGAMAN, Mr. OBAMA, Mr. KERRY, Mr. LAUTENBERG, Mr. TALENT, Mr. DEWINE, Mr. BYRD, Mr. SALAZAR, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the end of title VIII, add the following:

SEC. _____. Of the amount appropriated or otherwise made available by title VI under the heading ''DEFENSE HEALTH PROGRAM'', up to $12,000,000 may be available for the Defense and Veterans Brain Injury Center.

SA 4884. Mr. DURBIN (for himself, Mr. MENENDEZ, Ms. MIKULSKI, Mr. KENNEDY, Mr. BINGAMAN, Mr. OBAMA, Mr. KERRY, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title VI under the heading ''DEFENSE HEALTH PROGRAM'', $19,000,000 shall be available for the Defense and Veterans Brain Injury Center (DVBIC).

SA 4885. Mr. KENNEDY (for himself and Mr. REID) proposed an amendment to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 235, between lines 2 and 3, insert the following:

(E) A determination by the Secretary of Defense, in consultation with the Secretary of State, as to whether there is a civil war in Iraq.

(F) A description of the criteria underlying the determination in subparagraph (E) of the Secretary of Defense, in consultation with the Secretary of State, as to whether there is a civil war in Iraq, including—

(i) an assessment of levels of sectarian violence and an estimate of civilian casualties as a result of sectarian violence;

(ii) the numbers of civilians displaced;

(iii) the degree to which government security forces (including the army, police, and special forces) exercise effective control over major urban areas;

(iv) the extent to which militias are providing security;

(v) the extent to which militias have organized or conducted hostile actions against the United States Armed Forces and Iraqi security forces;

(vi) the extent to which the Government of Iraq has developed and is implementing a credible plan to disarm, demobilize, and reintegrate militias into government security forces; and

(vii) the extent to which the Government of Iraq has obtained a credible commitment from the political parties to disarm and disband the militias.

(G) If the Secretary of Defense, in consultation with the Secretary of State, determines pursuant to subparagraph (E) that there is not a civil war in Iraq, the following information (in unclassified format):

(i) A description of the efforts by the United States Government to help avoid civil war in Iraq.

(ii) The strategy of the United States Government to protect the United States Armed Forces in the event of civil war in Iraq.

(iii) The strategy of the United States Government to ensure that the United States Armed Forces will not take sides in the event of civil war in Iraq.

(iv) The progress being made by the Government of Iraq in disarming or demobilizing militias or reintegrating militias into government security forces.

(H) If the Secretary of Defense, in consultation with the Secretary of State, determines pursuant to subparagraph (E) that there is a civil war in Iraq, the following information (in unclassified format):

(i) A statement of the mission and duration of United States Armed Forces in Iraq.

(ii) The strategy of the United States Government to protect the United States Armed Forces while they remain in Iraq.

(iii) The strategy of the United States Government to ensure that the United States Armed Forces will not take sides in the civil war.

SA 4886. Mr. FRIST (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. (a) No funds made available for fiscal year 2006 may be made available to implement any decision of the Army Contract Adjustment Board the funding for which is approved between August 1, 2006, and the adjournment sine die of the 109th Congress.

(b) The total amount of funds made available to implement decisions of the Army Contract Adjustment Board described under subsection (a) may be up to, but may not exceed, $97,000,000.

SA 4887. Mr. FRIST (for Ms. SNOWE) proposed an amendment to the bill S. 466, to deauthorize a certain portion of the project for navigation, Rockland Harbor, Maine; as follows:

At the end, add the following:

SEC. 2. REDESIGNATION OF PROJECT FOR NAVIGATION, SACO RIVER, MAINE.

The portion of the project for navigation, Saco River, Maine, authorized under section 107 of the River and Harbor Act of 1960 (33

U.S.C. 577) and described as a 6-foot deep, 10-acre maneuvering basin located at the head of navigation, is redesignated as an anchorage area.

SA 4888. Mr. FRIST (for Mr. JEFFORDS (for himself and Mr. OBAMA)) proposed an amendment to the bill S. 466, to deauthorize a certain portion of the project for navigation, Rockland Harbor, Maine; as follows:

SEC. XXX. HERBERT HOOVER DIKE SUPPLEMENTAL MAJOR REHABILITATION REPORT.

(a) IN GENERAL.—Not later than May 31, 2007, the Secretary shall publish a supplement to the major rehabilitation report for the Herbert Hoover Dike system, approved by the Chief of Engineers in November 2000.

(b) INCLUSIONS.—The supplemental report under subsection (a) shall include—

(1) an evaluation of existing conditions at the Herbert Hoover Dike system;

(2) an identification of additional risks associated with flood events at the system that are equal to or greater than the standard projected flood risks;

(3) an evaluation of the potential to integrate projects of the Corps of Engineers into an enhanced flood protection system for Lake Okeechobee, including—

(A) the potential for additional water storage north of Lake Okeechobee; and

(B) an analysis of other project features included in the Comprehensive Everglades Restoration Plan; and

(4) a review of the report prepared for the South Florida Water Management District dated April 2006.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,500,000.

SEC. XXX. ILLINOIS WATERWAY, SOUTH FORK OF THE SOUTH BRANCH OF THE CHICAGO RIVER, ILLINOIS.

(a) IN GENERAL.—The portion of the Illinois Waterway project authorized by the Act of January 21, 1927 (commonly known as the ''River and Harbor Act of 1927'') (44 Stat. 1013), in the South Fork of the South Branch of the Chicago River, as identified in subsection (b) is not authorized.

(b) DESCRIPTION OF PROJECT PORTION.—The portion of the project referred to in subsection (a) is the portion of the SW ¼ of sec. 29, T. 39 N., R. 14 E., Third Principal Meridian, Cook County, Illinois, and more particularly described as follows:

(1) Commencing at the SW comer of the SW ¼.

(2) Thence north 1 degree, 32 minutes, 31 seconds west, bearing based on the Illinois State Plane Coordinate System, NAD 83 east zone, along the west line of that quarter, 1810.16 feet to the southerly line of the Illinois and Michigan Canal.

(3) Thence north 50 degrees, 41 minutes, 55 seconds east along that southerly line 62.91 feet to the easterly line of South Ashland Avenue, as widened by the ordinance dated November 24, 1920, which is also the east line of an easement to the State of Illinois for highway purposes numbered 12340342 and recorded July 13, 1939, for a point of beginnings.

(4) Thence continuing north 50 degrees, 41 minutes, 55 seconds east along that southerly line 70.13 feet to the southerly line of the South Branch Turning Basin per for the plat numbered 3645392 and recorded January 19, 1905.

(5) Thence south 67 degrees, 18 minutes, 31 seconds east along that southerly line 245.50 feet.

(6) Thence north 14 degrees, 35 minutes, 13 seconds east 145.38 feet.

(7) Thence north 10 degrees, 57 minutes, 15 seconds east 326.87 feet.

(8) Thence north 17 degrees, 52 minutes, 44 seconds west 56.20 feet.

(9) Thence north 52 degrees, 7 minutes, 32 seconds west 78.69 feet.

(10) Thence north 69 degrees, 26 minutes, 35 seconds west 58.97 feet.

(11) Thence north 90 degrees, 00 minutes, 00 seconds west 259.02 feet to the east line of South Ashland Avenue.

(12) Thence south 1 degree, 32 minutes, 31 seconds east along that east line 322.46 feet.

(13) Thence south 00 degrees, 14 minutes, 35 seconds east along that east line 11.56 feet to the point of beginnings.

SA 4889. Mr. FRIST (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY'' and available for Military Engineering Advanced Technology, $7,900,000 may be available for solid oxide fuel cell research in conjunction with Oak Ridge National Laboratory.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I woud like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, September 12th, at 10:00 a.m. in room SD–628 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony relating to the effects of the BP pipeline failure in the Prudhoe Bay Oil Field on U.S. oil supply and to examine what steps may be taken to prevent a recunence of such an event.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Dick Bouts at 202–224–7545 or Sara Zecher at 202–224–8276.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. THOMAS. Mr. President, I ask unanimous cosent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, September 5, 2006, at 4:15 p.m. to hold a hearing on nominations.

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

PRIVILEGES OF THE FLOOR

Mr. DURBIN. Mr. President, I ask unanimous consent that Lona Stoll and William Johnson, legislative fellows in Senator KENNEDY's office, be granted the privilege of the floor during the consideration of the Department of Defense appropriations bill, 2007, and any votes thereon.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on today's Executive Calendar: No. 866.

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 the Senate return to legislative session.

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

The nomination considered and confirmed is as follows:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Robert S. Martin, of Texas, to be a Member of the National Council on the Humanities for a term expiring January 26, 2012.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

DEAUTHORIZING A CERTAIN PORTION OF THE PROJECT FOR NAVIGATION, ROCKLAND HARBOR, MAINE

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 466 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 466) to deauthorize a certain portion of the project for navigation, Rockland Harbor, Maine.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the amendments at the desk be agreed to, the bill as amended be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the measure be printed in the RECORD.

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

The amendments (Nos. 4887 and 4888) were agreed to, as follows:

AMENDMENT NO. 4887

(Purpose: To redesignate the project for navigation, Saco River, Maine)

At the end, add the following:

SEC. 2. REDESIGNATION OF PROJECT FOR NAVIGATION, SACO RIVER, MAINE.

The portion of the project for navigation, Saco River, Maine, authorized under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) and described as a 6-foot deep, 10-acre maneuvering basin located at the head of navigation, is redesignated as an anchorage area.

AMENDMENT NO. 4888

At the end, insert the following:

SEC. XXX. HERBERT HOOVER DIKE SUPPLEMENTAL MAJOR REHABILITATION REPORT.

(a) IN GENERAL.—Not later than May 31, 2007, the Secretary shall publish a supplement to the major rehabilitation report for the Herbert Hoover Dike system, approved by the Chief of Engineers in November 2000.

(b) INCLUSIONS.—The supplemental report under subsection (a) shall include—

(1) an evaluation of existing conditions at the Herbert Hoover Dike system;

(2) an identification of additional risks associated with flood events at the system that are equal to or greater than the standard projected flood risks;

(3) an evaluation of the potential to integrate projects of the Corps of Engineers into an enhanced flood protection system for Lake Okeechobee, including—

(A) the potential for additional water storage north of Lake Okeechobee; and

(B) an analysis of other project features included in the Comprehensive Everglades Restoration Plan; and

(4) a review of the report prepared for the South Florida Water Management District dated April 2006.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,500,000.

SEC. XXX. ILLINOIS WATERWAY, SOUTH FORK OF THE SOUTH BRANCH OF THE CHICAGO RIVER, ILLINOIS.

(a) IN GENERAL.—The portion of the Illinois Waterway project authorized by the Act of January 21, 1927 (commonly known as the ''River and Harbor Act of 1927'') (44 Stat. 1013), in the South Fork of the South Branch of the Chicago River, as identified in subsection (b) is not authorized.

(b) DESCRIPTION OF PROJECT PORTION.—The portion of the project referred to in subsection (a) is the portion of the SW ¼ of sec. 29, T. 39 N., R. 14 E., Third Principal Meridian, Cook County, Illinois, and more particularly described as follows:

(1) Commencing at the SW corner of the SW ¼.

(2) Thence north 1 degree, 32 minutes, 31 seconds west, bearing based on the Illinois State Plane Coordinate System, NAD 83 east zone, along the west line of that quarter, 1810.16 feet to the southerly line of the Illinois and Michigan Canal.

(3) Thence north 50 degrees, 41 minutes, 55 seconds east along that southerly line 62.91 feet to the easterly line of South Ashland Avenue, as widened by the ordinance dated November 24, 1920, which is also the east line of an easement to the State of Illinois for highway purposes numbered 12340342 and recorded July 13, 1939, for a point of beginnings.

(4) Thence continuing north 50 degrees, 41 minutes, 55 seconds east along that southerly line 70.13 feet to the southerly line of the South Branch Turning Basin per for the plat numbered 3645392 and recorded January 19, 1905.

(5) Thence south 67 degrees, 18 minutes, 31 seconds east along that southerly line 245.50 feet.

(6) Thence north 14 degrees, 35 minutes, 13 seconds east 145.38 feet.

(7) Thence north 10 degrees, 57 minutes, 15 seconds east 326.87 feet.

(8) Thence north 17 degrees, 52 minutes, 44 seconds west 56.20 feet.

(9) Thence north 52 degrees, 7 minutes, 32 seconds west 78.69 feet.

(10) Thence north 69 degrees, 26 minutes, 35 seconds west 58.97 feet.

(11) Thence north 90 degrees, 00 minutes, 00 seconds west 259.02 feet to the east line of South Ashland Avenue.

(12) Thence south 1 degree, 32 minutes, 31 seconds east along that east line 322.46 feet.

(13) Thence south 00 degrees, 14 minutes, 35 seconds east along that east line 11.56 feet to the point of beginnings.

The bill (S. 466), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 466

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ROCKLAND HARBOR, MAINE.

As of the date of enactment of this Act, the portion of the project for navigation, Rockland Harbor, Maine, authorized by the Act of June 3, 1896 (29 Stat. 202, chapter 314), consisting of a 14-foot channel located in Lermond Cove and beginning at a point with coordinates N. 99977.37, E. 340290.02, thence running easterly about 200.00 feet to a point with coordinates N. 99978.49, E. 340490.02, thence running northerly about 138.00 feet to a point with coordinates N. 100116.49, E. 340289.25, thence running westerly about 200.00 feet to a point with coordinates N. 100115.37, E. 340289.25, thence running southerly about 138.00 feet to the point of origin, is not authorized.

SEC. 2. REDESIGNATION OF PROJECT FOR NAVIGATION, SACO RIVER, MAINE.

The portion of the project for navigation, Saco River, Maine, authorized under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) and described as a 6-foot deep, 10-acre maneuvering basin located at the head of navigation, is redesignated as an anchorage area.

SEC. 3. HERBERT HOOVER DIKE SUPPLEMENTAL MAJOR REHABILITATION REPORT.

(a) IN GENERAL.—Not later than May 31, 2007, the Secretary shall publish a supplement to the major rehabilitation report for the Herbert Hoover Dike system, approved by the Chief of Engineers in November 2000.

(b) INCLUSIONS.—The supplemental report under subsection (a) shall include—

(1) an evaluation of existing conditions at the Herbert Hoover Dike system;

(2) an identification of additional risks associated with flood events at the system that are equal to or greater than the standard projected flood risks;

(3) an evaluation of the potential to integrate projects of the Corps of Engineers into an enhanced flood protection system for Lake Okeechobee, including—

(A) the potential for additional water storage north of Lake Okeechobee; and

(B) an analysis of other project features included in the Comprehensive Everglades Restoration Plan; and

(4) a review of the report prepared for the South Florida Water Management District dated April 2006.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,500,000.

SEC. 4. ILLINOIS WATERWAY, SOUTH FORK OF THE SOUTH BRANCH OF THE CHICAGO RIVER, ILLINOIS.

(a) IN GENERAL.—The portion of the Illinois Waterway project authorized by the Act of January 21, 1927 (commonly known as the ''River and Harbor Act of 1927'') (44 Stat. 1013), in the South Fork of the South Branch of the Chicago River, as identified in subsection (b) is not authorized.

(b) DESCRIPTION OF PROJECT PORTION.—The portion of the project referred to in subsection (a) is the portion of the SW ¼ of sec. 29, T. 39 N., R. 14 E., Third Principal Meridian, Cook County, Illinois, and more particularly described as follows:

(1) Commencing at the SW corner of the SW ¼.

(2) Thence north 1 degree, 32 minutes, 31 seconds west, bearing based on the Illinois State Plane Coordinate System, NAD 83 east zone, along the west line of that quarter, 1810.16 feet to the southerly line of the Illinois and Michigan Canal.

(3) Thence north 50 degrees, 41 minutes, 55 seconds east along that southerly line 62.91 feet to the easterly line of South Ashland Avenue, as widened by the ordinance dated November 24, 1920, which is also the east line of an easement to the State of Illinois for highway purposes numbered 12340342 and recorded July 13, 1939, for a point of beginnings.

(4) Thence continuing north 50 degrees, 41 minutes, 55 seconds east along that southerly line 70.13 feet to the southerly line of the South Branch Turning Basin per for the plat numbered 3645392 and recorded January 19, 1905.

(5) Thence south 67 degrees, 18 minutes, 31 seconds east along that southerly line 245.50 feet.

(6) Thence north 14 degrees, 35 minutes, 13 seconds east 145.38 feet.

(7) Thence north 10 degrees, 57 minutes, 15 seconds east 326.87 feet.

(8) Thence north 17 degrees, 52 minutes, 44 seconds west 56.20 feet.

(9) Thence north 52 degrees, 7 minutes, 32 seconds west 78.69 feet.

(10) Thence north 69 degrees, 26 minutes, 35 seconds west 58.97 feet.

(11) Thence north 90 degrees, 00 minutes, 00 seconds west 259.02 feet to the east line of South Ashland Avenue.

(12) Thence south 1 degree, 32 minutes, 31 seconds east along that east line 322.46 feet.

(13) Thence south 00 degrees, 14 minutes, 35 seconds east along that east line 11.56 feet to the point of beginnings.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 109–12

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on September 5, 2006, by the President of the United States: Patent Law Treaty and Regulations Under Patent Law Treaty, Treaty Document No. 109–12. I further ask unanimous consent that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The President's message is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, subject to the reservation outlined below, I transmit herewith the Patent Law Treaty and Regulations Under the Patent Law Treaty (the ''Treaty''), done at Geneva on June 1, 2000, between the Governments of 53 countries including the United States of America. I also transmit, for the information of the Senate, the Key Provisions of the Patent Law Treaty report prepared by the Department of State.

Strong intellectual property protection is a cornerstone of free trade and global market access. This Treaty promotes patent protection by codifying, harmonizing, and reducing the costs of taking the steps necessary for obtaining and maintaining patents throughout the world. The provisions set forth in the Treaty will safeguard U.S. commercial interests by making it easier for U.S. patent applicants and owners to protect their intellectual property worldwide.

The Treaty generally sets forth the maximum procedural requirements that can be imposed on patent applicants, and in addition, provides standardized requirements for obtaining a filing date from which no party may deviate. Additionally, the Treaty provides that applicants cannot be required to hire representation for, among other things, the purpose of filing an application and that patents may not be revoked or invalidated because of noncompliance with certain application requirements, unless the noncompliance is a result of fraud. The Treaty does not limit the United States from providing patent requirements that are more favorable to the patent applicant or patent owner than those set forth in the Treaty or from prescribing requirements that are provided for in our substantive law relating to patents. Additionally, the Treaty is not intended to limit the United States from taking actions that it deems necessary for the preservation of its essential security interests.

This Treaty is in harmony with current U.S. patent laws and regulations, with minor exceptions to be addressed in proposed legislation. Because U.S. law does not require that each patent application apply to only one invention or inventive concept, and because the U.S. Patent and Trademark Office assesses that implementing a provision of the Treaty requiring ''unity of invention'' for all national applications would require a substantive and impractical change to our Patent Law, I recommend that the following reservation be included in the U.S. instrument of ratification, as allowed by the Treaty:

Pursuant to Article 23, the United States declares that Article 6(1) shall not apply to any requirement relating to unity of invention applicable under the Patent Cooperation Treaty to an international application.

I recommend that the Senate give early and favorable consideration to this Treaty and give its advice and consent to its ratification, subject to the reservation described above.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 5, 2006.*

MEASURES PLACED ON THE CALENDAR—H.R. 4157, H.R. 4761, AND H.R. 4890

Mr. FRIST. Mr. President, I understand there are three bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report the bills by title for a second time.

The assistant legislative clerk read as follows:

A bill (H.R. 4157) to promote a better health information system.

A bill (H.R. 4761) to provide for exploration, development, and production activities for mineral resources on the Outer Continental Shelf, and for other purposes.

A bill (H.R. 4890) to amend the Congressional budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

Mr. FRIST. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be placed on the calendar.

NATIONAL PROSTATE CANCER AWARENESS MONTH

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and that the Senate now proceed to S. Res. 552.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A Resolution (S. Res. 552) designating September 2006 as ''National Prostate Cancer Awareness Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 552) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 552

Whereas countless families in the United States have a family member that suffers from prostate cancer;

Whereas 1 in 6 men in the United States is diagnosed with prostate cancer;

Whereas throughout the past decade, prostate cancer has been the most commonly diagnosed type of cancer other than skin cancer and the second most common cause of cancer-related deaths among men in the United States;

Whereas, in 2006, more than 234,460 men in the United States will be diagnosed with prostate cancer and 27,350 men in the United States will die of prostate cancer according to estimates from the American Cancer Society;

Whereas 30 percent of the new diagnoses of prostate cancer occur in men under the age of 65;

Whereas a man in the United States turns 50 years old about every 14 seconds, increasing his odds of being diagnosed with prostate cancer;

Whereas African American males suffer from prostate cancer at an incidence rate up to 65 percent higher than white males and at a mortality rate double that of white males;

Whereas obesity is a significant predictor of the severity of prostate cancer and the chance that the disease will lead to death;

Whereas if a man in the United States has 1 family member diagnosed with prostate cancer, he has double the risk of prostate cancer, if he has 2 family members with such diagnosis, he has 5 times the risk, and if he has 3 family members with such diagnosis, he has a 97 percent risk of prostate cancer;

Whereas screening by both a digital rectal examination (DRE) and a prostate specific antigen blood test (PSA) can detect prostate cancer in earlier and more treatable stages and reduce the rate of mortality due to the disease;

Whereas ongoing research promises further improvements in prostate cancer prevention, early detection, and treatments; and

Whereas educating people in the United States, including health care providers, about prostate cancer and early detection strategies is crucial to saving the lives of men and preserving and protecting our families: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2006 as ''National Prostate Cancer Awareness Month'';

(2) declares that it is critical—

(A) to raise awareness about the importance of screening methods and the treatment of prostate cancer;

(B) to increase research funding to be proportionate with the burden of prostate cancer so that the causes of the disease, improved screening and treatments, and ultimately a cure may be discovered; and

(C) to continue to consider methods to improve both access to and the quality of health care services for detecting and treating prostate cancer; and

(3) calls on the people of the United States, interested groups, and affected persons—

(A) to promote awareness of prostate cancer;

(B) to take an active role in the fight to end the devastating effects of prostate cancer on individuals, their families, and the economy; and

(C) to observe National Prostate Cancer Awareness Month with appropriate ceremonies and activities.

ORDERS FOR WEDNESDAY, SEPTEMBER 6, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Wednesday, September 6. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business for up to 30 minutes with the first 15 minutes

under the control of the majority leader or his designee and the final 15 minutes under the control of the minority leader or his designee; further, that the Senate then resume consideration of H.R. 5631, the Department of Defense Appropriations bill. I further ask unanimous consent that the Senate stand in recess from 12:30 p.m. to 2:15 p.m. to accommodate the weekly policy luncheons.

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

PROGRAM

Mr. FRIST. Mr. President, today we continued debate on the Department of Defense Appropriations bill that we started before the August recess. We have three amendments pending, and we expect to have more amendments offered tomorrow. Votes can be expected before the weekly policy luncheons and throughout the day. We will work to finish this important spending bill no later than tomorrow or Thursday. Members who have amendments still to offer to this bill should consult with the bill managers to get their amendments in the queue. Again, I welcome my colleagues back from the recess. We have a lot of work to do, as I outlined earlier this morning, over the course of the next several weeks, and we can expect some very full days.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:07 p.m., adjourned until Wednesday, September 6, 2006, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate September 5, 2006:

DEPARTMENT OF AGRICULTURE

CHARLES F. CONNER, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE JAMES R. MOSELEY.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

COLLISTER JOHNSON, JR., OF VIRGINIA, TO BE ADMINISTRATOR OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION FOR A TERM OF SEVEN YEARS, VICE ALBERT S. JACQUEZ, TERM EXPIRED.

DEPARTMENT OF THE INTERIOR

MARK MYERS, OF ALASKA, TO BE DIRECTOR OF THE UNITED STATES GEOLOGICAL SURVEY, VICE CHARLES G. GROAT, RESIGNED.

JOHN RAY CORRELL, OF INDIANA, TO BE DIRECTOR OF THE OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT, VICE JEFFREY D. JARRETT.

MARY AMELIA BOMAR, OF PENNSYLVANIA, TO BE DIRECTOR OF THE NATIONAL PARK SERVICE, VICE FRANCES P. MAINELLA, RESIGNED.

DAVID LONGLY BERNHARDT, OF COLORADO, TO BE SOLICITOR OF THE DEPARTMENT OF THE INTERIOR, VICE SUE ELLEN WOOLDRIDGE.

ENVIRONMENTAL PROTECTION AGENCY

WILLIAM LUDWIG WEHRUM, JR., OF TENNESSEE, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE JEFFREY R. HOLMSTEAD, RESIGNED.

DEPARTMENT OF THE TREASURY

PETER E. CIANCHETTE, OF MAINE, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2010, VICE NANCY KILLEFER, TERM EXPIRED.

DEPARTMENT OF STATE

CHARLES L. GLAZER, OF CONNECTICUT, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EL SALVADOR.

DEPARTMENT OF LABOR

RICHARD STICKLER, OF WEST VIRGINIA, TO BE ASSISTANT SECRETARY OF LABOR FOR MINE SAFETY AND HEALTH, VICE DAVID D. LAURISKI, RESIGNED.

DEPARTMENT OF EDUCATION

SARA ALICIA TUCKER, OF CALIFORNIA, TO BE UNDER SECRETARY OF EDUCATION, VICE EDWARD R. MCPHERSON, RESIGNED.

DEPARTMENT OF HOMELAND SECURITY

TRACY A. HENKE, OF MISSOURI, TO BE EXECUTIVE DIRECTOR OF THE OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, DEPARTMENT OF HOMELAND SECURITY, VICE C. SUZANNE MENCER, RESIGNED.

THE JUDICIARY

MICHAEL BRUNSON WALLACE, OF MISSISSIPPI, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE CHARLES W. PICKERING, SR., RETIRED.

NORMAN RANDY SMITH, OF IDAHO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE STEPHEN S. TROTT, RETIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

JAMES F.X. O'GARA, OF PENNSYLVANIA, TO BE DEPUTY DIRECTOR FOR SUPPLY REDUCTION, OFFICE OF NATIONAL DRUG CONTROL POLICY, VICE BARRY D. CRANE.

THE JUDICIARY

WILLIAM GERRY MYERS III, OF IDAHO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE THOMAS G. NELSON, RETIRED.

DEPARTMENT OF JUSTICE

WILLIAM W. MERCER, OF MONTANA, TO BE ASSOCIATE ATTORNEY GENERAL, VICE ROBERT D. MCCALLUM, JR.

THE JUDICIARY

WILLIAM JAMES HAYNES II, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE H. EMORY WIDENER, JR., RETIRING.

TERRENCE W. BOYLE, OF NORTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE J. DICKSON PHILLIPS, JR., RETIRED.

DEPARTMENT OF VETERANS AFFAIRS

ROBERT T. HOWARD, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (INFORMATION AND TECHNOLOGY), VICE ROBERT N. MCFARLAND.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

JOHN EDWARD MANSFIELD, OF VIRGINIA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2011. (REAPPOINTMENT)

LARRY W. BROWN, OF VIRGINIA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2010, VICE R. BRUCE MATTHEWS, RESIGNED.

PETER STANLEY WINOKUR, OF MARYLAND, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2009, VICE JOHN T. CONWAY, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

NAKEDA L. JACKSON, 9937
CHANTAL NEWSOME, 0832

To be lieutenant colonel

ORSURE BEAN, 3666
COLLINS T. LYONS, 6189
GEORGE H. MAXFIELD, 5290

To be major

LILLIAN L. LANDRIGAN, 1490
JOSEPH A. MARINO, 6547
KELLEY L. TOMSETT, 9907
STEVEN R. TURNER, 9751

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

LARRY W. APPLEWHITE, 6840
CLARK H. WEAVER, 9032
JAY M. WEBB, 3594

To be major

PHILLIP A. HOLOCOMBE, 7346
DENNIS H. MOON, 9242

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

KATHERINE M. BROWN, 8521

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JONATHAN E. CHENEY, 2556
JAMES S. NEWELL, 8985

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

KEVIN P. BUSS, 7399
JEFFREY CLARK, 2369
KAREN R. HOLZCLAW, 3415
WILLIAM J. HUNT, 8354
SANDRA M. ROLPH, 2078
MICHELE R. STONE, 9454
JILL S. VOGEL, 4105

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be major

JOHN PARSONS, 5217

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RYAN G. BATCHELOR, 6646
CHRISTOPHER M. SYLVESTER, 6400
JASON T. YAUMAN, 8260

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MARC A. ARAGON, 9480
THOMAS C. BALL, 8236
PABLO C. BREUER, 9594
JOHN W. CARLS, 1796
ROBERT A. CLARADY, 0091
VALENCIA V. COURTNEY, 6573
HAROLD W. EMPSON, 1835
CHARLES E. FISHER, 8290
KELLY GANNON, 2498
TODD P. GLIDDEN, 3321
LOUIS M. GUTIERREZ, 4039
SAMARIA M. HUNTER, 5978
CAROLINE D. LAHMAN, 9560
LAURO LUNA, 9265
GEORGE J. MCCAFFREY III, 8653
MICHAEL S. MILLIKEN, 4051
BRADLEY R. NALITT, 7558
JASON W. PATTERSON, 7970
RAFAEL PEREZ, JR., 6957
SAMMIE PRINGLE II, 4691
WILLIAM A. REVAK, 6223
ANTONIO J. SCURLOCK, 9282
CHRISTOPHER SIMPSON, 6806
JONATHAN W. SIMS, 7662
GREGORY S. TAYLOR, 6912
JEFFREY S. WILLIAMS, 6569
ROBERT A. YEE, 6224

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MICHAEL J. BARRIERE, 6984
ROBERT L. BURGESS, 5424
BERNARD F. CALAMUG, 8044
KENNETH D. CAMERON, 1688
SCOTT G. CARTER, 1839
FRANCINI R. CLEMMONS, 2120
MARC K. FARNSWORTH, 5584
CHRISTOPHER J. HAAS, 8194
JON M. HERSEY, 4057
JOSEPH A. HIDALGO, JR., 0747
DALE F. LOCKLAR, 3811
VENCENT W. LOGAN, 4632
JOSHUA D. MACMURDO, 9904
MICHAEL MARRERO, 0818
TERENCE N. MEJOS, 3127
RICARDO MERCADO, 9753
SATURNINO MOJICA, 5809
JEFFREY J. MYERS, 3746
WINFORD A. PEREGRINO, 3185
MARILEE A. PIKE, 8406
SCOTT C. SCHULZ, 9174
TIMOTHY M. SNOWDEN, 0284
KENTARO A. TACHIKAWA, 4615
JOHN A. TURNER, 7243
MICHAEL D. WAGNER, 0886

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOHN A. ANDERSON, 0230

MARIO BENTIVOGLIO, 9036
CATHERINE W. BOEHME, 1258
CINDA L. BROWN, 8581
GEORGE R. CARAMICO, 0073
SAMUEL F. CORDERO, 7894
JOSHUA D. CRINKLAW, 7026
GREGORY L. ELKINS, 9781
KEVIN M. FLOOD, 2586
JASON GRABELLE, 6517
DANIEL M. HAASE, 9602
CHRISTOPHER I. HOAG, 3191
KEITH C. HOWLAND, 0575
STEVEN E. ISOMURA, 4385
MICHAEL E. KALINSKI, 6769
PETER K. KENDALL, 4415
JEROD W. KETCHAM, 9009
DANIEL C. KIDD, 5116
JULIE A. KITCHENKA, 6122
JAMES A. KUHLMANN, 0347
FREDERICK L. LENTZ II, 7576
JON P. LETOURNEAU, 0047
JEFFREY S. LOCK, 8468
JOHN R. MENTZER, 1527
PHILIP R. MLYNARSKI, 5838
JAMES P. MOSMAN, 2423
SEAN P. NILES, 5478
KYLE OLECHNOWICZ, 3750
MICHAEL L. ROACH, 7286
ROMAN P. SALM III, 4565
MICHAEL W. SMITH, 5435
CRAIG A. SYLVESTER, 1188
OMAR J. WHEATLEY, 3497
CHRISTOPHER G. WILLIAMS, 0393
JAY A. YOUNG, 7567

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

GERARD D. AVILA, 2939
DERRICK E. BLACKSTON, 4142
MATTHEW C. BYRNE, 0033
BRENT E. COWER, 6321
ROMADEL E. DELASALAS, 5083
BRIAN D. DOHERTY, 4494
WILLIAM B. HINSON, 3414
RONALD HOJNOWSKI, 3398
SUZANNE M. JOHNSON, 6528
KIMBERLY M. KRAMER, 1814
JON K. NEUHALFEN, 0790
VALERIE K. ROSS, 6524
PAUL S. RUBEN, 7088
ROBERT T. STOCKTON, JR., 2509
ROBERT F. VADNAIS, 8243
EDDI L. WATSON, 2790

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RENE V. ABADESCO, 7015
ALAN D. ABSHEAR, 4992
CHERYL A. AGE, 6282
DAVID R. AGLE, 9804
ANDREW J. ASHTON, 8264
MATTHEW T. ATWOOD, 7669
CHRISTOPHER BAILEY, 4292
LOUIS H. BALOT, 8162
DONNA M. BAPTISTE, 9289
JAMES S. BARNES, 4144
KEVIN S. BARNETT, 5571
DAVID W. BAXLEY, 9641
KEITH L. BECK, 6973
WILLIAM M. BEGLAU, 0308
BYRON K. BENARD, 8009
AMY C. BENDER, 7475
EDWARD M. BENDER, 7959
MICHAEL J. BICKEL, 4248
DAVID M. BIRMINGHAM, 4851
ALICE J. BLACK, 7157
WILLIAM H. BLANCHARD, 2554
CLIFTON A. BOYCE, 9932
LAMAR R. BRADLEY, 8998
EDWARD B. BRINSON, JR., 4219
BRUCE G. BRONK, 3118
PURVIS A. BROUGHTON, 7615
CARVIN A. BROWN, 9769
MARY A. BROWN, 4682
STUART A. BROWN, 5652
JOED M. BRUCE, 6032
MARK S. BURGETT, 8488
CELETA L. BURKS, 8192
JOSEPH P. BURNS, 2740
WILLIAM J. BURROWS, 1672
DANIEL J. CARIUS, 6512
BRYAN K. CATOE, 7334
DANIEL R. CEITHAMER, 6553
RICK L. CHAMBERS, 0112
WILLIAM C. CHAMBERS, 1347
NORMAN H. CHASSE, 7155
DONALD E. CISSELL, 2481
DAVID G. CLARK, 8150
WILLIAM J. CLARK, 1274
JOHN W. COATES, 0775
KEVIN A. COCHRAN, 2131
GARY E. COLEMAN, 6003
CLIFFORD COLLINS, 0436
BRUCE J. CONWAY, 8439
MATTHEW T. COOPER, 2110
MICHAEL R. CORBIN, 2336
CHARLES C. COWART, 9525
WESLEY D. CUNNINGHAM, 6659
MICHAEL L. DALE, 4100
MELITON A. R. DASCO, 4455
CHARLES B. DAVENPORT, 1098
EDDIE E. DAVIS, 7431
JEFFREY S. DAVIS, 5334
LAWRENCE W. DAY, 7857
KEITH W. DEBBAN, 5551
MICHELLE M. DEBOURGE, 3682
THOMAS A. DECKER, 5046
RICHARD A. DEHAVEN, 2746
MIKE A. DEHOYOS, 2603
CHRISTINA DIGREGORIO, 4388
JOEL A. DOANE, 1936
FRANCIS J. DONAHUE, 2539
ADAM DONALDSON, 4370
KARL R. DREIKORN, 0797
BRADY J. DRENNAN, 5416
STEVEN D. DUNCAN, 6077
FLOYD A. DYAL, 3676
CAROL A. EATON, 8929
LAWRENCE A. EDWARDS, 8555
KELLY D. ENNIS, 8446
HOWLAND I. ENOKIDA, 1274
DONALD E. EVERSOLL, 5939
SEAN B. FARRELL, 8934
EDWARD L. FEIDT, 4823
TERRY D. FELLOWS, 7489
THOMAS J. FELTEN, 3520
JOSEPH G. FELTOVIC, 9814
JEFFREY P. FENDICK, 6942
KENNETH H. FERGUSON, 5997
DEAN R. FISHER, JR., 4132
JOAN J. FISHER, 9849
WILLIAM J. FRANCIS, 6829
JEFFREY A. FRANKS, 8582
JEFFREY S. FREELAND, 8777
ALLEN L. FRY, 8855
TYLER R. FRYE, 4302
FRANK FUENTES III, 7115
CHARLES P. FULWIDER, 2213
MICHAEL B. GARBER, 3173
DAVID E. GARRETSON, 5759
GARY W. GAULDIN, 2475
PETER R. GERYAK, 2816
KEVIN W. GILES, 3455
RENE G. GOCO, 2369
ALVIN M. GONZALEZ, 2260
MARC T. GOODE, 6934
PAMELA GRAHAM, 6863
MICHAEL S. GRANT, 5540
DOUGLAS C. GRAVE, 0264
JAMES A. GRAY, 5907
STEVEN P. GREER, 6134
CHRISTOPHER GROVER, 0243
JOHN E. GUSTAFSON, 7211
JACINTO T. GUTIERREZ, 9438
WILLIAM S. HAFLEY, 7125
TERRY F. HALL, 6153
JAMES L. HAMILTON, 1494
ERIC D. HANSEN, 6465
MICHAEL L. HARRIS, 2650
DAVID R. HARROLD, 5578
BRUCE B. HAYNES, 1331
DONALD HEFFENTRAGER, 6885
TIMOTHY A. HILL, 1506
DONALD E. HOCUTT, 7621
TIMOTHY R. HODSKINS, 2750
THOMAS G. HOLCOMB, 6709
PAUL L. HOMAN, 1005
GREGORY W. HORSHOK, 0347
PATRICK J. HOUGH, 1320
DAVID S. HUBBELL, 0349
DAVID L. HUNT, 4416
FRANKLIN W. HUNT, 6607
CHARLES D. HUNTINGTON, 2399
DERRICK L. HUTCHISON, 6869
STEVEN D. INGRAM, 1970
MARK P. INGWERSEN, 7640
EARLY JACKSON, 3387
ATKINS JINADU, 7650
DONALD JOHNSON, 4576
GORDON W. JOHNSON, 0617
MICHAEL E. JOHNSTON, 8939
TODD M. JOHNSTON, 8252
HARRY L. JUNEAU, 3067
MICHAEL R. KASZUBA, 5163
GEORGE S. KELLAS, 2684
ROY G. KIDDY, 5775
CRIS S. KIDWELL, 0455
VINCENT M. KIRSCH, 9575
ANTHONY A. KITSON, 4195
PETER J. KLOETZKE, 8967
BRIAN F. KOSKO, 8189
MICHAEL J. KRAFT, 2501
FRANK S. KREMER, 0403
WILLIAM M. KRUMP, 0900
DAVID L. LANDON, 5723
RICHARD G. LANIER, 2397
DAVID A. LAUFFENBURGER, 0760
ANTHONY LEONE, 5379
DONALD P. LIBBY, 1565
ROBERT E. LOEFFLER, 1763
DAVID W. LONG, 5355
KENNETH J. LOOKABAUGH, 3711
VICKIE L. LUCAS, 4466
MICHAEL R. LUTHER, 3851
CHARLES E. LYNCH, 8834
CHARLES H. MAHER, 0344
DANIEL D. MALONEY, 9023
PATRICK J. MARCOTTE, 8179
CHARLIE L. MARTIN, 1098
DANIEL S. MARTINDALE, 2218
JOSE A. MARTINEZ, 2199
MICHAEL B. MARTINEZ, JR., 2735
WARREN S. MCCALLUM, 3717
GUY E. MEFFERD, 9933
JIMMY H. MELTON, 0514
THOMAS H. MILLER, 9488
ROBERT L. MOORE, 4600
CARTER L. MORELAND, 3070
JEFFREY T. MORGAN, 0232
CHARLES E. MORRIS, 4650
JEROME D. MORRIS, 9175
ROBERT D. MYERS, 8049
HEZEKIAH NATTA, JR., 9559
WILLIAM H. NEIGER, 6216
OTTIS R. NELSON, 4669
THOMAS E. NELSON, 8765
GIL V. NICDAO, 4630
CHRISTOPHER T. NICHOLS, 1843
GEORGE R. NIEDHAMMER, 4516
PAUL M. NIELSON, 4626
DONALD P. OCONER, 1037
JOSEPH P. OHARA, 4320
JOHN E. OLANOWSKI, 2515
DAVID B. OLDHAM, JR., 6145
BERRENDIA K. ONEAL, 2990
MATTHEW ONEILL, 7037
PATRICK O. PADDOCK, 9667
JUAN A. PAGAN, 3819
PERRY B. PAGE, 0046
BARRY C. PARHAM, 9010
DREMA D. PARSONS, 6465
ROBERT F. PAULEY, 3397
WANDA S. PEACOCK, 2912
RAYMOND C. PENLAND, 7549
ALFREDO M. PINEDA, 8844
JAMES W. PITCOCK, 4370
YVONNE O. PITTS, 3745
TERRY J. PRATT, 6583
WILLIAM S. PRATT, 3131
CHRISTOPHER PRESSLEY, 6358
ALAN W. PROCTOR, 7367
JAMES M. PYLE, 9573
TODD M. RADEMACHER, 9208
TIMOTHY R. RAGNAR, 0772
EDWARD E. RANCOURT, 6000
STEPHEN R. RANNE, 8460
CHRISTOPHER L. RAYBURN, 5415
MARK D. REAVIS, 2857
ESTEBAN RICO, 4460
MATTHEW G. ROBERTS, 6291
EDDIE ROBLES, 6118
VICTOR O. ROMAN, 6315
DWAYNE W. RUFFNER, 9213
BERNARDO C. SALAZAR, 0844
ERIC M. SAMUELSON, 2608
ROBERT M. SAUNDERS, 7166
WILLIAM M. SCHAEFER, 5426
MACK F. SCHMIDT, 1252
JERRY L. SCHULTZ, 3356
LOUIS V. SCOTT, 3774
NIGEL A. SEALY, 0768
JEFFREY C. SERVEN, 6820
DALE W. SEXTON, 8036
ROY J. SIMMONS, 4514
MICHAEL E. SIMPKINS, 3214
JAMES A. SMITH, 7461
JERRY L. SMITH, JR., 0329
LEROY SMITH, 5541
NICHOLAS SMITH, 0393
TIMOTHY D. SMITH, 2959
ERWIN J. SNELL, 9003
MICHAEL R. SNIDER, 5199
LYLE V. SPAIN, 4100
ALLEN R. STAMBAUGH, 0608
ERIC J. STEIN, 2862
JEFFREY T. STEPHENS, 5511
WADE M. STEPHENS, 7455
LEON B. TACKITT, 6910
ANDREW P. THOMAS, 7299
JAMES E. THOMAS, 0885
TRACY I. TRUITT, 3085
EUGENE T. TSCHUDY, 6584
WESBURN J. UNGER, 8334
VICTOR L. VAUGHAN, 6164
GEORGE G. VERGOS, 6712
KYLE J. VERNON, 2395
MICHAEL S. VINING, 9107
TANYA J. WALLACE, 8364
KENNETH G. WALTON, 2990
EZRA A. WARD, 1557
DOUGLAS D. WASKIEWICZ, 3730
RICHARD P. WEISS, 6938
CHARLES A. WHEATLEY, 1166
MARK S. WHITTAKER, 9757
JOHN C. WILKERSON, 6878
CHRISTOPHER A. WILLIAMS, 0097
ERIC M. WILLIAMS, 0418
MICHAEL WILLIAMSON, 1360
JOHN F. WOLSTENHOLME, 9032
DAVID A. WOODS, 6187
MARK W. YATES, 6150
MICHAEL W. F. YAWN, 4877

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

AMY L. BLEIDORN, 9303
DANIEL E. BUTLER, 7792
GLEN M. CESARI, 0553
ERICK L. EDWARDS, 7305
DANNY J. GARCIA, 1127
JOHN E. HENDRICKSON, 4552
BENJAMIN A. JONES, 3207
RUTH A. LANE, 1662
SHANE STOUGHTON, 9218
KENNETH A. WALLACE, 9781
MICAH A. WELTMER, 6228

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

COREY B. BARKER, 1056
CHARLES M. BELL, JR., 0493
DAVID A. BENHAM, 9426
WILLIAM G. DAVIS III, 8622
WILLIAM F. KUEBLER, 3614
ROBERT T. LYON, 7780
WALTER M. MATTHEWS, 5989
BARBARA J. MERTZ, 9376
RYAN M. PERRY, 1211
JON D. SPIERS, 2632
WILLIAM R. URBAN, 6938

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

NATHANIEL A. BAILEY, 1312
SCOTT D. BARSCZEWSKI, 9006
JONATHAN V. BERIS, 4376
HEATH D. BOHLEN, 6409
REBECCA A. BOONE, 9703
SCOTT M. BOOTHROYD, 6502
BRADLEY D. BROWN, JR., 2441
BRIAN S. CAREY, 0831
JAMES L. CASTLEBERRY, 1613
THOMAS R. CHAPMAN III, 7721
JAY W. CLEMONS, 8848
THOMAS D. CROCI, 8996
DAVID M. CROWE, 9859
HUBERT C. DANTZLER III, 2597
MICHAEL G. DUDAS, 9646
BRIAN M. FOSS, 1418
JOSEPH D. FRASER, 2720
MICHAEL M. GIBSON, 1857
DIANA GUGLIELMO, 5485
JAMIE L. HORNING, 8752
FRANK E. HUDSON, 5578
KENNETH M. HUGHES, 1324
JASON P. HURLEY, 1949
JOANNA C. JACKOBY, 8262
VINCENT W. KIRSCH, 3801
KENNETH T. KLIMA, JR., 9311
GRANT M. KOENIG, 1337
DAWN A. KUPSKI, 2718
WILLIAM E. KUPSKI, 3248
ERIC S. LASER, 3450
BRYAN H. LEESE, 5889
JOHN R. LEHMANN, 9849
KRISTI A. LEHMKUHLER, 3771
GEORGE M. LOWE, 8301
MAUREEN O. MANDAC, 8911
GEOFFREY M. MCGARRIGLE, 6678
JASON D. MENARCHIK, 1894
JAMES T. MERCHANT, 4025
STEPHANY L. MOORE, 6310
JON A. OCONNOR, 1475
SEAN T. OCONNOR, 7879
PHILIP B. OHLEMEIER, 6262
MICHAEL V. OWEN, 1097
JAMES M. PENDERGAST, 6558
MARCUS R. POLSON, 6829
KRISHNA C. PULGAR, 2811
CHRISTY J. REICHARDT, 6045
JEFFREY D. RHINEFIELD, JR., 5610
KYLE P. RILEY, 4475
GEOFFREY G. RUTECKI, 7034
LENSWORTH A. SAMUEL, 0258
CHRISTOPHER M. SAVAGE, 1711
KARL SHANK, 1213
JOHN W. SHONE, 7961
RISA B. SIMON, 0993
JOSEPH F. SIMONE, 4265
CHRISTOPHER H. SMITH, 3223
DOROTHY M. SMITH, 4034
ROBERT J. TEAGUE, 6559
KIRBY L. TOLCH, 2191
MAXIMILLIAN L. WESTLAND, 3274
RYAN W. WHITESITT, 4598
MARK E. WRIGHT, 6978
MATTHEW C. YOUNG, 9878

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

TRACY L. BLACKHOWELL, 6190
SEAN J. BRANDES, 5323
STEVEN C. CALHOUN, 5386
JASON L. CORNELISON, 1779
GLORIA E. COX, 1998
ANNA M. CULPEPPER, 4305
MARK L. CUMMINGS, 5339
WILLIAM A. DANIELS, 5725
JAMES C. DUDLEY, JR., 2110
DAVID C. DURAZZO, 9996
JEFFERSON D. DYER, 4522
CHRISTOPHER D. ENG, 1103
KEVIN L. ERNEST, 6680
TRENNY R. FOSTER, 0423
JAMES E. GIBB, 9791
CHRISTOPHER M. GUOAN, 8336
SCOTT A. HENRIKSON, 1465
DUANE W. HOUSER, 0285
BLAKE G. JACOBSON, 2909
CYNTHIA P. KEATING, 0914
CORLISS A. KINARD, 4264
PAUL D. LASHMET, 4414
KEVIN T. LIVINGSTON, 6189
KEVIN R. LOCK, 4533
DOMINIC R. LOVELLO, 6933
DANYELLE M. LOW, 7167
KENDRICK R. MACKLIN, 4441
JOSEPH J. MARCUS, 4640
THOR MARTINSEN, 0690
ANDREA J. MCLEMORE, 2535
SHERRI R. MITCHELL, 7652
ANDREW T. NEWSOME, 6595
MINH Q. PHAN, 9759
CHRISTOPHER V. QUICK, 9787
JAMES W. REMINGTON, 3285
ROGER L. ROGERS, 4138
JARED T. SALAZAR, 8223
IRVIN D. SMITH, JR., 7446
PETER J. SPITALE, 0102
CHRISTOPHER J. STOREY, 0514
WILLIAM K. TIRRELL, 1992
MARK A. VENZOR, 7936
JEFFREY R. VRCHOTICKY, 0674
GREGORY V. WINGER, 2614
SEAN M. WOODSIDE, 0790

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHARLES J. ACKERKNECHT, 9059
DAVID J. ADAMS, 6982
JAMES G. ADAMS, 0654
RECO L. AIKENS, 2886
MARK R. ALEXANDER, 7493
MARTY J. ALEXANDER, 2051
CLIFFORD J. ALLEN, 4342
HENRY J. ALLEN, 5397
RODNEY ALLEN, 1957
TIMOTHY E. ALLEN, 6516
PAUL M. ALLGEIER, 8373
WALTER H. ALLMAN III, 3892
NICOLE I. AMADOR, 8834
ROBERT J. ANDERSON, 8029
GABRIEL A. ANSEEUW, 8410
JAMES M. ANSLEY, 9427
ISAAC C. ARMSTRONG IV, 7856
ROBERT A. ARMSTRONG, 7129
CHRISTOPHER S. ARNOLD, 8714
DANIEL J. AUGUST, 2814
JEREMY J. AUJERO, 2817
PAUL R. AUSTIN, 1222
THOMAS B. AYDT, 2019
KIRBY M. BADGER, 4565
CHRISTOPHER M. BAHNER, 6310
TODD S. BAIER, 7691
WILLIAM C. BAKER, 6946
KURT D. BALAGNA, 6534
JOSEPH E. BALDETTI, 2815
BRIAN M. BALLER, 2067
KEITH A. BARAVIK, 3232
RICHARD L. BARGAS, 9729
ANDREW R. BARLOW, 8905
DEWAINE M. BARNES, 3595
JEFFERY A. BARRETT, 0202
JOHN S. BARSANO, 8282
BRIAN J. BARTLETT, 8795
BRIAN P. BASS, 4360
ANDREW D. BATES, 9820
STEPHEN W. BAUGH, 6010
ANDREW M. BAXTER, 4686
ROBERT L. BAYLIS, 3557
KYLE R. BEAHAN, 9772
PATRICK J. BEAM, 8968
JUSTIN C. BEELER, 1590
DAVID H. BELEW, 1090
JASON J. BENDER, 4008
WALLACE S. BERG, 7244
WILLIAM J. BERRYMAN, 6306
ROBERT T. BIBEAU, 6649
BRANNON S. BICKEL, 9327
ERIK M. BIELIK, 2281
STEPHEN G. BIRD, 8619
JENNIFER M. BLAKESLEE, 3195
RYAN J. BLAZEVICH, 4378
SHAWN D. BLICKLEY, 7194
JAMES W. BOERNER, 1238
HOWARD J. BOGAC, 5906
CURTIS L. BOGETTO, 8884
THEODORE A. BOHL, 6252
KURT H. BOHLKEN, 8765
BRIAN S. BOICE, 4991
DANIEL A. BOMAN, 5219
LIAM O. BOOHER, 0718
DERRICK D. BOOM, 3690
DRUMMOND R. BOORD, 1470
GEOFFREY P. BOWMAN, 8914
ORLANDO S. BOWMAN, 4771
STEVEN P. BRABEC, 0738
ENID S. BRACKETT, 9906
JOHN S. BRADDOCK, 7172
JOHN F. BRADFORD, 1604
MICHAEL P. BRADLEY, 4888
FLINT J. BRADY, 6551
JASON J. BRIANAS, 1731
KENDALL G. BRIDGEWATER, 7399
JOHN H. BRIGHT III, 0577
KEVIN M. BRINK, 0282
LUIS D. BRIONES, 3840
CARL W. BROBST, JR., 4921
BOBBY E. BROWN, JR., 3999
CALEB C. BROWN, 9608
COREY W. BROWN, 6931
DERECK C. BROWN, 8530
DEREK R. BROWN, 0862
GARY L. BROWN, 7696
GREGORY E. BROWN, 6076
MARK A. BROWN, 6778
TROY A. BROWN, 6182
BARRY M. BRUMMETT, 4403
JOSEPH R. BRUNSON, 2087
HOWARD M. BRYANT, 1546
SAMUEL C. BRYANT, 9527
ELAINE A. BRYE, 1536
SCOTT L. BUCHANAN, 0500
SCOTT J. BUCHAR, 2361
KURT A. BUCKENDORF, 8858
JOSEPH M. BUCZKOWSKI, 3903
THOMAS A. BUECKER, 5051
CALVIN E. BUMPHUS, 2995
LEONARD BUNCH, 2240
SEAN K. BURKE, 0112
TIMOTHY J. BURKE, 6037
PAUL R. BURKHART, 2627
CHRISTOPHER D. BURKS, 0385
DAVID A. BURMEISTER, 2609
MARK C. BURNS, 4532
BRIAN P. BURROW, 6675
CHARLES W. BURTON, 6733
STEPHEN J. BURY, 9258
ABE A. BUSH III, 1601
RAOUL J. BUSTAMANTE, 5670
NATHAN R. BUTIKOFER, 0752
BRYCE D. BUTLER, 7375
CHRISTOPHER R. BUTLER, 6195
CYNTHIA J. BUTLER, 2589
EDWARD K. BYERS, 5250
ROBERT BYFORD II, 3480
KEVIN H. CADY, 8951
ADRIAN T. CALDER, 1135
ALEXANDER J. CALLAHAN III, 4388
LEWIS W. CALLAWAY, 9336
SCOTT I. CAMPBELL, 5681
JACOB CANDELARIA, 5103
KEVIN R. CARLSON, 9672
JOSEPH J. CASALE, 7424
BRICE D. CASEY, 1916
DAVID M. CASS, 9647
CARRINE N. CASSADY, 1430
ARMANDO J. CASTELLANOS, 6023
JEFFREY S. CATHCART IV, 0866
JAMES V. CELANI, JR., 5402
HECTOR A. CERVANTES, 3894
MEGER D. CHAPPELL, 1723
GARY M. CHASE, 8336
DAVID Y. CHO, 0525
JOSEPH P. CHOPEK, 1399
CORY C. CHRISTENSEN, 7739
KIRK A. CHRISTOFFERSON, 8195
JASON L. CHUDEREWICZ, 8222
THANE C. CLARE, 6861
ANDREW J. CLARK IV, 4393
PAUL W. CLARK, 8095
SHANNON M. CLARK, 2798
THOMAS M. CLARK, 4993
JEREMY L. CLAUZE, 8595
CHRISTOPHER M. COATS, 9939
DANIEL COBIAN, 9552
SCOTT D. COCKRUM, 7710
KIRK E. COCO, 3282
JOSHUA C. J. COHEN, 3659
JEFFREY S. COKER, 4347
JAYSON L. COLEBANK, 9352
JONATHAN S. COLLINS, 1489
NOAH S. COLLINS, 4481
RYAN D. COLLINS, 2864
JAMES N. COLSTON, 8158
WILLIAM P. COLSTON, 1363
MICHAEL CONCANNON, 4288
CHRISTOPHER M. CONDON, 4657
MATTHEW T. CONERLY, 2984
CHAD J. CONEWAY, 3342
BRIAN D. CONNOLLY, 6298
CHARLES O. COOK, 3247
JOHN O. COOKE, 1464
CHRISTOPHER E. COOPER, 9750
JESUS M. CORDEROVILA, 5597
SHANNON M. CORKILL, 0342
JASON C. COURT, 2041
BRIAN COWELL, 4717
TIMOTHY A. CRADDOCK, 3351
DOUGLAS M. CRANE, 1534
MARC D. CRAWFORD, 7840
DON B. CROSS, 8004
RANDY C. CRUZ, 5573
TONY J. CULIC, 3564
KENNETH M. CURTIN, 4647
ERIK L. CYRE, 5914
MICHAEL J. DAIGLE, JR., 7727
SAMUEL J. DALE, 5488
LUKE W. DANZO, 6589
JEFFREY M. DAUDERT, 0158
DAVID DAVIS, 4855
DERRICK L. DAVIS, 3521
KEVIN J. DAVIS, 6893
RAYMOND C. DAVIS, 8748
SAMUEL J. DAVIS, 8491
THERON C. DAVIS, 3271
DEREK B. DAWSON, 3209
TEENA M. DEERING, 1800
DAVID S. DEES, 0582
HANS D. DEFOR, 4251
MATTHEW B. DELABARRE, 6432
GUY R. DELAHOUSSAYE, JR., 3512
MICHAEL A. DEMATTIA, 6133
NATHAN J. DENMAN, 8375
JASON M. DENNEY, 2142
LEROY P. DENNIS III, 1967
MARK E. DENNISON, 0861
BART L. DENNY, 7934
SHAWN T. DEWEY, 4350
STANLEY G. DICKERSON, 3327
DARRIK J. DINNEEN, 7841
NATHANIEL J. DISHMAN, 1124
CORBETT L. DIXON, 6202
ALAN M. DJOCK, 4264
STEVEN V. DJUNAEDI, 2066
GEORGE M. DOLAN, 9744
CHRISTOPHER T. DOLLARD, 7892
BENJAMIN W. DOMOTO, 5135
MATTHEW F. DONAHUE, 1764

BRIAN M. DONOVAN, 6131
JUSTIN A. DOWD, 8916
MICHAEL L. DOXEY, 5531
ERIK P. DOYE, 4757
ERIC C. DOYLE, 9935
JAMES P. DREW, 8406
MICHAEL R. DUBUQUE, 0701
BENJAMIN P. DUELLEY, 6029
HALLE D. DUNN, 2347
ALEXANDER C. DUTKO, 1589
DAVID T. EARP, 7724
PAUL N. EASTERLING, 9755
CHARLES E. EATON, 8079
MICHAEL D. EBERLEIN, 0150
CHARLES B. ECKHART, 7220
DANIEL D. EDDINGER II, 3802
ROY A. EDGE, 5106
MOTALE E. EFIMBA, 5730
WILLIAM R. EHRET, JR., 5247
MATTHEW G. ELDER, 3714
LUIS R. ELIZA, 8779
DAVID C. ELLIS, 7606
BRENT J. EMBRY, 7243
TRACY L. EMMERSEN, 9176
CHRISTOPHER S. ENGLAND, 0606
EVERETTE T. ENTZMINGER, 6041
CHRISTOPHER E. ESCAJEDA, 4029
RICKSON E. EVANGELISTA, 3931
JASON T. EVANS, 0390
ZACHARY J. EVANS, 8247
KEITH E. EVEN, 9635
STEPHEN A. EVERAGE, 9781
FORD C. EWALDSEN, JR., 1661
MICHAEL C. EXUM, 4056
SCOTT EYSENBACH, 4876
RAFAEL C. FACUNDO, 3477
EDWARD A. FAHRENKRUG, 9125
STEVEN E. FAULK, 1097
JUSTIN T. FAUNTLEROY, 6761
PETER F. FEHER, 2620
BRANT A. FELDMAN, 7828
PAUL J. FELINI, 4972
TROY A. FENDRICK, 6922
DANIEL E. FILLION, 9193
JAMES B. FILLIUS, 0012
DONALD S. FINKLESTINE, 2820
BENJAMIN H. FINNEY, 8239
STANFORD E. FISHER III, 3302
BRIAN P. FITZSIMMONS, 5664
DEREK R. FIX, 1794
WILLIAM A. FLECK II, 3908
ADAM L. FLEMING, 8579
KELLY T. FLETCHER, 8682
PAUL N. FLORES, 8562
STEVEN M. FOLEY, 4981
MICHAEL K. FORD, 6831
JACOB A. FORET, 1618
EDWARD R. FOSSATI, 4123
JASON M. FOSTER, 8049
TIMOTHY W. FOX, 6058
JOEL A. FRAGALE, 9172
MICHAEL D. FRANCE, 8115
ROBERT C. FRANCIS, JR., 1905
MATTHEW T. FRAUENZIMMER, 2651
JONATHAN A. FRAZIER, 9699
CARLTON Q. FREEMAN, 1431
DAVID B. FREEMAN, 1300
STANLEY G. FREEMYERS, 8640
THOMAS E. FRIES, 3958
STEPHEN M. FROEHLICH, 0958
ERIC B. FROSTAD, 8744
STEVEN L. FULTON, 0384
CHRISTOPHER L. FUSSELL, 6850
SAMUEL D. GAGE, 1166
WILLIAM D. GALLAGHER, 4645
MARCUS B. GALMAN, 0162
WILLIAM K. GANTT, JR., 2963
ROLANDO GARCES, 9157
HARRIS L. GARCIA, 2610
JUAN R. GARCIA, 0871
MATTHEW W. GARRISON, 1960
BRETT A. GARVIE, 6266
JOSE L. GARZA, 5115
STEVEN P. GARZA, 0493
CHRISTOPHER C. GAVINO, 3229
GILBERT D. GAY, 3607
JEFFERY J. GAYDASH, 2685
JASON M. GEDDES, 7754
TRACEY J. GENDREAU, 5473
PATRICK E. GENDRON, 7343
RICHARD M. GENSLEY, 1676
DANIEL F. GERAGHTY, 7537
CHAD A. GERBER, 1372
ROBERT S. GEROSA, JR., 8625
MICHAEL F. GESUALDO, 2943
WILLIAM J. GETCHIUS, 2280
TAREY M. GETTYS, 5539
WILLIAM E. GIBSON, 5759
CHRISTOPHER J. GILBERTSON, 2866
JEFFREY A. GLASER, 1686
JASON A. GMEINER, 5491
HAROLD K. GODWIN, 6072
FRANK T. GOERTNER, 4431
ROBERT C. GOMEZ, 9573
CESAR S. GONZALEZ, 9768
JAVIER GONZALEZOCASIO, 3887
ROBERT L. GOOD, 8469
GEOFFREY A. GORMAN, 6948
THOMAS R. GOUDREAU, 6298
ANDREW P. GRABUS, 2490
AMY E. GRAHAM, 9118
CHAD W. GRAHAM, 7101
JEFFREY T. GRANT, 7369
NICHOLAS S. GREEN, 3069
JOSEPH R. GREENTREE, 2333
DALE M. GREGORY, JR., 7765
JOHN R. GREGORY, 8876
JEANETTE D. GROENEVELD, 6462
JONATHAN M. GROENKE, 5233
JONATHAN D. GRUEN, 1874
SEAN T. GRUNWELL, 9226
BRIAN C. GUGLIOTTA, 3847
MICHAEL J. GUNTHER, 6460
JUAN J. GUTIERREZ, 3966
JOHN W. HALE, 4321
MATTHEW H. HALL, 0042
CHARLES E. HAMPTON, 4908
ADAM C. HANCOCK, 9108
JEREMY R. HANKINS, 4115
ERIC M. HANKS, 7355
GLENN E. HANKS, 3072
MICHAEL H. HANSEN, 2422
JASON D. HARDY, 3851
WILLIAM E. HARGREAVES, 8856
KEITH J. HARNETIAUX, 9867
BRIAN D. HARP, 0953
ASHLEY M. HARRIS, 4272
MARK R. HARRIS, 8331
GRANT I. HARTFIELD, 0510
MICHAEL C. HARVEY, 1257
CHAD A. HASKELL, 8035
JUSTIN T. HAWKINS, 3118
IAN D. HAWLEY, 6547
WILLIAM D. HAWTHORNE, 9477
JAMES A. HAYES, 0215
JOHN J. HAYS III, 4666
THOMAS L. HEAD, 4232
FRANZ M. HELCHINGER, 0064
GABRIEL J. HELMS, 0771
ERIK D. HENDERSON, 8754
JUSTIN K. HENDRICKSON, 1258
MATTHEW S. HENDRICKSON, 5645
WILLIAM M. HENSON, 0244
INDALECIO M. HERNANDEZ, 1878
MANUEL HERNANDEZ, 5354
BRIAN M. HESS, 9729
ERIK M. HESS, 9897
ERIC P. HIGGS, 3232
JEFFREY W. HILL, 0090
KATRINA L. HILL, 0072
MARK W. HILL, 8593
MARTIN J. HILL III, 3624
ROBERT M. HILL, 6513
DANIEL R. HILLER, 7870
KELLY A. HINDERER, 3032
BRIAN E. HINER, 7288
LEONID L. HMELEVSKY, 9776
CHRISTOPHER R. HOBBS, 8649
ARTHUR A. HODGE, 9252
JUSTIN R. HODGES, 9411
SIDNEY W. HODGSON III, 3046
PETER HOEGEL, JR., 9262
BRIAN P. HOGAN, 8533
TODD K. HOLBECK, 1636
MICHAEL C. HOLLAND, 4416
MICHAEL P. HOLLENBACH, 6348
PETER J. HOLTON, 6170
CHAD R. HOLZAPFEL, 5006
KITJA HORPAYAK, 9938
MATTHEW G. HORR, 9776
WILLIAM S. HORTON, 6633
JOHN F. HOUSER, 9260
JASON M. HOWELL, 4743
JUSTIN S. HSU, 8911
BRYAN L. HUDSON, 0152
NICHOLAS A. HUDSON, 9146
PAVAO A. HULDISCH, 5118
MATTHEW G. HUMPHREY, 1111
DAVID C. HUNT, 6391
CHRISTOPHER M. HUNTER, 4351
TERESA A. HURD, 6654
JACKTHOMAS M. HURLEY, 5700
TODD E. HUTCHISON, 9896
MICHAEL E. ILTERIS, 8515
PATRICK J. INGMAN, 5038
CHRISTOPHER S. IRWIN, 2952
WADE A. IVERSON, 8059
JONATHAN W. JACKSON, 6951
BRIAN E. JAMERSON, 6532
CHRISTOPHER C. JASON, 2194
MARCOS A. JASSO, 7131
ERIC A. JENKINS, 4519
CEDRICK L. JESSUP, 5693
IVAN A. JIMENEZ, 4038
AARON D. JOHNSON, 6101
CHARLES E. JOHNSON, 8982
CHRISTOPHER M. JOHNSON, 0655
DALE F. JOHNSON, 1284
DENNIS N. JOHNSON, 7440
EDWARD D. JOHNSON, 1002
JEFFREY F. JOHNSON, 5827
JOHN D. JOHNSON, 2023
JOSEPH P. JOHNSON, 3642
LAWRENCE D. JOHNSON, 4281
COREY S. JOHNSTON, 8184
ERIC D. JONES, 7421
MATTHEW T. JONES, 4022
SYLVESTER JOSEPH, JR., 5794
JEFFREY JUERGENS, 0046
BARTOLOME R. J. JUMAOAS, 3884
DAVID I. KAISER, 5935
CHRISTOPHER B. KASTEN, 6057
MICHAEL P. KEENAN, 1877
THOMAS M. KEENAN, 6816
STEPHEN G. KEENE, 2952
DARRELL L. KELLER, JR., 2693
DANIEL J. KELLY, 0106
MARC A. KENNEDY, 1548
JEFFREY D. KETCHAM, 7121
IAN P. KIBLER, 7237
CHRISTOPHER W. KIDNEY, 2084
JOHN C. KIEFABER, 7065
ROBERT M. KIHM, 9598
DANIEL W. KIMBERLY, 5991
JAMES T. KING, 8993
JOSHUA C. KINNEAR, 5331
DANIEL E. KINSKE, 0469
SHAWN C. KIRLIN, 2367
ARIEL S. KLEIN, 0569
MICHAEL P. KLINE, 5104
MATTHEW B. KLOBUKOWSKI, 8363
ODIN J. KLUG, 3219
JASON S. KNAPP, 1948
DAVID H. KNIGHT, 5515
JOHN J. KOBLE, 2729
KENNETH S. KOELBL, 8117
DANIEL R. KOMAR, 6397
CORDELL R. KOOPMAN, 1832
ROGER L. KOOPMAN, 2921
STEPHEN M. KOSLOSKI, JR., 7043
DAVID T. KOZMINSKI, 2756
BRET J. KREIZENBECK, 2303
JUDD A. KRIER, 6625
TIMOTHY F. KRIPPENDORF, 2859
JOHN A. KRISCIUNAS, 8589
NEIL A. KRUEGER, 5960
MARTY D. KUHL, 6665
HERBERT E. LACY, 4077
TEAGUE R. LAGUENS, 0932
ALEX C. LAM, 5216
BRANT T. LANDRETH, 7397
JASON R. LANE, 1333
ERIC E. LANG, 1973
JOEL B. LANG, 5722
DOUGLAS M. LANGENBERG, 4670
MATTHEW S. LANGLEY, 8423
ANDRE W. LANIER, 2099
MATTHEW E. LAPOINTE, 4159
DAVID F. LASPISA, 7726
KENNETH B. LAWRENCE, 9775
LUIGI L. LAZZARI, 6123
BRENDAN J. LEARY, 7153
JOSEPH W. LEBER, JR., 0392
MICHAEL D. LEE, 0858
MICHAEL W. LEE, 4609
BRIAN E. LEGAN, 3084
MICHAEL C. LEHRFELD, 6666
MICAH A. LENOX, 8575
DANIEL J. LEONARD, 0497
JOHN C. LEPAK, 8239
JADE L. LEPKE, 4372
CHRISTOPHER J. LEVITT, 0359
GORDON L. LEWIS, 9929
MARK E. LIERSCH, 0110
RICHARD J. LINHART III, 5791
MARK A. LITKOWSKI, 2350
TOMMY L. LIVEOAK, 6385
DENNIS S. LLOYD, 8312
PRICE J. LOCKARD, 8750
TOMMY F. LOCKE, JR., 2712
ROBERT S. LOEB, 2707
RYAN J. LOGAN, 5211
TERRY D. LOHNES, 2914
ERIK B. LOHRKE, 9785
DANIEL J. LOMBARDO, 6894
JUSTIN A. LONG, 7798
JOSEPH R. LOSIEVSKY, 9886
DWAYNE M. LOUIS, 3220
AARON M. LOWE, 7527
PHUONG M. LUI, 4067
STEPHEN T. LUMPKIN, 1740
DAVID C. LUNDAHL, JR., 1466
ELAINE G. LURIA, 2419
ALEX T. MABINI, 0176
ADAM J. MACKIE, 6543
KEVIN W. MACY, 3377
RICO N. MAGBANUA, 3330
RONALD P. MALLOY, 8244
RONNIE P. MANGSAT, 0326
TRAVIS R. MANN, 8948
MICHAEL J. MANOR, 8522
NICOLAS V. MANTALVANOS, 4205
RYAN C. MAPESO, 2129
RICHARD L. MARCHAND, 3425
CRISTINA S. MARECZ, 9084
JEROD L. MARKLEY, 7940
JAJA J. E. MARSHALL, 0746
RAYMOND S. MARSHALL, 0243
BENJAMIN P. MARTIN, 6058
KEVIN J. MARTIN, 2820
TODD M. MASSOW, 0303
JOSEPH S. MATISON, 9126
STEPHEN B. MAY, 5204
TRACEY M. MAYS, 5734
GEOFFREY P. MCALWEE, 2360
GINA L. MCCAINE, 9785
SEAN M. MCCARTHY, 1332
MARISA L. MCCLURE, 1430
PATRICK W. MCCORMICK, 2709
JASON C. MCCOY, 7012
ANDREW C. MCCRONE, 2168
STEVEN B. MCCUBBIN, 7248
VICKIE M. MCDONALD, 9439
STEVEN R. MCDOWELL, 3084
MICHAEL P. MCFADDEN, 1483
SCOTT J. MCGINNIS, 4270
RICHARD S. MCGOWEN, 7765
MARK L. MCGUCKIN, 5046
MATTHEW E. MCGUIRE, 5567
BRADLEY J. MCINNIS, 1503
BRIAN D. MCINTOSH, 2586
JACK E. MCKECHNIE, 0535
SCOTT E. MCKELLAR, 4422
JOHN M. MCLEAN, 8229
CHRISTOPHER R. MCNAMARA, 5392
ZACHARY J. MCNEILL, 9885
MICHAEL B. MEASON, 9374
GREGORY D. MENDENHALL, 5289
JASON J. MENDEZ, 4944
MATTHEW D. MENZA, 0183
MICHAEL W. MERRILL, 6818

STEPHEN M. MERRITT, 3016
ELIZABETH A. MEYDENBAUER, 7352
JEFFREY A. MILLER, 3065
KENNETH H. MILLER, 0935
ROBERT R. MILLER, 8447
CHRISTOPHER G. MILNER, 0294
ETHAN D. MITCHELL, 0932
REED C. MITCHELL, 8874
TIMOTHY R. MOHR, 1324
KEVIN O. MOLLER, 1526
ANTHONY I. MONELL, 1080
GARY G. MONTALVO, JR., 9266
JAMES C. MONTGOMERY, 6569
JEFFREY MONTGOMERY, 1502
NATHAN A. MOORE, 7932
SHANNON L. MOORE, 6746
TIMOTHY B. MOORE, 7083
TIMOTHY C. MOORE, 1071
MATTHEW P. MORGAN, 7009
JEFFREY V. MORGANTHALER, 5311
JEFFREY A. MORRIS, 2850
DONALD L. MORRISON, JR., 0166
DONALD L. MOSELEY, JR., 0694
TIMOTHY F. MOTSCH, 2745
KATHLEEN A. MULLEN, 1560
DAVID R. MULLINS, 7230
GEORGE R. MURGA, 5151
DAVID E. MURPHY, 5690
JAMES P. MURPHY, 5841
DAVID S. MURRAY, 8744
CHRISTOPHER S. MUSSELMAN, 7028
ANTHONY M. MYERS, 5329
LARRY A. MYERS, JR., 1518
PAUL S. NAGY, 8362
MELVYN N. NAIDAS, 7288
JASON M. NAIDYHORSKI, 6699
MICHELLE L. NAKAMURA, 7772
JASON A. NEAL, 3713
TYLER Y. NEKOMOTO, 1551
IAN R. NESBITT, 3587
MARK P. NEVITT, 4363
DANIEL A. NICHOLS, 2961
JEREMY P. NILES, 0591
WILLIAM J. NINK, 2523
ROGER D. NISBETT, 3467
MICHAEL A. NORTON, 1682
BRENDAN T. OBRIEN, 2075
JESSICA J. OBRIEN, 7621
PAUL J. ODEN, 6772
ERIK ODOM, 1797
BRIAN P. ODONNELL, 9583
EDWARD J. OGRADY III, 6142
JOHN P. OLIVER II, 1414
PATRICK H. OMAHONEY, 0653
ROGER K. ONAGA, 7338
TERRANCE D. ONEILL, 8985
SEAN D. OPITZ, 2739
JEFFERY R. ORR, 0774
CHRISTOPHER M. OSBORN, 8948
TIMOTHY A. OSWALT, 6491
ERIC G. PACHECO, 5569
IAN B. PADDOCK, 5962
WILLIAM B. PALMER II, 6957
DANIEL P. PAPP, 2459
DAVID C. PARKER, 9893
AARON M. PARKS, 8644
LAWRENCE D. PARKS, 1058
WILLIAM F. PARMENTIER, 4787
GONZALO PARTIDA, 9459
ERIC S. PARTIN, 4026
KAMYAR PASHNEHTALA, 3763
DOMITILO M. PASTORIN, JR., 7710
NIRAV V. PATEL, 0704
HADEN U. PATRICK, 3568
DOUGLAS A. PATTERSON, 3247
GEOFFRY W. PATTERSON, 2017
MICHAEL J. PAUL, 4467
ALEXEI M. PAWLOWSKI, 4673
ROBERT S. PEARSON, 5560
WALTER T. PEASLEY, 5230
MATTHEW J. PERCY, 3173
LESTER B. PERSON, 1247
DOUGLAS M. PETERSON, 9910
MATTHEW D. PHANEUF, 8255
BENJAMIN A. PHELPS, 1292
VANNAVONG PHETSOMPHOU, 1640
ISAAC A. PHILIPS, 1027
LONNIE R. PHILLIPS, 9852
MIKAL J. PHILLIPS, 1469
RYAN M. PHILLIPS, 8559
TODD K. PHILLIPS, 7669
WILLARD L. PHILLIPS, 1420
MICHAEL A. PICCIANO, 5910
JAMES M. PICKENS, 3507
DANIEL C. PIERCE, 7761
GLENN D. PIERCE, 1920
KENNETH L. PIERCE, 0474
JEROME R. PILEWSKI, 7924
DAVID S. PLACE, 8920
STEPHEN C. PLEW, 3622
COREY J. PLOCHER, 0717
CHRISTOPHER J. POLK, 5731
LONNIE M. POPE, 8831
THOMAS R. POULTER, 9160
HAROLD S. POULTON, 0392
KEITH M. POWELL, 8399
MICHAEL E. POWELL, 3902
DAVID J. PRAISLER, 0872
ANDREW L. PRESBY, 4044
STACEY A. PRESCOTT, 2437
WILLIAM G. PRESSLEY, 7805
SHAWN M. PRICE, 3110
COREY L. PRITCHARD, 0651
GREGORY J. PROVENCHER, 8375
BRETT A. PUGSLEY, 3759
PATRICK D. PURCELL, 7529
ERIC J. PURVIS, 5108
JAMES A. QUARESIMO, 8312
DANIEL T. QUINN, 3903
JAMES W. RACHAL, 8451
JOSEPH P. RADELL, 4942
MICHAEL J. RAK, 9583
CHRISTOPHER A. RAKOV, 6781
RONALD A. RALLS, 2597
KEVIN W. RALSTON, 4183
JAMES F. RANKIN, 3939
CLARK J. RASCO, 3942
DAVID E. RASH, JR., 1040
DAVID W. RAUENHORST, 0279
DAVID M. RAY, 4109
MATTHEW G. REAMS, 8003
LAURENCE D. REAY, 5572
KELAND T. REGAN, 7746
TIMOTHY P. REIDY, JR., 3136
WILLIAM R. REILEIN, 3626
DAVID S. REILLY, 7673
PAUL B. REINHARDT, 1448
JASON S. RELLER, 5343
ALFREDO R. RENDON, 7102
HENRY L. RENDON, 7302
MATTHEW A. RENNER, 7823
JAMES T. REYNOLDS, 4054
JASON M. RHEA, 5569
JOHN M. RHODES, 7952
KENNETH W. RICE, 8598
BRIAN A. RICH, 9041
CHRISTOPHER A. RICHARD, 7549
JAMES M. RICHARDS, 4136
JEFFREY A. RICHTER, 3182
STEPHEN L. RIGGS, 3940
ROBERT M. RINAS, 2360
ANDREW H. RING, 0995
EDERLAIDA A. RITTER, 0862
RICKY RIVERA, 9893
ROBERT P. ROBBINS, 0253
CHRISTOPHER L. ROBY, 5057
RANDY L. ROCCI, 8862
STEVEN L. RODENBAUGH, 7959
TONY M. RODGERS, 4902
ERIC W. ROE, 8160
STEPHEN M. ROE, 4774
DAVID J. ROGERS, 5063
JEFFREY D. ROGERS, 2905
PHILLIP A. ROGERSON, 8167
CHRISTOPHER F. ROHRBACH, 5218
OSCAR E. ROJAS, 9164
ALEXANDER ROMO, 9848
KENNETH R. ROMO, 7018
SEAN RONGERS, 9282
ARNOLD I. ROPER, 7122
ANDREW C. ROSS, 1573
MATTHEW B. ROSS, 2361
JOANNIS C. ROUSSAKIES, 1501
JON J. ROWE, 8144
ROBERT A. ROY, 5645
ERIC J. ROZEK, 0446
JOHN G. RUANE, 8228
JOHN A. RUBINO, 2696
DAVID J. RUETER, 5784
MICHAEL A. RUTH, 3440
MATTHEW F. RUTHERFORD, 6175
WILLIAM S. RUTHERFURD, 1613
PETER G. RYBSKI, JR., 6551
THOMAS A. RYNO, 9323
VAN E. RYPEL, 3807
ZACHARY SALAS, 5422
ROMMEL J. SALGADO, 3424
JASON A. SALINAS, 5991
MICHAEL A. SALKA, 8939
DEAN O. SAMANIEGO, 1733
SCOTT F. SAMO, 9259
JEFFERY D. SAMPSON, 1654
ADAM M. SAMUELS, 5330
ROBERTO F. SANCHEZ, 1710
RODNEY A. SANCHEZ, 0329
RUSSEL B. SANCHEZ, 0879
BRIAN J. SANDBERG, 6501
WALTER G. SANDELL, 3446
KARREY D. SANDERS, 2617
ADAM P. SCHLISMANN, 9781
WILLIAM M. SCHOMER, 4460
ERICH J. SCHUBERT, 2106
ERIC A. SCHUCHARD, 2212
ASHLY H. SCHWARTZ, 9159
JASON W. SCHWARZKOPF, 8419
LEON B. SCORATOW, 4696
BRANDON M. SCOTT, 3067
DEAN L. SCRIVENER, 8616
ALBERT C. SEEMAN, 7977
KEVIN S. SEIBEL, 0153
BRANDON G. SELLERS, 9933
MICHAEL I. SELLERS, 0942
DAVID D. SHAND, 1624
RYAN P. SHANN, 6854
JOHN D. SHANNON, 1607
LEE H. SHANNON, 5445
PETER J. SHEEHY, 6607
JAMES P. SHELL, 4919
JASON J. SHERMAN, 7515
NATHAN D. SHIFLETT, 5757
KEVIN R. SHILLING, 4686
CHRISTOPHER K. SHIPE, 3664
WILLIAM H. SHIPP, 1204
GARRETT W. SHOOK, 9749
ROBERT Y. SHU, 4066
BARRY J. SHUEMAKER, 9858
MARK F. SILBERNAGEL, 8796
CHRISTOPHER A. SILVA, 0918
MICHAEL C. SIMPSON, 5924
BRIAN C. SINCLAIR, 3727
ANTHONY D. SINGLETON, 8222
ERIC J. SINIBALDI, 1695
ROBERT G. SINRAM, 8661
SHARN R. SKELTON, 0446
DAMON M. SLUTZ, 4487
ROBERT G. SMALLWOOD III, 8124
DAVID T. SMITH, 7096
GERALD N. SMITH, 4160
GREGORY A. SMITH, 3470
JANICE G. SMITH, 0436
JEFFREY J. SMITH, JR., 8017
JERRY D. SMITH, 3228
LLOYD L. SMITH, 0222
MELVIN R. SMITH, JR., 9971
ROBERT S. SMITH, 5715
MATTHEW M. SNIFFIN, 5089
WILLIAM S. SNYDER, JR., 0639
PATRICIA A. SOLLITTO, 9336
VICTOR SORRENTINO, 6513
MICHELLE G. SOUTHARD, 2499
CRAIG E. SPEER, 7030
JONATHAN E. SPORE, 7049
SINGO S. SPRAUVE, 0791
JOHN W. STAFFORD, 6712
RICHARD J. STAFFORD IV, 6148
JONATHAN A. STALEY, 2422
JASON W. STARMER, 8273
DAVID L. STEBBINS, 9838
JEFFREY W. STEBBINS, 4702
TIMOTHY M. STEELE, 7179
GARY C. STENSON, 8553
THOMAS A. STEPHEN, 1206
THOMAS S. STEPHENS, 9172
WILLIAM F. STEVENS, JR., 4534
JAMES W. STEWART, 8809
JASON W. STEWART, 0942
BRETT A. STGEORGE, 0308
JASON W. STICHT, 9036
KATHERINE F. STLAURENT, 5640
KELSEY P. STLOUIS, 4834
GHISLAINE W. STONAKER, 7957
RONALD L. STOWE, 4718
ANDRE J. STRIDIRON III, 7763
RAYMOND G. STROMBERGER, 4133
MICHAEL R. STRONG, 5434
JASON R. STUMPF, 1668
JARROD W. STUNDAHL, 1005
JEFFREY D. STURM, 8974
LUKE C. SUBER, 6944
RONALD J. SUCHARSKI, 3311
CHRISTOPHER M. SULLIVAN, 8893
JAMES T. SULTENFUSS, 9408
PAUL P. SUMAGAYSAY, 6856
EDWARD D. SUNDBERG, 4666
SCOTT A. SWAGLER, 7967
MATTHEW R. SWANSON, 8125
JEREMIAH SWARTZLENDER, 7331
AARON W. SWENSON, 8079
WILLIAM F. SWINFORD, 8978
GLENN D. SWITTS, 8324
MICHAEL J. SZCZERBINSKI, 2569
OLAF O. TALBERT, 6358
RENEE C. TANAKA, 8465
SCOTT T. TASIN, 4236
CORA C. TAYLOR, 0016
JASON S. TAYLOR, 4793
JENNIFER D. TAYLOR, 8144
JOSHUA P. TAYLOR, 1482
JASON D. TEETER, 5878
RODOLFO N. TERRAZAS, 9361
MILCIADES THEN, 0137
MATTHEW C. THOMAS, 0230
JEREMY F. THOMPSON, 9433
JOSEPH P. THOMPSON III, 4211
MICHAEL B. THOMPSON, 1456
SHEA S. THOMPSON, 0394
TIMOTHY M. THOMPSON, 4236
JAMES T. THORP, 0696
TROY A. TINKHAM, 4065
LYNDEN R. TOLIVER, JR., 0419
JASON L. TOMASOVIC, 3672
BLAINE K. TOMPKINS, 6408
MICHAEL G. TORIBIO, 5171
BLAKE J. TORNGA, 4492
JASON I. TOSCANO, 2834
SUMMER S. TOSCANO, 6532
MATTHEW A. TOTORO, 9547
JARA D. TRIPIANO, 0094
MATTHEW B. TUCKER, 4973
BRIAN A. TUIN, 9248
DANIEL W. TURBEVILLE, 5226
MICHAEL E. TURNER, 4897
CARLOS URBIZU, 0710
MICHAEL R. VAAS, 5298
ELISABETH A. VAGNARELLI, 9630
STEPHEN M. VAJDA, 4793
ADRIAN F. VANDELLEN, 0605
MAGNUM O. VASSELL, 0358
JEREMY T. VAUGHAN, 6663
JAMES O. VEGA, 8922
IVAN J. VILLESCAS, 0086
JOHN A. VOIGHT, 0969
KEVIN J. VOLPE, 5002
RICHARD D. VTIPIL, 0459
HOLGER M. WAGNER, 8452
TIMOTHY L. WAITS, 1082
DENNIS J. WAJDA, 6639
STEPHAN E. WALBORN, 0446
STANLEY M. WALKER, 7716
CURTIS J. WALKINS, 5122
KENNETH WALLS, 7112
SAMUEL G. WARTELL, 4026
GARY L. WASHBURN, 1612
DANIEL WEBSTER, 1893
JOHN W. WEIDNER, JR., 1104
EDWARD M. WEILER, 8875
JAMES F. WELCH, 1729
DAVID S. WELLS, 7112
ROBERT A. WESTLUND, 5074
DONALD G. WETHERBEE, 3777
MICHAEL G. WHEELER, 0667

BRIAN P. WHITESIDE, 3949
CARL B. WHORTON, 6927
PATRICK W. WIEGLEB, 1185
TROY E. WILCOX, 9782
MATTHEW D. WILDER, 0667
PAUL D. WILL, 8178
JASON W. WILLENBERG, 4796
MATTHEW D. WILLER, 8844
CHRISTOPHER J. WILLIAMS, 7025
ETHAN R. WILLIAMS, 9141
PATRICK S. WILLIAMS, 1981
SAI G. WILLIAMS, 7681
JOHN G. WILLINK, 7528
CHARLES J. WILSON, 0003
MARIE A. S. WISE, 9945
ROBERT C. WISE, 8986
GREGORY R. WISEMAN, 9370
DORSEY G. WISOTZKI, 2404
THADDEUS S. WITHERS, 2464
RONALD L. WITHROW, 0996
MICHAEL F. WOLNER, 0436
ROBERT G. WONG, 1768
JASON M. WOOD, 7774
JOHN I. WOOD, 6181
CASEY L. WOODS, 7767
ROBERT D. WOODS, 4331
BRYAN M. WORSWICK, 3788
CRAIG E. WORTHAM, 9671
GRAHAM L. WRIGHT III, 3029
ANDREW J. WYLIE, 1251
ROY A. WYLIE, 5146
STEPHEN S. WYNFIELD, 5561
MARK E. YATES, 1618
JAMES A. YEATS, 5863
JAESEN V. YERGER, 4275
ABRAHAM N. YOUNCE, 8634
ROY M. ZALETSKI, 9399
RICHARD A. ZASZEWSKI, 3530
KEVIN P. ZAYAC, 6932
TODD C. ZENNER, 4164
THOMAS J. ZERR, 3438
JASON A. ZIEBOLD, 8725
JESSE J. ZIMBAUER, 2351
ANTHONY D. ZIMMERMAN, 9864
GREGORY M. ZIMMERMAN, 7158
JAMES G. ZOULIAS, 5600

THE JUDICIARY

HALIL SULEYMAN OZERDEN, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, VICE DAVID C. BRAMLETTE, RETIRED.

OTIS D. WRIGHT II, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE GARY L. TAYLOR, RETIRED.

GEORGE H. WU, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE RONALD S. W. LEW, RETIRING.

CONFIRMATIONS

Executive nominations confirmed by the Senate Tuesday, September 5, 2006:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

ROBERT S. MARTIN, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2012.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

KIMBERLY ANN MOORE, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.