The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

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

Let us pray.

Creator of all things, we praise You, the giver of every good and perfect gift. Thank You for Your amazing grace and Your wonderful love. Thank You also for the wonders of nature, for the beauty of the Earth, and for the glory of the skies.

Strengthen our Senators today with Your loving providence. Keep them strong and compassionate for the poor and powerless. Help them to see the unprecedented opportunities they possess to change our world for the good. Give them faith, courage, and goodwill to relate constructively to enemies as well as friends.

Lord, as we enter the Presidents Day weekend, we think about the lives and Presidencies of Lincoln and Washington. We thank You for the wisdom and strength that You gave both of them to govern our Nation through turbulent times. May our hearts say, along with Washington, ‘Providence has at all times been my only dependence, for all other sources seem to have failed us.’

Transform us all by the power of Your grace. We pray in Your mighty 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 the previous order, the leadership time is reserved.

READING OF WASHINGTON'S FAREWELL ADDRESS

The President pro tempore. Under the order of the Senate of January 24, 1901, as modified on February 2, 2006, the Senator from Colorado, Mr. SALAZAR, having been appointed by the Vice President, will now read Washington's Farewell Address.

Mr. SALAZAR, at the rostrum, read the Farewell Address, as follows:

To the people of the United States:

Friends and Fellow Citizens: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured, that this resolution has not been taken without strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country—and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the
discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more forcibly that the shuttle of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my political life, my feelings do not permit me to suspend the deep and ardent knowledge of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me and my efforts I have not failed to enjoy the manifesting of my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals, that, under circumstances in which the passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently, want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your affections. The name of American, derived from the birth or choice of a common country, is the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only derive from the improving the present of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that pride of patriotism more than any аппарат of your national Union. The national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the West from its sources, and communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort—and without their aid perhaps of its necessities. In consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, sustained by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail by the united mass of means and efforts a greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value! they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their imaginary independence, alone, would be sufficiently to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasively language to every reflecting and
virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation and conjecture would be criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourself too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen, in the negotiation by the executive—and in the unanimous ratification by the Senate—of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were such alarm and distrust, engendering them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of their rights and franchises upon that government which they have procured? Will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens? To the strength and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances, in all ages, which have attended the existence of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of government, better calculated than your former, for an intimate Union and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted by our deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this happy equilibrium, and engender a tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans, sustained and protected by the virtuous and the virtuous confidence of the people. These combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and circumstances, to become potent engines, by which the organs of the executive, the legislatures, and the judicial branches of government, are to be disarmed and deprived of their just functions; to destroy the public administration, and to give it an artificial and extraordinary force. This is the great object to be attained by the combination of a party to produce the spirit of faction. It is not the spirit of faction worthily characterized, which is so destructive to our government and our country. It is not the spirit of faction that is to be apprehended as a danger from the formation of two treaties, that with Great Britain and that with Spain, which secure to them every thing, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unoin just dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily disapprove and reprobate, in every shape, the additions made to its acknowledged authority but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the Constitution, alterations which tend to destroy its spirit, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions, that experience is the surest standard by which to test the real tendency of the existing constitution; that you will not be imposed upon the credulity of mere hypotheses and opinion exposes to perpetual change from the endless variety of hypotheses and opinion; and remember, especially, that for the efficient management of our great common interest so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable; liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is indeed little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society to the limits of the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property. I have already intimated to you the danger of parties in the state, with particular reference to the fondness of some of them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

The spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or put in those of the popular form it is seen in some countries, and is truly their worst enemy. The alternate domination of one faction over another, sharpened by the jealously and urbanity of party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and reposes in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty. Without looking forward to an extremity of this kind, (which neverthe less not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it in the interest and duty of a wise people to discourage and restrain it. It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms, kindles the animosity of one part against another; forges occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through
the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true—and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective const钜tes; avoiding the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever of government there may be, a irresistible despotism. A just estimate of that love of power and proneness to abuse it demands a uniform vigilance to prevent it bursting into a flame, lest in one instance, it be corrected by an amendment in the conduct of the conduct of the government, while in another it is certain there will always be a sufficient reason to fear that public opinion can never entirely carry the wind on that subject. Truth of this position. The necessity of a uniform vigilance to prevent the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing more essentially presents a permanent, inveterate antipathies against particular nations and passionate attachment for others should be excluded and that in place of them just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity, or to its affection, either of which is sufficient to lead it astray from its duty. Nations in conflict are apt to exalt every partial or transient interest at the expense of all others, and to extinguish truth and candor in their intercourse; to bestow but few favors on the favored nation, and many and odious injuries on the others. They are apt to judge of nations, by sentiments of party, and to regard as their friends those who are distinguished by those sentiments, and as their enemies those who are distinguishable by any opposition. The nation which indulges toward another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity, or to its affection, either of which is sufficient to lead it astray from its duty. Nations in conflict are apt to exalt every partial or transient interest at the expense of all others, and to extinguish truth and candor in their intercourse; to bestow but few favors on the favored nation, and many and odious injuries on the others. They are apt to judge of nations, by sentiments of party, and to regard as their friends those who are distinguished by those sentiments, and as their enemies those who are distinguishable by any opposition.
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particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils? Such an attachment of a small or weak people towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens) jealousy is always the best policy—I repeat it. The injunctions of those who counsel dependence should be obeyed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, in a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle streams the torrents of commerce but forcing nothing; establishing with powers so disposed, in order to give trade a stable course—in order to give to trade a stable course, to define the rights of our merchants, and to enable the government to support commercial combinations of interest; the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another—that is must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon disinterested favors from another nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of passions or prevent our nation from running the course which has hitherto marked the history of mankind. But if I may not lightly hazard the giving us provocation, when we may choose peace or war, as our interest guided by justice shall counsel.

Why forget the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear ofpermanent alliance with any portion of the foreign world—so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements. (I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy)—I repeat it, that all engagements, those of defense, as our interest guided by justice and reason shall counsel.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence, she must be, or we must be the satellite of the latter.

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RECOGNIZING SENATOR SALAZAR’S READING OF WASHINGTON’S FAREWELL ADDRESS

Mr. ALLARD. Mr. President, I take a moment to recognize Senator Salazar, who just read Washington’s Farewell Address to the people of the United States. This is an honor that is bestowed alternately between Republicans and Democrats on alternate years. By his selection to deliver Washington’s Farewell Address, we are all very proud. We feel, by honoring him, you honor the people of Colorado. We thank the leadership in the Congress for bestowing that honor on my colleague from Colorado, as well as the people of Colorado.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period for the transaction of morning business with Senators permitted to speak for up to 15 minutes each. The Chair recognizes the Senator from Colorado.

ESSAY OF AIR FORCE CADET

Mr. ALLARD. Mr. President, I received a letter from the director, legislative liaison of the Office of the Secretary of the Air Force, on behalf of the Air Force Chief of Staff. He called to my attention an essay that was written by a fourth class cadet at the U.S. Air Force Academy. His name is Joseph R. Tomczak. I was moved by his essay and reassembled at 10:59 a.m. when called to order by the Presiding Officer (Mr. ISAKSON).

So here is the essay. It is titled, “Winter Break.”

For his service to a grateful Nation, BFCM to the Son of a Soldier, we have recently embraced. We have recently embraced.

The legislative clerk proceeded to call the roll.

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

HONORING OUR ARMED FORCES

STAFF SERGEANT WILLIAM A. ALLERS, III

Mr. McCONNELL. Mr. President, I come to the floor today to reflect on the tremendous dedication and sacrifice that our country’s soldiers exhibit every day. In part, I want to call to my colleagues’ attention a personal portrait of a young man who laid down his life defending freedom—a freedom this country has known for centuries, and that the people of Iraq have recently embraced.

While words cannot soothe the anguish of those who knew and loved him, they can help explain the heroism of his sacrifice, and so we pause today to remember and celebrate the life of Staff Sergeant William A. Allers.

Sergeant Allers was accustomed to combat situations, as the battle-hardened veteran of more than 150 combat patrols and 50 security escorts while serving in Iraq. In fact, Sergeant Allers served valiantly in more than 25 combat engagements in his time there.

On Tuesday, September 20, 2005, a Kentucky National Guard armored Humvee ran over an improvised explosive device on a dusty road near Fallujah, Iraq—taking the life of Sergeant Allers. He was 28 years old.

For his service to a grateful Nation, Sergeant Allers was awarded the Bronze Star, the Purple Heart and the Combat Action Badge. He had also received the Army Commendation Medal.
and the Kentucky Distinguished Service Medal. His commanding officer, Captain Todd Lindner, made clear to all that the 67th Military Police Company had lost an outstanding soldier. "Bill worked hard to keep high morale in his team," Capt. Lindner said, "and was a credit for the morale in our entire company."

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

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

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

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

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

A truly gifted athlete, Bill mastered the 100- and 200-meter dash, as well as the "anchor" of the twenty-and four-forty relay teams, meaning he was the one to carry the baton for the final stretch toward the finish line. If the relay team was behind, they trusted Bill to make up the deficit and put the team in the race.

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

When he was not running track, Bill worked part-time for a local landscape and nursery company in Fallston. Part-time might not be a fair description, however, since it was all his parents could do to keep him from working 40 hours a week. Bill loved digging his hands into the soil and working in the environment that surrounded him.

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

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

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

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

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

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

The legislative clerk will call the roll. The PRESIDING OFFICER. The clerk will 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.

The nomination considered and confirmed is as follows:

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

WIRETAPPING OF AMERICAN CITIZENS

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

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

A huge swath—a huge swath—of America, including many expert legal minds, does not—say, does not—agree
with the arguments put forth by the administration. These arguments are transparently contrived, intellectually deficient, indefensible excuses being served up like tripe to silence legitimate criticism of the White House.

Let me say this again. A huge swath of Americans, including many expert legal minds, does not agree with the arguments put forth by the administration. These arguments are transparently contrived, intellectually deficient, indefensible excuses being served up like tripe to silence legitimate criticism of the White House, a White House so infused with its own hubris that it has talked itself into believing that its inhabitants are above the law. But they are not. They are not above the law. President Bush is not above the law. No President is above the law. No United States Senator is above the law. No man is above the law. No one in the United States of America is above the law. Remember, this is a nation of laws, not of men.

Yesterday, the Senate’s Select Committee on Intelligence jettisoned its constitutional responsibility to make certain that our laws are not being breached, and that the spirit and text of our Constitution remain enforceable. It is a sad day, indeed, to see such an important committee wit under political pressure applied by the Vice President in partisan meetings held behind closed doors. The committee adjourned last night without considering a Democratic proposal to begin an investigation of the warrantless spying program, even though Senator Jay Rockefeller, the vice-chairman of the Intelligence Committee, had been assured that his proposal would receive a vote.

I want to commend my colleague, Senator Rockefeller. He has worked hard to protect the people’s liberties, to make sure that this administration, even though circuitous, obeys the law and the Constitution. It has not been an easy task, but it is one that Senator Rockefeller has carried diligently.

Like Senator Rockefeller, I will not sit idly by and allow the President’s possible breaking of the law to be swept under the rug. I refuse to go quietly into the night, abdicating my responsibility as a U.S. Senator to a secretive executive branch, which refuses to brief the Congress of the United States on its clandestine spying on U.S. citizens without a warrant—an administration that believes it can, on its own, nullify constitutional provisions intended to protect the freedoms of millions of Americans for over 200 years.

This travesty must not stand. The peeping and snooping and spying must be investigated.

I am today announcing my intention to submit to Congress legislation that will establish a nonpartisan, independent, 9-11-style commission to investigate and determine the legality of the President’s actions.

There is a critical need for a thorough investigation of all domestic surveillance programs. As I stated on Wednesday in my remarks on this subject, we, the American people—not just the NSA or the White House—have a legitimate need to know what is being done, by whom, and to whom. If there is a justifiable and valid reason to surveil a potential terrorist in the U.S., we certainly can find a way to do it legally. If there is no need to provide more efficient tools to fight terror, Congress has the responsibility to deliberate and, if warranted, to approve them. The President should ask Congress for them; not seize new powers that have never been enumerated by any U.S. court.

Congress would be pleased to entertain his request, as we have in the past, by updating FISA and the PATRIOT Act, but not—I repeat, not—before a full investigation to determine if laws have been broken—an investigation which will give members a fuller understanding of just what these surveillance programs entail. A little sunshine on this process is long overdue.

Congress cannot fix what the White House does not want us to fully understand.

Congress needs to know if the Foreign Intelligence Surveillance Act or any other U.S. law has been broken, and whether the constitutional rights of thousands of Americans have been violated without cause. It is essential that Congress obtain the answers to these questions, not for partisan political reasons, but for our system of checks and balances requires it.

James Madison advised in Federalist No. 47 that: the accumulation of all powers, legislative, executive and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.

The assumption of power by an unchecked executive, which arrogantly believes that he can seize the authority to spy on innocent Americans and wantonly violate the fourth amendment is the beginning of the tyranny Madison so feared.

Mr. President, I ask unanimous consent that the text of the fourth amendment of the Constitution be printed in the RECORD.

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

U.S. CONSTITUTION: FOURTH AMENDMENT

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

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

The PRESIDING OFFICER (Mr. SUNUNU). Without objection, it is so ordered.
course of the representation of Native American tribes.

Both the Government and the defense are seeking trial testimony and documents from committee staff who assisted in the conduct of the Committee's investigation. The chairman and vice chair of the committee would like to assist by providing necessary evidence in this trial, consistent with any rulings of the Court. Accordingly, this resolution would authorize committee staff, where appropriate, to testify and produce documents in this case with representation by the Senate Legal Counsel.

S. RES. 375 (PASSED THURSDAY, FEBRUARY 16)
Mr. FRIST. Mr. President, S. Res. 375 concerns a request for testimony and representation in related criminal trespass actions in Concord District Court in the State of New Hampshire. In these actions, eight defendants have been charged with criminally trespassing on the premises of Senator Judd Gregg's Concord, NH, office on December 5, 2005, for refusing repeated requests to leave Senator Gregg's office and the business district. In order to allow the office to close, trials on the charge of trespass are scheduled to commence on or about March 1, 2006. The State has subpoenaed a member of the Senator's staff who could have information about the case. The enclosed resolution would authorize that staff member, and any other employees of Senator Gregg's office from whom evidence may be required, to testify in connection with these actions.

S. RES. 376 (PASSED THURSDAY, FEBRUARY 16)
Mr. REID. Mr. President pursuant to Senate Resolution 213, 109th Congress, Mr. President, S. Res. 375 was, "Compromise Clears Way for Senate Vote." I will include this news story in the RECORD following my remarks.

The senators said they had to yield to the administration. But fortunately, just in advance of Laura's appearance, the Senate also confirmed the nominations of John Roberts to be the Chief Justice of the United States, Steven Breyer to be an Associate Justice of the Supreme Court, and several others. I congratulate Steven and Cara on the arrival of their daughter—on the fact that there is now one more person in the world whom we will all call "Duffield"—and I wish them good fortune in caring for and cultivating their new charge.

Patriot Act Compromise Clears Way for Senate Vote

By Charles Babington

Efforts to extend the USA Patriot Act cleared a major hurdle yesterday when the White House and key senators agreed to a bill that contains revisions that are virtually certain to secure Senate passage and likely to win House approval, congressional leaders said.

The law—passed in the aftermath of the 2001 terrorist attacks and scheduled to lapse in key areas last year—makes it easier for federal agents to secretly tap phones, obtain library and bank records, and search the homes of suspected terrorists. Several Democrats said the compromise announced yesterday lacks important civil liberties safeguards, but even the Republican negotiators said they had to yield to the administration on several points.

Laura Dale Duffield

Mr. KYL. Mr. President, I rise today to announce to the Senate the arrival in this world of Laura Dale Duffield. Miss Duffield was born to her parents Cara and Steven this last Friday, and is reported to weigh over 7 pounds. Her father, Steven, is the Judiciary Policy Analyst and Counsel for the Republican Policy Committee, which I chair. I would like to take a moment to note for posterity some of the events taking place in the world at the time that young Laura joins us. Most important among the matters recently before the Senate, I think, is the confirmation of the nomination of Samuel Alito to be a Justice of the Supreme Court of the United States. In the fall of last year, the Senate also confirmed the nomination of John Roberts to be the Chief Justice of the United States. Steven played an important role in both confirmations, supplying Republican Senators with information and draft speeches about the nominees, and even staffing me on the Judiciary Committee during the nominees' hearings. This is the first time that there has been a change in the membership of the Supreme Court since 1994—before Laura's parents even began law school. Chief Justice Roberts replaces Chief Justice Rehnquist, who originally had been appointed to the Court in 1971, in between the time that Laura's parents were born. Justice Alito replaces Justice O'Connor, who had been appointed to the Court when Laura's parents still were in grade school.

In the years to come, we of course will have many opportunities to evaluate these two new Justices and their impact on the law. At the present time, based on what I saw of these nominees at their hearings before the Judiciary Committee, I have no reason to believe that they give us reason to be hopeful about the future. I think that we can reasonably expect both nominees to usher in a new era of the Constitution means in light of how it was reasonably understood when it was enacted. For many years now, Americans often have felt powerless at the hands of a Court that has pursued its own political agenda—an agenda without a basis in the law, the Constitution, or history. This I am optimistic that in the years to come, the Supreme Court might play a less prominent role in American life, and might allow the American people and their elected representatives a more prominent role in making the laws that govern them.

This year also marks the 5th year since the terrorist attacks on the World Trade Center in New York and on the Pentagon. Those attacks of the national agenda, from the wars in Afghanistan and Iraq to the legislation that we are considering in the Senate. On the day that Laura was born, last Friday, the headline in the Washington Post was, "Patriot Act—Passed Thursday, FEBRUARY 16"

As we mark this time also is marked in this place by legislative action on a slew of reforms to our civil justice and bankruptcy laws; an attempt to reform our immigration system and control our border; and an attempt to reverse the verdict of the Civil War by authorizing Native Hawaiians to secede from their State. Mentioning these projects serves only to highlight their insignificance relative to the arrival of a new child in the world. I doubt that Steven even will remember the laborious policy papers that he produced on all of these topics as he watches Laura grow older.
But with virtually all 55 GOP senators now on board, and Democrats joining them, the plan appears to have enough support to overcome the Senate filibuster that has thwarted a vote on the act for the past six months. Senators said they think the White House will be able to coax the Republican-controlled House to agree as well, even though there were complaints that senators' demands had weakened the measure.

"It was a bipartisan group of us that really believed we could do better . . . to protect civil liberties even as we gave law enforcement important tools to combat terrorism investment fraud," said Sen. John E. Sununu (N.H.) told reporters. He said that he and his fellow negotiators had to make more concessions to the administration than they wanted to, but that Congress will monitor the law's application over the coming years and perhaps revise it.

Sen. Richard J. Durbin (Ill.), one of several Democrats who agreed to back the compromise yesterday, said "it falls far short" of the bill that was passed by the Senate last year but rejected by the House. "But if you measure it against the original Patriot Act . . . we've made progress" toward "protecting basic civil liberties at a time when we are dealing with the war on terrorism," Durbin said.

Senate Minority Leader Harry M. Reid (D-Nev.) called the compromise "a step in the right direction." The proposal would restrict federal agents' access to library records, one of the Patriot Act's most contentious provisions. A form of secret subpoena known as a National Security Letter could no longer be used to obtain records from libraries that function "in their traditional capacity, including providing basic Internet access," Sununu and others said in a statement. But libraries that are "Internet service providers" would remain subject to gag orders.

The Senate proposal would no longer require National Security Letter recipients to tell the FBI the identity of their lawyers. The compromise bill also addresses "Section 215 subpoenas," which are granted by the Foreign Intelligence Surveillance Act court to gather telephone and Internet records that originally were forbidden to tell anyone about the action. The proposed Senate measure would allow them to challenge the "gag order" after one year, rather than the 90-day wait in earlier legislation.

Sununu said the administration insisted on the longer wait. "You must go through a process to challenge the gag order," he said, defending the concession. "That didn't exist before."

Sununu said he and his allies were disappointed that the compromise does not require agents to "show a connection to a suspected terrorist or spy" before obtaining a Section 215 subpoena. Instead, a FISA judge originally would have to agree that there are reasonable grounds to believe the items being sought are relevant to an investigation into terrorism.

Several liberals condemned the bill. "I am gravely disappointed in this so-called deal," said Sen. Russell Feingold (D-Wis.). "The White House agreed to only a few minor concessions. . . . we've made progress'' toward ''protection of the privacy rights for widows, divorced spouses, and their families. The center is one of the country's foremost leaders on pension rights issues from a consumer perspective and has made an enormous difference in the lives of millions of workers, retirees and their families.

Over the years, the center has played a key role in identifying pension inequities and promoting reasonable solutions. They have played an instrumental role in shaping policy, ultimately helping to secure Federal laws and regulations that have expanded pension rights for widows, divorced spouses, and working people. The center is also the most trusted resource for pension issues, both for professional researchers, and the media on the highly complex pension issues translated from a consumer perspective.
The center has led the way in helping individuals with their pension problems and in helping develop and coordinate the country’s first nationwide pension information and assistance services for older Americans. The center provides backup legal training and technical assistance for the U.S. Administration on Aging’s Pensions Counseling and Information Program. There are now currently six regional counseling projects that provide free assistance to thousands of individuals in 17 States.

The center also has spearheaded the Conversation on Coverage, an innovative public policy initiative that has brought together a wide range of experts—including businesses, unions, financial institutions, and national retiree, women’s, and consumer organizations—to find common ground approaches to increasing pension coverage. The Conversation on Coverage’s three working groups are in the process of finalizing recommendations to expand pensions and savings for millions of Americans.

The center’s work is needed now more than ever. As baby boomers get closer to retirement, it is becoming clearer and clearer that they likely will not enjoy the retirement security that their parents have enjoyed. Younger workers are even more at risk. Many employers are backing away from their longstanding commitment to providing for their workers’ retirement security.

Thousands of pension plans have been terminated or frozen and thousands more are considering additional pension cutbacks. The center has always been at the forefront of protecting workers’ pensions and in proposing innovative and workable solutions, and their efforts will be all the more critical in the days and years ahead.

I wish the Pension Rights Center, its founder, Karen Ferguson, and the dedicated staff a very healthy 30th anniversary.

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. SANTORUM (for himself, Mr. DODD, Mr. BENNETT, Ms. LANDRIEU, Mr. DEWINE, Mr. LOTT, Mr. BUNNING, Mr. HATCH, Mr. BURNS, Mr. INHOFE, Mr. MURkowski, Mr. PHILIPPS, Mr. LIEBERMAN, Ms. CLINTON, Mr. SCHUMER, Ms. STABHINOW, Mr. DAYTON, Mr. GRASSLEY, Mr. CRAIO, Mr. BURR, Mr. CRAPAO, Mrs. LINCOLN, and Mr. HARKIN):

S. 2321. A bill to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille; to the Committee on Finance.

S. 2322. A bill to extend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 2323. A bill to extend the temporary suspension of duty on certain high-performance loudspeakers; to the Committee on Finance.

S. 2324. A bill to suspend temporarily the duty on certain audio headphones achieving full-spectrum noise reduction; to the Committee on Finance.

By Mr. DOMENICI:

S. 2325. A bill to provide for immigration reform, and for other purposes; to the Committee on the Judiciary.

By Mr. ALLEN (for himself, Mr. KERRY, Mr. SUNUNU, and Mrs. BOXER):

S. 2327. A bill to require the FCC to issue a final order regarding white spaces; to the Committee on Commerce, Science, and Transportation.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 2328. A bill to extend the temporary suspension of duty on certain synthetic filament yarns; to the Committee on Finance.

S. 2329. A bill to extend the temporary suspension of duty on certain filament yarns; to the Committee on Finance.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 2330. A bill to extend the temporary suspension of duty on certain R-core transformer cores; to the Committee on Commerce, Science, and Transportation.

S. 2331. A bill to amend the Internal Revenue Code of 1986 to treat certain synthetic filament yarns and cotton yarns as domestic corporate products.

S. 2332. A bill to amend the Communications Act of 1934 to promote and expedite wireless broadband deployment in rural and underserved areas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

S. 2333. A bill to protect the free choice of individual employers to form, join, or assist labor organizations, or to refrain from such activities.

S. 2334. A bill to amend the Internal Revenue Code of 1986 to extend the period for which the designation of an area as an empowerment zone is in effect; to the Committee on Finance.

S. 2335. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for social services programs for the low income elderly; to the Committee on Finance.

S. 2336. A bill to extend the temporary suspension of duty on certain R-core transformer cores; to the Committee on Commerce, Science, and Transportation.

S. 2337. A bill to amend the Internal Revenue Code of 1986 to extend the period for which the designation of an area as an empowerment zone is in effect; to the Committee on Finance.

By Mr. STEVENS:

S. 2338. A bill to extend the temporary suspension of duty on certain R-core transformer cores; to the Committee on Commerce, Science, and Transportation.

S. 2339. A bill to provide for immigration reform, and for other purposes; to the Committee on the Judiciary.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 2340. A bill to extend the temporary suspension of duty on certain R-core transformer cores; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 2341. A bill to amend the Internal Revenue Code of 1986 to extend the period for which the designation of an area as an empowerment zone is in effect; to the Committee on Finance.

By Mr. STEVENS:

S. 2342. A bill to amend the Communications Act of 1934 to promote and expedite wireless broadband deployment in rural and underserved areas, and for other purposes; to the Committee on Commerce, Science, and Transportation.
lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 179

At the request of Mr. DODD, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 179, a bill to provide for the expansion of Federal programs concerning breast cancer prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 2266

At the request of Mr. SANTORUM, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 2266, a bill to establish a fellowship program for the congressional hiring of disabled veterans.

S. 2278

At the request of Ms. STABENOW, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2278, a bill to amend the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 2314

At the request of Ms. MIKULSKI, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 2284, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 2312

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2312, a bill to require the Secretary of Health and Human Services to change the numerical identifier used to identify Medicare beneficiaries under the Medicare program.

S. 2322

S. 2322. A bill to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly; to the Committee on Health, Education, Labor, and Pensions.

Mr. ENZI. Mr. President, I rise to introduce the Consumer Assurance of Radiologic Excellence Act of 2006. This bill would improve the quality and value of diagnostic medicine. If the RadCARE Act is enacted, patients and providers alike will benefit from more efficient and accurate diagnoses and, safer, more appropriate therapies, all afforded at a substantially decreased cost to the taxpayer.

Most of us feel anxious when we see the doctor, regardless of whether the evaluation reveals a problem. That is particularly true when we are concerned about cancer. How reassuring it is for us to believe that our physicians have available to them the full range of diagnostic tests and therapeutic procedures necessary to manage our care in the best way possible. We expect, too, that everyone who participates in our care is highly qualified to perform the services they provide. An expectation that each of us deserves to have but, all too often, is unrealistic.

Effective treatments are predicated on accurate diagnoses, and every treatment has the potential to cause harm. Missed, inaccurate, or delayed diagnoses can lead to unnecessary or dangerous therapies, with avoidable medical costs the last of the consequences. Physicians and patients should be able to trust that the technical providers such as the radiologic technologists, ultrasonography technologists, and medical radiation technologists who actually perform these tests are well qualified to do their jobs and have the appropriate credentials help to provide this assurance.

Cancer of many different types has become much more common; indeed, cancer is the second leading cause of death in America, behind only heart disease. Medical imaging tests play an increasingly important role in diagnosing a wide variety of malignant diseases and in determining the results of treatment. Radiation therapy is a common form of cancer therapy and used in more than half of all cancer cases. Americans should anticipate that such procedures and therapies will be performed with greater frequency on older Americans, with the cost borne more and more often by federally financed health care programs. For example, in 2004, Medicare paid over $1 billion for radiation therapy.

Improvements in health care often occur through technological innovations. For example, today’s providers depend much more on diagnostic medical imaging than they did in the past, which has led to a rapid increase in the number of procedures performed, procedures that are not limited just to patients with cancer. Over 300 million radiologic procedures are performed annually in the United States, with 70 percent of Americans undergoing some type of medical imaging exam or radiation therapy treatment annually.

These innovations, while of undeniable potential benefit, come with substantial costs. Radiology costs are reaching over $100 billion annually; diagnostic imaging is one of the fastest growing cost areas in American health care. These costs are not limited to charges alone. Sedation, administered to facilitate a diagnostic imaging study, may compromise breathing or heart function. Therapeutic interventions based, in part, on these studies are fraught with potential complications, and the risk increases if the diagnostic information is incomplete or inaccurate. Similarly, a decision not to intervene carries its own risks, especially if the facts on which the decision is made are in error.

Congress has already taken some steps to assure the public that those who provide these services meet sufficient standards of technical proficiency. The Mammography Quality Standards Act of 1992 established standards for technologists performing one crucial diagnostic test; substantial quality improvement has been the result. The Consumer-Patient Radiation Health and Safety Act of 1981 encouraged the States to see to the technical competence of those who provide diagnostic imaging or radiation therapy services to patients but left compliance with those standards optional. Unfortunately, to date, nine States and the District of Columbia have enacted no regulatory statutes at all while, in a further serious note, those regulations remain incomplete. Some provider disciplines have no specified standards of education, training, and experience at all. In fact, a provider with only a few hours of course work or a couple of weeks of on-the-job training may be responsible for obtaining the image a physician uses to diagnose your cancer or to deliver the radiation that is crucial to the treatment of your tumor. One doesn’t have to be a doctor to recognize that this is not good medicine to rely solely on the good intentions of those who employ these providers.

In its report to Congress this March, MedPAC—the Medicare Payment and Advisory Commission—recognized that, while the issue is complex, technical excellence in diagnostic imaging and radiation therapy plays a central role in improving the public health and lowering costs of care. The RadCARE Act seeks to implement these recommendations that speak to credentialing of technical providers and brings to completion work begun with the Consumer-Patient Radiation Health and Safety Act.
Many will benefit if we pass the RadCARE Act. Better diagnostic images will help physicians to make faster, more accurate diagnoses or, alternatively, to exclude problems from further consideration. Risks such as sedation-related complications and radiation exposure will decrease. Patients will receive therapies that are more considered, precise, and safe. Provider and consumer confidence in the health care process will rise. Qualified technologists will be recognized for their professional contributions and motivated to improve their practice. Taxpayers, even if they are fortunate enough not to require diagnostic or therapeutic radiologic services, will appreciate that their tax dollars are not being wasted on poor quality, repetitive diagnostic examinations or unsafe therapies.

Could the RadCARE Act have unintended, adverse consequences? Some argue that meaningful credentialing of these technical providers will decrease access to care—that it is better to have non-credentialed providers than none at all. Certainly, establishing and maintaining a health care workforce that is adequate in size is an important goal. I understand the case, though, for quality—that bad information is worse than no information at all. It is reassuring to note that, in those States that do regulate this type of technical practice, the number of practitioners has remained stable. To further address this concern, the RadCARE Act gives the Secretary of Health and Human Services the flexibility necessary to modify regulations promulgated under this legislation, so that access to services is not compromised but standards are preserved.

Some fear that credentialing technical providers will increase health care expenses by inflating personnel costs. Those who believe that standards are vitally important to the quality of medical imaging and radiation therapy services, demonstrate compliance with the standards established under subsection (a), the Secretary shall begin to certify qualified entities as approved bodies with respect to the accreditation of the various mechanisms by which an individual can demonstrate compliance with the standards promulgated under subsection (a) or if such organizations or agencies meet the standards established by the Secretary under paragraph (2) and provide the assurances required under paragraph (3). Standards established under this section shall establish minimum standards for the certification of approved bodies under paragraph (1) (including standards for recordkeeping, the approval of curricula and instructors, the charging of reasonable fees for certification or for undertaking examinations, and standards to minimize the possibility of conflicts of interest), and other additional standards as the Secretary may require.

(3) ASSURANCES.—To be certified as an approved body under paragraph (1), an organization or agency shall provide the Secretary satisfactory assurances that the body will—

(A) be a nonprofit organization;

(B) comply with the standards described in paragraph (2);

(C) notify the Secretary in a timely manner if the body fails to comply with the standards described in paragraph (2) and (D) provide such other information as the Secretary may require.

(4) WITHDRAWAL OF APPROVAL.—

(A) IN GENERAL.—The Secretary may withdraw the certification of an approved body if the Secretary determines that the body does not meet the standards under paragraph (2).

(B) EFFECT OF WITHDRAWAL.—The withdrawal of the certification of an approved body under subparagraph (A) shall have no effect on the certification status of any individual or institution that approved body prior to the date of such withdrawal.

(c) EXISTING STATE STANDARDS.—Standards established by a State to ensure the competence or certification of personnel, accreditation of educational programs, or administration of examinations shall be deemed to be in compliance with the standards of this section unless the Secretary determines that such State standards do not meet the minimum standards established by the Secretary or are inconsistent with the purposes of this section.
I believe we can welcome immigrants to a secure homeland by addressing five areas.

First, we must improve security at our international borders. On November 17, 2005, I introduced the Border Security and Modernization Act of 2005, S. 2049. That bill calls for improvements to our port of entry infrastructure, increased Department of Homeland Security and Department of Justice personnel, new technologies and assets for border security, increased detention capacity, and additional Federal assistance for States. I believe these actions will provide the necessary increased security at our borders.

Second, we must improve enforcement of our immigration laws. The WISH Act addresses this situation by increasing the number of DHS personnel who investigate human smuggling, employment of immigrants, and immigration fraud. My bill also increases penalties for violations of immigration laws and provides the system to verify a worker’s employment eligibility.

Third, we must create a new guest worker visa that is easier to obtain and lets individuals who want to come to the United States to work know that if they are hardworking and industrious, we want them in America. The WISH Act creates such a visa, which is valid for up to 9 years if the guest worker remains employed. After the applicant has resided in the United States for 6 of those years, he or she may apply for permanent resident status. An applicant’s spouse and unmarried minor children may be admitted to the United States with the guest worker. Because such visas are issued only to legitimate guest workers, my bill requires applicants to provide information on his or her criminal history, gang membership, immigration history, and involvement with groups that have engaged in terrorist acts, foreign persecution, or have otherwise overthrown the United States. It also provides for the completion of all necessary background checks.

Fourth, we must account for the millions of undocumented aliens residing in the United States. I believe that the vast majority of these aliens are honest, hard-working individuals who are contributing to our country in positive ways, so the WISH Act allows them to obtain the guest worker visa I just mentioned without having to leave the United States if he or she pays a fine. This will allow for these aliens, and their immediate families, to remain in the country doing the work they already do. In order to provide for their timely and orderly transition into legal guests, my bill requires undocumented aliens to apply for this visa or leave the United States. Failure to take one of those actions means they will be removed from the United States and will be unable to apply for a guest worker visa. To ensure that such visas are issued only to legitimate guest workers, my bill requires undocumented aliens to apply for this visa or leave the United States. Failure to take one of those actions means they will be removed from the United States and will be unable to apply for a guest worker visa.

Lastly, we must create a more welcoming environment for students and recent graduates. Under the WISH Act, students and graduate research assistants with temporary visas are eligible for permanent resident status. To ensure that such visas are issued only to legitimate guest workers, my bill requires applicants to provide information on his or her criminal history, gang membership, immigration history, and involvement with groups that have engaged in terrorist acts, foreign persecution, or have otherwise overthrown the United States. It also provides for the completion of all necessary background checks.

I believe we can welcome immigrants to a secure homeland by addressing five areas. First, we must improve security at our international borders. On November 17, 2005, I introduced the Border Security and Modernization Act of 2005, S. 2049. That bill calls for improvements to our port of entry infrastructure, increased Department of Homeland Security and Department of Justice personnel, new technologies and assets for border security, increased detention capacity, and additional Federal assistance for States. I believe these actions will provide the necessary increased security at our borders.

Second, we must improve enforcement of our immigration laws. The WISH Act addresses this situation by increasing the number of DHS personnel who investigate human smuggling, employment of immigrants, and immigration fraud. My bill also increases penalties for violations of immigration laws and provides the system to verify a worker’s employment eligibility.

Third, we must create a new guest worker visa that is easier to obtain and lets individuals who want to come to the United States to work know that if they are hardworking and industrious, we want them in America. The WISH Act creates such a visa, which is valid for up to 9 years if the guest worker remains employed. After the applicant has resided in the United States for 6 of those years, he or she may apply for permanent resident status. An applicant’s spouse and unmarried minor children may be admitted to the United States with the guest worker. Because such visas are issued only to legitimate guest workers, my bill requires applicants to provide information on his or her criminal history, gang membership, immigration history, and involvement with groups that have engaged in terrorist acts, foreign persecution, or have otherwise overthrown the United States. It also provides for the completion of all necessary background checks.

Fourth, we must account for the millions of undocumented aliens residing in the United States. I believe that the vast majority of these aliens are honest, hard-working individuals who are contributing to our country in positive ways, so the WISH Act allows them to obtain the guest worker visa I just mentioned without having to leave the United States if he or she pays a fine. This will allow for these aliens, and their immediate families, to remain in the country doing the work they already do. In order to provide for their timely and orderly transition into legal guests, my bill requires undocumented aliens to apply for this visa or leave the United States. Failure to take one of those actions means they will be removed from the United States and will be unable to apply for a guest worker visa. To ensure that such visas are issued only to legitimate guest workers, my bill requires applicants to provide information on his or her criminal history, gang membership, immigration history, and involvement with groups that have engaged in terrorist acts, foreign persecution, or have otherwise overthrown the United States. It also provides for the completion of all necessary background checks.

Lastly, we must create a more welcoming environment for students and recent graduates. Under the WISH Act, students and graduate research assistants with temporary visas are eligible for permanent resident status. To ensure that such visas are issued only to legitimate guest workers, my bill requires applicants to provide information on his or her criminal history, gang membership, immigration history, and involvement with groups that have engaged in terrorist acts, foreign persecution, or have otherwise overthrown the United States. It also provides for the completion of all necessary background checks.
was beneficial to our country because students came to the United States to study, but they stayed here to work. They did business with colleagues they met at U.S. schools. Our country was obtaining some of the most brilliant minds not only from within our borders but also from across the world. Unfortunately, restrictions and limitations put on visas in recent years have forced many of the business leaders of the next generation to attend school in other more welcoming countries. To reverse this trend, the WISH Act allows full-time foreign college and graduate students to work and travel while studying in the United States and provides for foreign students who graduate from a U.S. college with honors to stay in the United States to work after graduation.

I am personally involved in this issue both because I represent a border State and because I remember the day, when I was 5 or 6 years old, that my parents learned that my lawyer who advised them about citizenship was wrong and my mother was an illegal alien. Federal officials came to our house to arrest my mother while my father was at work. It was a frightening situation for my entire family, that occurred through no fault of my mother, who had lived in America for more than 30 years as an exemplary citizen and who was told by an attorney that she was an American.

I believe that we can, and must, do our best to prevent situations like this from occurring in the future. I believe that the measures in the WISH Act, together with the measures in my Border Security and Modernization Act, will play an important role in that effort, and I am pleased to introduce this bill today.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2326

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Welcoming Immigrants to a Secure Homeland Act of 2006” or “WISH Act of 2006”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

1. SHORT TITLE; TABLE OF CONTENTS.

2. SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

3. Title I—Improving Enforcement

### Title I—Improving Enforcement

Subtitle A—Increased Enforcement Resources and Penalties

Sec. 101. Additional worksite enforcement agents and fraud detection agents.

Sec. 102. Penalties for unauthorized employment and false claims of citizenship.

Sec. 103. Penalties for misusing social security numbers or filing false information with the Social Security Administration.

Subtitle B—Information Integrity and Security

Sec. 111. Social security cards.

Sec. 112. Electronic information.

### TITLE II—Nonimmigrant Guest Workers

Sec. 201. Nonimmigrant guest worker category.


Sec. 203. Special rule for Mexico.

Sec. 204. Statutory construction.

Sec. 205. Authorization for appropriations.

### TITLE III—Nonimmigrant Guest Workers Status for Unauthorized Aliens

Sec. 301. Nonimmigrant guest worker status for unauthorized aliens.

Sec. 302. Statutory construction.

Sec. 303. Authorization of appropriations.

### TITLE IV—Employment Management System

Sec. 401. Employment eligibility verification system.

Sec. 402. Labor investigations and penalties.

### TITLE V—Protection against Immigration Fraud

Sec. 501. Grants to support public education and training.

### SECTION 2. Additional worksite enforcement agents and fraud detection agents.

(a) WORKSITE ENFORCEMENT.—During each of fiscal years 2007 through 2011, the Secretary of Homeland Security shall, subject to the availability of appropriations for such purpose, increase by not less than 2,000 the number of positions for investigators dedicated to enforcing compliance with sections 274 and 274A of the Immigration and Nationality Act (8 U.S.C. 1324 and 1324a) for such fiscal year.

(b) FRAUD DETECTION.—During each of fiscal years 2007 through 2011, the Secretary of Homeland Security shall, subject to the availability of appropriations for such purpose, increase by not less than 1,000 the number of positions for Immigration Enforcement Agents dedicated to immigration fraud detection for such fiscal year.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2007 through 2011 such sums as may be necessary to carry out this section.

### SECTION 3. Penalties for unauthorized employment and false claims of citizenship.

Sec. 301. Employment eligibility verification system.

Sec. 302. Labor investigations and penalties.

Sec. 303. Authorization for appropriations.

### TITLE VI—Highly Educated and Skilled Workers

Sec. 601. Removal of numerical limitations on employment-based immigrants.

Sec. 602. Allocation of numerical limitations on employment-based immigrants.

Sec. 603. Off-campus work authorization for foreign students.

Sec. 604. Temporary visas for graduating students.

Sec. 605. Temporary authorization.

Sec. 606. Additional employees and technologies.

### TITLE VII—Travel Restrictions for Temporary Visitors

Sec. 701. Travel restrictions.

### TITLE VIII—Temporary Visitors

Sec. 801. Sense of the Senate on temporary agricultural workers.

### SECTION 3. Additional worksite enforcement agents and fraud detection agents.

(a) WORKSITE ENFORCEMENT.—During each of fiscal years 2007 through 2011, the Secretary of Homeland Security shall, subject to the availability of appropriations for such purpose, increase by not less than 2,000 the number of positions for investigators dedicated to enforcing compliance with sections 274 and 274A of the Immigration and Nationality Act (8 U.S.C. 1324 and 1324a) for such fiscal year.

(b) FRAUD DETECTION.—During each of fiscal years 2007 through 2011, the Secretary of Homeland Security shall, subject to the availability of appropriations for such purpose, increase by not less than 1,000 the number of positions for Immigration Enforcement Agents dedicated to immigration fraud detection for such fiscal year.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2007 through 2011 such sums as may be necessary to carry out this section.

### SECTION 4. Penalties for unauthorized employment and false claims of citizenship.

Sec. 401. Employment eligibility verification system.

Sec. 402. Labor investigations and penalties.

### SECTION 5. Protection against Immigration Fraud

Sec. 501. Grants to support public education and training.

### SECTION 6. Additional worksite enforcement agents and fraud detection agents.

(a) WORKSITE ENFORCEMENT.—During each of fiscal years 2007 through 2011, the Secretary of Homeland Security shall, subject to the availability of appropriations for such purpose, increase by not less than 2,000 the number of positions for investigators dedicated to enforcing compliance with sections 274 and 274A of the Immigration and Nationality Act (8 U.S.C. 1324 and 1324a) for such fiscal year.

(b) FRAUD DETECTION.—During each of fiscal years 2007 through 2011, the Secretary of Homeland Security shall, subject to the availability of appropriations for such purpose, increase by not less than 1,000 the number of positions for Immigration Enforcement Agents dedicated to immigration fraud detection for such fiscal year.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2007 through 2011 such sums as may be necessary to carry out this section.
Subtitle C—Mandatory Electronic Employment Verification of All Workers in the United States

SEC. 121. EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.

(a) RE-NAMING OF BASIC PILOT PROGRAM.—Subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended—

(1) in section 403(c)(1), by striking ‘‘basic pilot program’’ and inserting ‘‘Employment Eligibility Verification System’’; and

(2) in section 403(a), by striking ‘‘(a)’’ and all that follows through ‘‘agrees to conform’’ and inserting the following:

‘‘(a) EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.—A person or other entity that participates in the Employment Eligibility Verification System shall agree to conform.’’

(b) MANDATORY PARTICIPATION.—

(1) LARGE EMPLOYERS.—Beginning not later than 2 years after the date of the enactment of this Act and notwithstanding any other provision of law, any person or other entity that hires 50 or more individuals for employment in the United States shall participate in the Employment Eligibility Verification System described in section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act, as amended by subsection (a). The employer shall maintain such system at least 2 years after the date of the enactment of this Act and shall only apply to social security cards issued after such date.

(c) REPORT ON INCORPORATION OF BIOMETRIC IDENTIFIERS.—Not later than 6 months after the date of the enactment of this Act, the Commissioner of Social Security, in cooperation with the Secretary of Homeland Security, shall submit to Congress a report on ways to improve such Employment Eligibility Verification System.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect 1 year after the date of the enactment of this Act and shall only apply to social security cards issued after such date.

Subtitle D—Mandatory Employment Eligibility Verification of All Nonimmigrant Workers

SEC. 201. NONIMMIGRANT GUEST WORKER CATEGORY.

(a) NEW GUEST WORKER CATEGORY.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended by adding at the end the following:

‘‘(W) an alien having a residence in a foreign country who is coming to the United States to perform labor or services and who meets the requirements of section 218A.’’

(b) EFFECTIVE DATE.—Section 101(a)(15)(W) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended—

(1) in subparagraph (U)(i), by striking ‘‘or’’ and inserting ‘‘and’’; and

(2) in subparagraph (V)(ii), by striking the period at the end and inserting a semicolon and ‘‘or’’.

SEC. 202. GUEST WORKER PROGRAM.

(a) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after section 218 the following new section:

‘‘SEC. 218A. GUEST WORKER PROGRAM.

‘‘(a) IN GENERAL.—The Secretary of Homeland Security shall create a guest worker program under section 218 of title II of the Immigration and Nationality Act (8 U.S.C. 1101) and establish procedures for the issuance of guest worker visas under such section.

‘‘(b) PURPOSE.—The purpose of this section is to create an expedited and secure process for foreign nationals to participate in the United States labor market and to perform labor services that are in the national interest.

‘‘(c) ELIGIBILITY.—An alien who is a national of a particular country designated by agreement with the Secretary of Homeland Security may be eligible for a guest worker visa under this section if the alien—

(1) meets the requirements of section 218A of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15));

(2) has a job offer from an employer in the United States that is not required to participate in the Employment Eligibility Verification System; and

(3) submits an application for a guest worker visa under this section.

‘‘(d) PROTECTION.—Subject to regulations prescribed by the Secretary, the employer and the alien may enter into a contract under which the employer agrees to indemnify the alien for any losses incurred in connection with the alien’s participation in the guest worker program.

‘‘(e) VISAS.—The Secretary of Homeland Security shall issue guest worker visas in the amounts determined by the Secretary to be necessary to carry out this section.

‘‘(f) FEES.—The Secretary of Homeland Security shall determine the fees required to issue guest worker visas and shall use such fees to carry out this section.

‘‘(g) AMENDMENTS.—The amendments made by this section are in addition to any other amendments made by this Act.’’

SEC. 203. GENERAL DUTIES AND RESPONSIBILITIES.

(a)(1) In general.—The Secretary of Homeland Security shall operate the Employment Eligibility Verification System in a manner that ensures their integrity and security.

(b) Joint statement.—The Secretary of Homeland Security shall provide the Congress with a joint statement on ways to improve such Employment Eligibility Verification System.

Subtitle E—Employment Eligibility Verification System Improvements

SEC. 204. TECHNICAL CORRECTIONS.

(a) CONFIDENTIALITY.—

(1) ACCESS TO DATABASE.—No officer or employee of any agency or department of the United States shall have access to the database described in subsection (a) unless that officer or employee is necessary to carry out this subsection and the amendments made by paragraph (2).

(2) MULTIPLE CARDS.—Section 205(c)(2)(G) of such Act, as amended by subsection (a)(2), is further amended by adding at the end the following:

‘‘(4) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security, the Secretary of Labor, and the Secretary of the Treasury shall submit to Congress a joint report on ways to improve such Employment Eligibility Verification System.’’

(b) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect 1 year after the date of the enactment of this Act and shall only apply to social security cards issued after such date.

SEC. 205. MANDATORY ELIGIBILITY VERIFICATION.

(a) CONFIDENTIALITY.—

(1) ACCESS TO DATABASE.—No officer or employee of any agency or department of the United States, other than individuals responsible for the enforcement of immigration laws described in subsections (a)(2) and (b) of this section, shall have access to the database described in subsection (a) unless that officer or employee is necessary to carry out this subsection and the amendments made by paragraph (2).

(2) MULTIPLE CARDS.—Section 205(c)(2)(G) of such Act, as amended by subsection (a)(2), is further amended by adding at the end the following:

‘‘(4) MANDATORY PARTICIPATION.—

(1) LARGE EMPLOYERS.—Beginning not later than 2 years after the date of the enactment of this Act and notwithstanding any other provision of law, any person or other entity that hires 50 or more individuals for employment in the United States shall participate in the Employment Eligibility Verification System described in section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act, as amended by subsection (a). The employer shall maintain such system at least 2 years after the date of the enactment of this Act and shall only apply to social security cards issued after such date.

(b) MANDATORY PARTICIPATION.—

(1) LARGE EMPLOYERS.—Beginning not later than 2 years after the date of the enactment of this Act and notwithstanding any other provision of law, any person or other entity that hires 50 or more individuals for employment in the United States shall participate in such Employment Eligibility Verification System.

(c) SMALL EMPLOYERS.—Beginning not later than 4 years after the date of the enactment of this Act and notwithstanding any other provision of law, any person or other entity that hires 1 or more individuals for employment in the United States shall participate in such Employment Eligibility Verification System.

(d) PARTICIPATION OF EMPLOYERS NOT SUBJECT TO REQUIREMENT.—Nothing in this subsection shall be construed to prevent any person or other entity that is not required to participate in such Employment Eligibility Verification System from voluntarily participating in such Employment Eligibility Verification System.

(e) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 1 year after the date of the enactment of this Act.

Subtitle F—Mandatory Electronic Employment Verification of All Workers in the United States
engaged in terrorism, genocide, persecution, or who seek the overthrow of the Government of the United States.

(1) WAIVER OF RIGHTS.—

(1) WAIVER OF RIGHTS.—

(2) REFUSAL TO WAIVE.—The Secretary of Homeland Security shall require an alien to include with the application a waiver of rights that states that the alien, in exchange for the discretionary benefit of admission as a nonimmigrant under section 101(a)(15)(W), agrees to waive any right—

(i) to judicial review or appeal, or to any officer’s determination as to the alien’s admissibility; or

(ii) to contest any removal action, other than a removal action in an application for asylum pursuant to the provisions contained in section 208 or 211(b)(3), or under the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, done at New York December 10, 1984, if such removal action is initiated after the termination of the alien’s period of authorized admission as a nonimmigrant under section 101(a)(15)(W).

(3) REFUSAL TO WAIVE.—The Secretary may not refuse to grant nonimmigrant status to an alien under section 101(a)(15)(W) because an alien does not submit the waiver described in clause (i).

(4) DURATION.—The Secretary of Homeland Security shall require an alien to include with the application a signed certification in which the alien certifies that the alien has read and understood all of the questions on the alien’s application form, and that the alien certifies under penalty of perjury under the laws of the United States that the application, and any evidence submitted with it, are true and correct, and that the applicant authorizes the release of any information contained in the application or attached evidence for law enforcement purposes.

(c) IMPLEMENTATION AND APPLICATION TIME PERIODS.—The Secretary of Homeland Security shall ensure that the application process is secure and incorporates antifraud protection.

(1) IN GENERAL.—In determining an alien’s admissibility as a nonimmigrant under section 101(a)(15)(W), the Secretary of Homeland Security may waive paragraphs (5), (6)(A), (7), or (9)(B) or (C) of section 212(a) for conduct that occurred on a date prior to the date of the alien application for admission to a Secure Homeland Act of 2006; and

(2) The Secretary of Homeland Security may not waive—

(i) subparagraph (A), (B), (C), (E), (G), (H), or (I) of section 212(a)(2) (relating to crimes);

(ii) section 212(a)(3) (relating to security and related grounds); and

(iii) paragraphs (A), (C), or (D) of section 212(a)(10) (relating to polygamists, child abductors, and illegal voters); and

(C) occurs prior to the date that the Welcoming Immigrants to a Secure Homeland Act of 2006 was introduced in the Senate, the Secretary of Homeland Security may waive the application of any provision of section 212(a) not listed in subparagraph (B) on behalf of an individual alien for humanitarian purposes, to ensure family unity with a U.S. citizen or lawful permanent resident.

(2) CONSTRUCTION.—No provision in paragraph (1) shall be construed as affecting the admissibility of Homeland Security to waive the provisions of section 212(a) under any other provision of law.

(3) WAIVER FEE.—An alien who is granted a waiver pursuant to paragraph (1) shall pay a $100 fee upon approval of the alien’s visa application.

(4) RENEWAL OF AUTHORIZED ADMISSION AND SUBSEQUENT ADMISSIONS.—Notwithstanding paragraph (1), an alien seeking renewal of authorized admission or subsequent admission under section 101(a)(15)(W) shall establish that the alien is not inadmissible under section 212(a).

(b) BACKGROUND CHECKS.—The Secretary of Homeland Security may not admit, and shall not issue a visa to, an alien seeking admission under section 101(a)(15)(W) until all appropriate background checks, including any that the Secretary, in the Secretary’s discretion, may require, have been completed.

(1) INITIAL ADMITTANCE.—An alien may be admitted as a nonimmigrant under section 101(a)(15)(W) for a period of 3 years.

(2) SUBSEQUENT ADMITTANCE.—

(a) ADDITIONAL PERIODS.—The period described in paragraph (1) may be extended for 2 additional 3-year periods if the alien establishes that the alien is employed by an employer that utilizes the Employment Management System described in section 218C.

(b) RENEWAL APPLICATION.—An alien admitted as a nonimmigrant under section 101(a)(15)(W) who is seeking to extend the additional period of admittance shall submit a renewal application no more than 90 days and no less than 45 days before the end of the alien’s 3-year period of authorized admission.

(c) FEE.—An alien shall submit a fee of $100 along with the renewal application described in subparagraph (b).

(3) USE OF DOCUMENTATION.—The documentation described in section 218C shall be used to assist the alien in establishing that the alien is inadmissible under section 212(a) or is ineligible for employment under section 212(a). The event described in section 218C shall be permitted for an alien admitted under section 101(a)(15)(W) or the spouse or child of such alien admitted pursuant to subsection (i).

(4) TRAVEL OUTSIDE THE UNITED STATES.—

(1) IN GENERAL.—An alien admitted as a nonimmigrant under section 101(a)(15)(W) and the spouse or child of such alien admitted pursuant to subsection (i) may travel outside the United States.

(b) may be readmitted to the United States without having to obtain a new visa if the period of authorized admission under section 101(a)(15)(W) has not expired.

(2) EFFECT ON PERIOD OF AUTHORIZED ADMISSION.—Time spent outside the United States under paragraph (1) may not extend the period of authorized admission in the United States permitted for an alien admitted under section 101(a)(15)(W) or for the spouse or child of such alien admitted under subsection (i).

(5) PORTABILITY.—An alien admitted as a nonimmigrant under section 101(a)(15)(W) may be employed by any United States employer that utilizes the Employment Management System described in section 218C.

(b) WAIVER.—The Secretary of Homeland Security may, in the Secretary’s sole and unreviewable discretion, waive the application of subparagraph (A) for an alien and authorize the alien for employment without requiring the alien to depart the United States.

(6) ADJUSTMENT OF STATUS TO LAWFUL PERMANENT RESIDENT.

(1) ELIGIBILITY.—An alien admitted as a nonimmigrant under section 101(a)(15)(W) shall be eligible for an adjustment of status pursuant to section 245 after such alien has completed a period of employment in the United States of not less than 6 years.

(a) FAMILY ELIGIBILITY.—The spouse or child of an alien granted an adjustment of status as described in paragraph (1) shall be eligible as a derivative beneficiary for adjustment of status.

(7) NUMERICAL LIMIT.

(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Homeland Security may not accept petitions by more than 100,000 aliens as non-immigrants pursuant to section 101(a)(15)(W) during a fiscal year.
(2) AUTHORITY TO INCREASE LIMITATION.—The Secretary of Homeland Security may waive the numerical limitation described in paragraph (1) for a fiscal year if the Secretary determines that increasing such limitation would benefit the United States.

(b) INITIAL REQUEST OF APPLICATION.—The Secretary of Homeland Security shall begin accepting applications for nonimmigrant status under section 101(a)(15)(W) of the Immigration and Nationality Act, as added by section 201, not later than 6 months after the date of the enactment of this Act.

(c) CONFORMING AMENDMENT.—Section 248(b)(1)(C) of the Immigration and Nationality Act (8 U.S.C. 1255a(b)(1)(C)) is amended by inserting "ory (W)" and inserting "ory (W)", W).

SEC. 203. SPECIAL RULE FOR MEXICO.

(a) IN GENERAL.—No alien who is a citizen or national of Mexico shall be eligible for status as a nonimmigrant under section 101(a)(15)(W) of the Immigration and Nationality Act, as added by section 201, a change of status under section 212B of the Immigration and Nationality Act, as added by section 201, or for an immigration benefit described in section 602, or for an immigration benefit described in section 603, 604, or 665 until the date that the Government of Mexico enters into a bilateral agreement with the Government of the United States, as described in subsection (b).

(b) REQUIREMENTS FOR BILATERAL AGREEMENT.—The bilateral agreement referred to in subsection (a) shall require the Government of Mexico—

(1) to accept the return of a citizen or national of Mexico who is ordered removed from the United States not later than 5 days after such order is issued;

(2) to cooperate with the Government of the United States in—

(A) to identify, track, and reduce—

(i) gang membership and violence in the United States and Mexico;

(ii) human trafficking and smuggling between the United States and Mexico; and

(iii) drug trafficking and smuggling between the United States and Mexico; and

(B) to facilitate immigration from Mexico into the United States;

(C) to provide the Government of the United States with—

(A) apprehension information and criminal record of any citizen or national of Mexico who is seeking admission to the United States or is present in the United States;

(B) exit data maintained by the Government of Mexico to facilitate the entry-exit data systems maintained by the United States; and

(C) to carry out activities to educate citizens and nationals of Mexico regarding eligibility for status as a nonimmigrant under section 101(a)(15)(W) of the Immigration and Nationality Act, as added by section 201, or for a change of status under section 212B of the Immigration and Nationality Act, as added by section 201, of such alien as the Secretary determines is necessary to carry out the amendments made by this title.

(d) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security shall submit to Congress a report on the bilateral agreement described in subsection (c) and the activities of the Government of Mexico to carry out such agreement.

SEC. 204. STATUTORY CONSTRUCTION.

Nothing in this title, or any amendment made by this title, shall be construed to create any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary—

(A) to maintain the system for facilities, personnel (including consular officers), training, technology and processing necessary to carry out the amendments made by this title.

(b) TITLES III—NONIMMIGRANT GUEST WORKER STATUS FOR UNAUTHORIZED ALIENS.

SEC. 301. NONIMMIGRANT GUEST WORKER STATUS FOR UNAUTHORIZED ALIENS.

(a) IN GENERAL.—The Secretary of Homeland Security shall grant nonimmigrant status under section 101(a)(15)(W) to an alien who is in the United States illegally if such alien meets the requirements of this section.

(b) GENERAL REQUIREMENTS.—An alien may be eligible for a change of status under this section if the alien meets the following requirements:

(1) PRESENCE.—An alien must establish that the alien was physically present in the United States prior to the date of introduction of the alien to the United States and was not legally present in the United States under any classification set forth in section 101(a)(15)(W) on that date.

(2) EMPLOYMENT.—An alien must establish that the alien was employed in the United States prior to the date of introduction of such alien to the Senate and was not employed in the United States for 30 or more consecutive days since that date.

(3) MEDICAL EXAMINATION.—An alien shall, at the alien's expense, undergo a medical examination (including a determination of immunization status) that conforms to generally accepted professional standards of medical practice.

(c) APPLICATION CONTENT AND WAIVER.—

(1) APPLICATION FORM.—The Secretary of Homeland Security shall create an application form that an alien shall be required to complete as a condition of obtaining a change of status under this section.

(2) CONTENT.—In addition to any other information required by an immigration benefit of obtaining a change of status under this section, the Secretary shall require that the alien—

(A) provide answers to questions concerning the alien's criminal history and gang membership, immigration history, and involvement with groups or individuals that have engaged in terrorism, genocide, persecution, or who seek the overthrow of the Government of the United States;

(B) provide any Social Security account number in the possession of the alien or relied upon by the alien; and

(C) provide any false or fraudulent document in the alien's possession.

(3) WAIVERS.—

(A) AUTHORITY TO REQUEST.—The Secretary may request that an alien include with the application a waiver of rights that are otherwise inapplicable to the alien, based on the discretion of obtaining a change of status under this section, agrees to waive any right—

(i) to an administrative or judicial review or appeal of an immigration officer's determination as to the alien's admissibility; or

(ii) to contest any removal action, other than a removal action for an alien applying for asylum pursuant to the provisions contained in section 208 or 241(b)(3), or under the Conven-
under this section is secure and incorporates antifraud protection.

(2) APPLICATION.—An alien must submit an initial application for a change of status under this section not later than 3 years after the date of the enactment of the Welcoming Immigrants to a Secure Homeland Act of 2006. An alien that fails to comply with this requirement is ineligible for a change of status under this section.

(3) COMPLETION OF PROCESSING.—The Secretary of Homeland Security shall ensure that the applications for an extension described in subsection (b) under this section are processed not later than 3 years after the date of the application.

(4) LOCATION.—An alien applying for a change of status pursuant to this section or fails to depart from the United States prior to the date that is 6 years after the date of the enactment of the Welcoming Immigrants to a Secure Homeland Act of 2006 is not eligible for an extension or receive any immigration relief or benefit under this Act or any other law, with the exception of section 208 or 241(b)(3) of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.

(5) REQUIREMENT FOR EMPLOYMENT.—An alien who submits a biometric data if the alien submits biometric data in accordance with procedures established by the Secretary of Homeland Security.

(2) BACKGROUND CHECKS.—The Secretary of Homeland Security shall consult with the head of the Forensic Document Laboratory and such other Federal agencies as may be appropriate in designing the document.

(3) USE OF DOCUMENT.—The document may serve as a travel, entry, and work authorization document during the period of its validity.

(4) FAILURE TO DEPART.—(1) INADMISSIBILITY FOR FAILURE TO DEPART.—Subject to paragraph (2), an alien who fails to depart the United States prior to the date that is 10 days after the date that the alien's authorized period of admission under this section ends is not eligible for and may not apply for or receive any immigration relief or benefit under this Act or any other law for a period of 10 years.

(2) EXCEPTION.—The prohibition in paragraph (1) may not be applied to prohibit the admission of an alien admitted pursuant to section 208 or 241(b)(3) of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York, December 10, 1984.

(5) TRAVEL OUTSIDE THE UNITED STATES.—(1) IN GENERAL.—An alien granted a change of status under this section and the spouse or child of such alien admitted pursuant to subsection (o) may travel outside of the United States; and (B) may be readmitted without having to obtain a new visa if the period of authorized admission under this section has not expired.

(6) LIABILITY FOR PENALTIES OR FEES.—The employer of an alien granted a change of status under this section shall be liable to pay any fine, the amount of time, and on the same terms and conditions, as the alien granted a change of status under this section.

(7) NUMERICAL LIMIT.—There shall be no numerical limitation on the number of aliens granted a change of status under this section.

(8) PENALTIES FOR FALSE STATEMENTS.—(1) CRIMINAL PENALTY.—A violation of this Act or any other provision of law.

(9) FAMILY MEMBERS.—(1) IN GENERAL.—The spouse or child of an alien admitted as a nonimmigrant under this section may be admitted to the United States; and (B) under any other provision of law, if such family member is otherwise eligible for admission.

(10) APPLICATION FEE.—The spouse or child of an alien described in subsection (a) who is seeking to be admitted pursuant to this section shall, in addition to any other fee authorized by law, an additional fee of $100.

(11) NUMERICAL LIMIT.—There shall be no numerical limitation on the number of aliens granted a change of status under this section.

(12) PENALTY.—Any person who violates paragraph (A) shall be fined in accordance with title 18, United States Code, imprisonment not more than 5 years, or both.

(13) INADMISSIBILITY.—An alien who is convicted of a crime under paragraph (1) shall be considered to be inadmissible to the United States on the ground described in section 212(a)(6)(C)(i).
party against the United States or its agencies or officers or any other person.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as are necessary for facilities, personnel (including consular officers), training, technology, and processing necessary to carry out the amendments made by this title.

TITLE IV—EMPLOYMENT MANAGEMENT SYSTEM

SEC. 401. EMPLOYMENT MANAGEMENT SYSTEM.

The Immigration and Nationality Act (8 U.S.C. 1324a) is amended by inserting after section 218B, as added by section 301, the following new section:

"SEC. 218C. EMPLOYMENT MANAGEMENT SYSTEM.

(a) ESTABLISHMENT.—

"(1) PURPOSE.—The Secretary of Homeland Security, in consultation with the Secretary of Labor, the Secretary of State, and the Commissioner of Social Security, shall develop and implement a program to authorize, manage, and track the employment of aliens described in section 218A or 218B.

"(2) SCHEDULE.—The program required by subsection (a) shall commence prior to any alien being admitted as a nonimmigrant under section 101(a)(15)(W) pursuant to section 218A or 218B has been employed in the United States worker who applied for such vacancy was not hired;

"(3) REQUIREMENTS.—The program required by this section for each of fiscal years 2007 through 2011.

"(b) AUTHORITY.—The head of the Office of Justice Programs at the Department of Justice, in cooperation with the Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall establish protections for aliens who—

"(1) are employed by a legitimate company; or

"(ii) an employer who has hired an alien described in section 218A or 218B;

"(iv) the occupation, industry and length of time the alien described in section 218A or 218B has been employed in the United States.

"(c) USE OF GRANTS.—The grants awarded under this section shall be used to fund public education, training, technical assistance, government liaisons, and related costs (including personnel and equipment) incurred by nonprofit entities that provide services to aliens who may be benefited by the changes in immigration law made by this Act, and the amendments made by this Act, and to provide support to such entities.

"(d) AUTHORIZATION OF APPROPRIATIONS.—The funds awarded under this section shall be used to fund public education, training, technical assistance, government liaisons, and related costs (including personnel and equipment) incurred by nonprofit entities that provide services to aliens who may be benefited by the changes in immigration law made by this Act, and the amendments made by this Act, and to provide support to such entities.

SEC. 501. GRANTS TO SUPPORT PUBLIC EDUCATION AND TRAINING.

There are authorized to be appropriated to the Office of Justice Programs for each of fiscal years 2007 through 2011.

TITLE VI—HIGHLY EDUCATED AND SKILLED WORKERS

SEC. 601. REMOVAL OF NUMERICAL LIMITATIONS FOR NONMIGRANTS WITH ADVANCED DEGREES.

(a) IN GENERAL.—Section 214(b)(5)(C) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(C)) is amended by striking ", until the number of aliens who are exempted from such numerical limitation during such year exceeds 20,000," and inserting "; and at the beginning of that paragraph, inserting ", and to the extent possible, that the entities awarded grants under this section shall serve geographically diverse populations and other populations who may qualify for benefits under the Act or the amendments made by this Act;"

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to an alien who—

"(A) establishes that such aliens will be employed by the company; and

"(B) include an attestation that the employer will comply with the terms of the program required by subsection (a) and with all other applicable Federal, State, and local laws and regulations, including provisions to protect employees; and

"(C) include the number of such aliens the employer is seeking to employ.

"(2) FORM OF APPLICATION.—The Secretary shall permit an employer to submit the application described in paragraph (1) in a written or electronic form.

"(3) PROTECTION OF UNITED STATES WORKERS.—An employer may not hire an alien described in section 218A or 218B for a vacancy unless the employer submits an attestation to the Secretary of Homeland Security that—

"(i) the employer has advertised the position in a national, electronic job registry maintained by the Secretary of Labor for not less than 30 days;

"(ii) the employer complies and is equally or better qualified for the vacancy for which such alien is sought and who will be available at the time and place of need, and the employer will maintain records for not less than 1 year;

"(iii) the number of aliens described in section 218A or 218B that are employed by an employer under subsection (b). Such approval shall be valid for a 10-year period unless the Secretary, by regulation, in the discretion of the Secretary, revokes the approval.

"(4) Employment of such alien shall be paid not less than the greater of—

"(A) the hourly wage prescribed under section 313(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)); or

"(B) the prevailing electrical minimum wage;

"(5) the employer will pay such alien in a timely manner and accurately maintain all payroll records for such alien; and

"(6) the employment of such alien shall not adversely affect the working conditions of other similarly employed United States workers.

"(5) APPROVAL.—After determining that there are aliens who are qualified and willing to obtain the employment for which the employer is seeking an alien described in section 218A or 218B, the Secretary of Homeland Security may approve the application submitted by the employer under subsection (b). Such approval shall be valid for a 10-year period unless the employer, in the discretion of the Secretary, revokes the approval.

"(6) the employment of such alien shall not adversely affect the working conditions of other similarly employed United States workers.

The amendments made by this Act, and to the extent possible, that the entities awarded grants under this section shall serve geographically diverse populations and other populations who may qualify for benefits under the Act or the amendments made by this Act.

TITLES V—PROTECTION AGAINST IMMIGRATION FRAUD
(2) files such an application on or after such date.

SEC. 602. ALIENS NOT SUBJECT TO NUMERICAL LIMITATIONS ON EMPLOYMENT-BASED IMMIGRANTS.

(a) In General.—Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following new subparagraph:

"(F) Aliens who have earned an advanced degree in science, technology, engineering, or math from an accredited university in the United States who have been working in a related field in the United States under a non-immigrant visa during the 3-year period preceding their application for an immigrant visa under section 203(b).

"(G) Aliens described in subparagraph (A) or (B) of section 203(b)(1) or who have received a national interest waiver under section 203(b)(2)(B).

"(H) The spouse and child of an alien who is admitted as an employment-based immigrant under section 203(b).

(b) Applicability.—The amendment made by subsection (a) shall apply to an alien who—

(1) has submitted an application for a visa that is pending on the date of the enactment of this Act; or

(2) files such an application on or after such date.

SEC. 603. OFF-CAMPUS WORK AUTHORIZATION FOR FOREIGN STUDENTS.

(a) In General.—Aliens admitted as non-immigrant students described in section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) may be employed in an off-campus position unrelated to the alien’s field of study if—

(1) the alien has enrolled full time at the educational institution and is maintaining good academic standing;

(2) the employer provides the educational institution and the Secretary of Labor with an attestation that the employer—

(A) has attempted to recruit a citizen of the United States to fill such position for a period of not less than 3 months recruiting United States; and

(B) will pay the alien and other similarly situated workers at a rate equal to not less than the greater of—

(i) the actual wage level for the occupation at the place of employment; or

(ii) the prevailing wage level for the occupation at the place of employment; and

(3) the alien will not be employed more than—

(A) 20 hours per week during the academic term;

or

(B) 40 hours per week during vacation periods and between academic terms.

(b) Disqualification.—If the Secretary of Labor determines that an employer has provided an attestation under subsection (a)(2) that is materially false or has failed to pay wages in accordance with the attestation, the employer, after notice and opportunity for a hearing, shall be disqualified from employing an alien student under this section.

SEC. 604. TEMPORARY VISAS FOR GRADUATING STUDENTS.

Notwithstanding any other provision of law, the Secretary of Homeland Security shall grant a temporary nonimmigrant visa to an alien to permit the alien to remain in the United States while awaiting the issuance of an employment based non-immigrant visa if the alien—

(1) graduated with honors from an established college or university in the United States while admitted to the United States pursuant to a visa issued under subparagraph (F) or (G) of section 201(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15));

(2) has a bona fide offer of employment from an employer who utilizes the Employment Management System described in section 212(b) of the Immigration and Nationality Act, as added by section 401; and

(3) submits to the Secretary an application for such visa.

SEC. 605. TRAVEL AUTHORIZATION.

Notwithstanding any other provision of law, the Secretary of Homeland Security shall permit an alien attending an established college or university in the United States to travel outside of the United States if—

(1) the alien is admitted to the United States pursuant to a visa issued under subparagraph (F), (J), or (M) of section 201(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15));

(2) the purpose of such travel is to attend a meeting, seminar, lecture, or similar event in a field related to the alien’s field of study; and

(3) the alien submits to the Secretary a request for authorization for such travel not later than 30 days prior to the alien’s proposed date of departure.

SEC. 606. ADDITIONAL EMPLOYEES AND TECHNOLOGY.

(a) Increased Employers.—During each of fiscal years 2007 through 2011, the Secretary of Homeland Security shall—

(1) may not prohibit an nonimmigrant admitted under subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15));

(b) Improved Procedures.—The Secretary of Homeland Security shall take steps to improve technology and automated procedures to enhance visa processing times for visas applied for pursuant to subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

(c) Authorization of Appropriations.—There are authorized to be appropriated during each of fiscal years 2007 through 2011 such sums as may be necessary to carry out this section.

TITLE VII—TRAVEL RESTRICTIONS FOR TEMPORARY VISITORS

SEC. 701. TRAVEL RESTRICTIONS.

Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended by adding at the end the following new subsection:

"(a) The Secretary of Homeland Security shall not grant a nonimmigrant admission to an alien subject to subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) if—

(1) the alien is a national of a country of particular concern

or

(2) the alien is a national of a state of terrorism support

and

(3) the alien has within the past 5 years been determined to be a member of an organization that sponsors acts of international terrorism.

(b) Such restriction shall not apply to an alien admitted under subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) if—

(1) the alien has a substantial financial interest in the United States that is related to the alien’s purpose of travel;

or

(2) the alien demonstrates that the alien is not a threat to the security of the United States.

(c) The Secretary of Homeland Security shall, with the advice and consent of the Senate, by rule provide for the implementation of this section.

TITLE VIII—TEMPORARY AGRICULTURAL WORKERS

SEC. 801. SENSE OF THE SENATE ON TEMPORARY AGRICULTURAL WORKERS.

It is the sense of the Senate that consideration of any comprehensive immigration reform during the 109th Congress should include reform for immigration laws related to employment of agricultural workers.

By Mr. ALLEN (for himself, Mr. KERRY, Mr. SUNUNU, and Mrs. BOXER):

S. 2327. A bill to require the FCC to issue a final order regarding white spaces; to the Committee on Commerce, Science, and Transportation.

Mr. ALLEN. Madam Chairwoman, today I rise to introduce and present to my colleagues the Wireless Innovation Act of 2006. I am pleased to be the lead sponsor of this legislation, and I want to thank my colleagues Senator KERRY and Senator SUNUNU for working with me on this important issue.

The goal of the Wireless Innovation Act is to unleash the power of advanced technology and innovation to facilitate the development of wireless broadband Internet services. Specifically, our legislation allocates certain areas within the broadcast spectrum that are otherwise unassigned and un-used, known as white spaces, for wireless broadband services.

Unfortunately today, many people, from rural areas to big cities, either do not have access to broadband Internet service or simply cannot afford it. Our legislation will enable entrepreneurs to provide affordable, competitive high-speed wireless broadband services in areas that otherwise have no connectivity to broadband Internet. Additionally, in areas where broadband access currently is provided, either through Cable modem or DSL connection, our legislation will allow for a third alternative choice for consumers.

The Wireless Innovation Act encourages the most robust and efficient use of this Nation’s spectrum. After the transition to digital television is complete in February of 2009, 64 percent of the spectrum allocated to broadcast television use in the Richmond, VA, area will be vacant. Instead of sitting dormant, this valuable spectrum can be used to provide greater Richmond area residents with affordable wireless broadband, which some estimate to be as low as $10 per month. These white spaces exist in virtually every geographic area of the country, and I believe it is a valuable public resource that should be used for the benefit of all American consumers.

I recognize and fully appreciate the value that our television broadcasters serve in each and every local community. That is why our legislation protects incumbent local television stations from potential interference that may be caused using white spaces. In fact, my legislation ensures that all unlicensed devices must comply with the clear rules established by the Federal Communications Commission so there is no interference to licensed systems. These rules, along with the power of technology, can protect the television broadcast stations from any harmful interference.

By allowing white space to deliver wireless broadband across the country creates a new opportunity for innovators and entrepreneurs to provide a competitive broadband service at extremely low cost. This is especially compelling in rural areas where distance is so frequently the enemy of wire-line networks and the primary reason for the high cost of rural broadband deployment.

At a time when the United States is lagging behind much of the world in broadband penetration—and more than 60 percent of the country does not subscribe to broadband service primarily
because it is either unavailable or unaffordable—our legislation would put this country one step closer to closing the economic digital divide and achieving ubiquitous broadband Internet access throughout the country.

President Bush, to encourage the widespread adoption of broadband Internet access is vital to helping us keep pace with the new global economy. The benefits to Americans will include more jobs, better access to information, and commerce. Increased productivity, improved healthcare delivery, and more access to education and videoconferencing.

While the foreseeable benefit of this legislation is facilitating the development of wireless broadband services, the true beauty of unlicensed spectrum is that it allows for continued advancement and innovation, yielding benefits that are unimaginable today. A decade ago, no one could have imagined WiFi Internet access only yet, through the use of unlicensed spectrum, it was created. Four years ago, I worked on legislation with Senator BOXER to make more unlicensed spectrum available in the upper spectrum bands for further advancement and deployment of WiFi services. The Federal Communications Commission followed our lead and eventually made this spectrum available. Since then, WiFi has flourished.

Today, WiFi Internet access can be found in consumers’ homes, Starbucks Coffee shops, book stores, entire cities such as Alexandria, VA, and even here in the Senate Office buildings. The Telecommunications Industry Association estimates that sales of WiFi equipment reached $4.35 billion in 2004, and predicts spending on WiFi infrastructure will increase to $7 billion in 2008. It is now time to enable the next generation of wireless innovation by allowing these unlicensed spaces to be used for next generation wireless broadband services.

A guiding principle I have followed throughout my time in public service is that the Internet should remain as accessible as possible to all people in all parts of the country forever. That is why I sponsored the Internet Tax Non-discrimination Act, signed by the President in December 2004. That guiding principle is also what leads me, together with Senators KERRY and SUNUNU to introduce the Wireless Innovation Act today. With passage of this legislation, we can move forward to create an alternative that promotes broadband adoption using advances in technology and spectrum efficiency.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

SEC. 2. WHITE SPACES.
(a) COMPLETION OF ORDER.—Not later than 180 days after the date of enactment of this Act, the Federal Communications Commission shall complete and issue a final order regarding white space in the matter of Unlicensed Operation in the TV Broadcast Bands. Pursuant toPub.L. 104–188.
(b) CONDITIONS.—In completing the require-
ment described in subsection (a), the Federal Communications Commission shall in such final order—
(1) permit unlicensed, non-exclusive use of unlicensed and unlicensed television broadcast channels between 54 MHz and 698 MHz;
(2) establish technical guidelines and re-
quirements for the offering of unlicensed service in such band to protect incumbent li-
enced services and licensees from harmful interference; and
(3) require unlicensed devices operating in such band to comply with existing certifi-
cation processes.

By Ms. SNOWE (for herself and
Ms. COLLINS):
S. 2331. A bill to amend the Internal Revenue Code of 1986 to extend the pe-
diod for which the designation of an Aroostook County in my home State of Maine, can take advantage of the spe-
cial tax incentives for creating eco-

omic growth and community revital-
ization in empowerment zones. The bill

enables those economically depressed communities to take advan-
tage of these incentives, to secure the

full 15 years of targeted growth origi-
nally granted to the areas first desig-
nated as empowerment zones.

I believe all empowerment zone com-

munities need 15 years to reverse the
decades of decline that originally im-

pacted their economies. I have long

supported empowerment zone incent-

ives, and I believe that these targeted
tax incentives provide struggling com-

munities with the necessary advan-
tage of these incentives, to secure the

full 15 years of targeted growth origi-
nally granted to the areas first desig-
nated as empowerment zones.

Empowerment zones are vital to the

health of rural Maine. The story of

Aroostook County demonstrates how
decades of decline can force people to

leave their communities in order to find

to.

better, more stable, employment opportu-
nities. Since the 1960s, difficult eco-
nomic circumstances have caused a con-

tinued decline in Aroostook Coun-
ty’s population. In 1994, Loring Air

Force Base closed, the major employer in Aroostook County at the time, fur-

ther decimating the area’s already

crushed local economy. Together these

parties use the community’s strengths to build projects that address the

factors creating the area’s economic

sickness. These types of projects focus on building needed business and indus-
trial infrastructure, developing an edu-
cated workforce and diversifying local economies away from a reliance on one

employer or industry.

In 2002, Aroostook County was designated an empowerment zone based on

population loss, one of only two em-

powerment zones designated because of population decline. The community

used the Aroostook Partnership for Progress zone

strategy, initiatives, and projects.
Since its formation, the Partnership for Progress has steadfastly dedicated their time and resources to create a projected 1,500 new jobs and negotiated over $1.2 million worth of investments into Aroostook County. These numbers indicate the importance of community investment zone incentives to drive investment and strengthen local businesses in the area. Through the Aroostook Partnership for Progress, and the businesses working in the empowerment zone, are making significant progress—the factors causing poverty in this rural part of Maine cannot be eradicated quickly. Aroostook County’s strategic plan will take time to implement as infrastructure, industry, and other projects create greater economic capabilities and diversification. Although Aroostook County is working valiantly to overcome the factors causing their economic decline they will need more than 9 years to overcome 40 years of difficulties. I know that there are many other struggling Round II and Round III empowerment zone communities, like Aroostook, who need the maximum order to reverse the poverty and underdevelopment also plaguing those areas. I urge my colleagues to recognize the importance of making a long-term commitment to communities using empowerment zone incentives to work their way out of long-term poverty. I hope that each Senator will support the communities in their States, currently undertaking the painful process of economic transformation, by supporting passage of this economic development bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 382—RECOGNIZING KENNETH M. MEAD, SERVICE TO THE INSPECTOR GENERAL OF THE DEPARTMENT OF TRANSPORTATION

Mr. STEVENS (for himself, Mr. INOUYE, Mr. BURNTS, Mr. MCCAIN, Mr. ROCKEFELLER, Mr. LOTT, Mr. LUTENBERG, Mr. SUNUNU, Mr. PRIOR, and Mr. NELSON of Florida) submitted the following resolution; which was considered and agreed to:

Resolved, That the United States Senate commends Kenneth M. Mead for his more than 8 years of faithful and exemplary service to the Nation as the Inspector General of the Department of Transportation, and expresses its deep appreciation and gratitude for his long and outstanding service.

S. Res. 382

Whereas Kenneth M. Mead has announced his retirement as the Inspector General of the Transportation Security Administration after nearly 9 years of service in that position;

Whereas Kenneth M. Mead and his staff conducted investigations independently, impartially, and with rigorous professionalism into myriad issues affecting transportation and transportation policy;

Whereas Kenneth M. Mead and his staff provided independent, thorough, and relevant commentary and recommendations on a wide-range of Federal transportation policies and programs, including aviation operations and safety, the Department of Transportation auto and truck operations and safety, transportation security, rail operations and safety, and pipeline and hazardous materials transportation safety;

Whereas, during Kenneth M. Mead’s tenure as Inspector General, the events of September 11, 2001, had a dramatic impact on the Federal government’s relationship with the aviation industry and posed significant challenges for ensuring the safety and security of our transportation in general and the United States aviation industry in particular;

Whereas Secretary of Transportation Norman Mineta, recognized Kenneth M. Mead’s contributions by describing him as “a tireless advocate for setting the highest possible standards of integrity, accountability, and performance,” and efforts to make the Nation’s transportation system as safe and efficient as possible; Now, therefore, be it

Resolved, That the United States Senate commends Kenneth M. Mead for his more than 8 years of faithful and exemplary service to the Nation as the Inspector General of the Department of Transportation, and expresses its deep appreciation and gratitude for his long and outstanding service.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Kenneth M. Mead.

SENATE RESOLUTION 383—CALLING ON THE PRESIDENT TO TAKE IMMEDIATE STEPS TO HELP IMPROVE THE SECURITY SITUATION IN DARFUR, SUDAN, WITH AN EMPHASIS ON CIVILIAN PROTECTION

Mr. BIDEN (for himself, Mr. BROWNBACK, Mr. OBAMA, Mr. LUGAR, Mr. FEINGOLD, and Mr. DODD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 383

Whereas, the April 8, 2004, N’Djamena Ceasefire Agreement for an end to hostilities in Darfur, Sudan, has been flagrantly violated by all parties to the agreement;

Whereas the Government of Sudan continues to commit crimes against humanity and engage in genocidal acts in Darfur;

Whereas the signing of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan People’s Liberation Movement/Sudan People’s Liberation Army (SPLM/SPLA) on January 9, 2005, has not resulted in an improvement of the security situation in Darfur;

Whereas United Nations Secretary-General KoF Annan has indicated that, “People in many parts of Darfur continue to be killed, raped, and driven from their homes by the thousands.”;

Whereas the United Nations officials have stated that at least 70,000 people have died due to violence and insecurity in Darfur, but that the total may be as high as 400,000 people;

Whereas nearly 2,000,000 people have been internally displaced, making the Government of Sudan People’s Liberation Movement/Sudan People’s Liberation Army (SPLM/SPLA) one of the largest in the world;

Whereas the N’Djamena Ceasefire Agreement by the Government of Sudan and rebels in Darfur, particularly the Sudan Liberation Army-IN Movement (SLA-IN) and the Sudan Liberation Army-Justice and Equality Movement (SLA-JEM), has not resulted in a significant reduction of violence in Darfur;

Whereas United Nations Security Council Resolution 1738 has not resulted in a reduction of violence in Darfur;

Whereas, as the deteriorating security situation in Darfur indicates, the people of Darfur cannot wait that long for security to be reestablished;

Whereas the international community currently has no plan to address the immediate security needs of the people of Darfur; and

Whereas all members of the international community must participate in efforts to stop genocide, war crimes, and crimes against humanity in Darfur;

Now, therefore, be it

Resolved, That the Senate—

(1) strongly condemns—

(A) the continued attacks on civilians in Darfur by the Government of Sudan and Government-sponsored militias; and

(B) the continued violations of the N’Djamena Ceasefire Agreement by the Government of Sudan and rebels in Darfur, particularly the Sudan Liberation Army-IN Movement (SLA-IN) and the Sudan Liberation Army-Justice and Equality Movement (SLA-JEM);

(2) commends the Africa Union Mission in Sudan (AMIS) for its actions in monitoring the N’Djamena Ceasefire Agreement in Darfur and its role in diminishing some acts of violence;

(3) calls upon all parties to the N’Djamena Ceasefire Agreement—

(A) to abide by the terms of the N’Djamena Ceasefire Agreement; and

(B) to engage in good-faith negotiations to end the conflict in Darfur;

(4) calls upon the Government of Sudan immediately—

(A) to withdraw all military aircraft from the region;

(B) to cease all support for the Janjaweed militia and rebels from Chad; and

(C) to disarm the Janjaweed;

(5) calls on the African Union to request assistance from the United Nations and NATO to strengthen its capacity to deter violence and instability until a United Nations peacekeeping force is fully deployed in Darfur;

(6) calls upon the United Nations Security Council to approve as soon as possible, pursuant to Chapter VII of the Charter of the United Nations, a United Nations peacekeeping mission for Darfur that is well trained and equipped and has an adequate troop strength;

(7) urges the President to take steps immediately to help improve the security situation in Darfur, including—

(A) proposing that NATO—

(i) consider how to implement and enforce a declared no-fly zone in Darfur; and

(ii) deploy troops to Darfur to support the African Union Mission in Sudan (AMIS) until a United Nations peacekeeping mission is fully deployed in the region; and

(B) requesting supplemental funding to support a NATO mission in Darfur and the African Union Mission in Sudan (AMIS);

(8) calls upon NATO allies, led by the United States, to support such a mission; and

(9) calls upon NATO headquarters staff to begin prudent planning in advance of such a mission.

Mr. BIDEN. Mr. President, today, with my friend from Kansas, Senator BROWNBACK, I am submitting a resolution urging the President to help stop genocide in Sudan. The killing in Darfur has gone on way too long.
In July of 2004, Congress declared the actions that were taking place in Darfur, Sudan genocide. Two months later, the administration issued a report which reached the same conclusion. In the 17 months since then, little has changed for the people of Darfur. Two million people have been driven from their homes, 3 million rely on international aid, and over 200,000 are refugees in Chad.

The security situation in Darfur remains dire. The Secretary General and other United Nations officials have warned that the region is on the verge of chaos. In parts of Darfur, the U.N. and other aid agencies have had to pull back staff.

The U.N., led by the United States, has taken the first step towards authorizing a peacekeeping force, but it could be a year from now—a year before such a force completely deploys.

What are the men, women and children of Darfur supposed to do in the meantime? Keep their fingers crossed that they are not attacked by the janjaweed, or caught in the cross-fire between the government and rebel forces?

Some believe that the crisis in Darfur is over. All the violence, these folks argue, is small scale, and residual in nature. They argue that the African Union successfully halted the killing of innocent civilians. Maybe that is why the administration has no concrete plans to improve the security situation in Darfur until the U.N. can get on the ground.

What I would say to those who argue that the worst is over is this: over the course of the last 2 years, the government of Sudan and its surrogates killed as many as 400,000 people and drove one third of the population of Darfur off their land. Two million people remain in internally displaced or refugee camps. Attacks continue. It may be true that they are not as systematic as they were 6 months or a year ago, but I submit to you that it is not because the African Union stopped the attacks. It is because systematic attacks are no longer necessary for the government to continue to terrorize civilians. It is because as many as 400,000 people already are dead, and hundreds if not thousands of villages have already been destroyed. The attacks may be less systematic, but they are not over. And it does not make them less horrific.

I traveled to the Chad-Sudan border in May of 2005. One of the sector commanders from the African Union force came across the border to meet with me. He told me point blank, that he had neither the manpower, the equipment nor the mandate to stop attacks on civilians. But we in the west have the manpower and the equipment—and, if the political will is there, we can secure the right mandate. And that is why we must help.

This resolution calls for the President to provide such help through NATO. It calls on the President to propose that NATO get involved by sending troops to Darfur to support the African Union until the United Nations can get on the ground, and considering how NATO can enforce a no-fly zone in Darfur. The resolution calls on NATO to begin planning in anticipation of such a mission.

Let me be clear about what I am not proposing in this resolution. I am not proposing a third peacekeeping mission be sent to Darfur. I am suggesting that NATO increase the support it is already lending to the African Union with well-trained and equipped troops to help with command and control, communications, and dissemination of intelligence, on the ground. And I am proposing that these troops stay in Darfur only until the U.N. force has deployed all of its troops. My colleagues should also note that the resolution urges the Security Council to authorize a Chapter VII mission for Darfur—one with an adequate number of well-trained and equipped soldiers—as quickly as possible, so that NATO troops are not engaged in an open ended mission.

The world watched nearly a million people get slaughtered in Rwanda 12 years ago this April. We did nothing. But I’d like to think that we learned from that mistake. We did act in Bosnia, and then in Kosovo, to stop ethnic cleansing. Neither mission was popular. But President Bill Clinton took decisive action because the consequences of inaction were simply too high: We could not stand by and allow Yugoslav President Slobodan Milosevic and his thugs to fill up more mass graves. We cannot fail to take action in Darfur as well.

MEASURE PLACED ON THE CALENDAR—S. 2320

Mr. FRIST. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The Senator is correct.

The clerk will read the bill for a second time.

The assistant legislative clerk read as follows:

A bill (S. 2320) to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

Mr. FRIST. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

EXECUTIVE SESSION

NOMINATIONS DISCHARGED

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session; provided further that the Commerce Committee and the Foreign Relations Committee be discharged from further consideration of the following nominations: from the Commerce Committee, Coast Guard nominations PN 1289; and from the Foreign Relations Committee, Richard Boucher, PN 1167; further that the Senate proceed to their consideration en bloc.

Finally, I ask unanimous consent that the nominations be confirmed, with the motions to reconsider laid upon the table, the President be immediately notified of the Senate’s action, and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE COAST GUARD

The following named officers for appointment to the grades indicated in the United States Coast Guard under title 14, U.S.C., section 211:

To be lieutenant

Michael W. Albert, 0000
David J. Aldous, 0000
Leonard H. Allen, 0000
David M. Alvarez, 0000
Samuel L. Alvord, 0000
David F. Amos, 0000
JASON K. Appleberry, 0000
Segundo J. Argudo, 0000
Reginald L. Baird, 0000
Ryan A. Barone, 0000
Scott P. Barton, 0000
Anne M. Becker, 0000
Robert W. Bilbo, 0000
Michael L. Bowman, 0000
Lance J. Brant, 0000
Richard J. Burke, 0000
VICTOR G. Buskirk, 0000
Andres Camargo, 0000
Donald B. Campbell, 0000
James D. Cannon, 0000
Christy S. Casey, 0000
Justin M. Cassell, 0000
John T. Catanzaro, 0000
Robert S. Clarke, 0000
Paul J. Coleman, 0000
Jeffrey M. Collins, 0000
Ross E. Comer, 0000
Carlos M. Crespo, 0000
Paul J. Crookshank, 0000
Martin J. Dietzch, 0000
Brian J. Donahue, 0000
William R. Dunbar, 0000
Bryan L. Dunlap, 0000
Charles Engringer, 0000
Jay S. Fair, 0000
PaulA. Favcett, 0000
Krystonyn N. Finch, 0000
Jason P. Frank, 0000
Frank A. Fusco, 0000
Frank A. Fusco, 0000
Carlos F. Gavilanes, 0000
Greg S. Gedemer, 0000
Aaron G. Green, 0000
Catharine D. Gross, 0000
Anthony D. Guild, 0000
Mark A. Haag, 0000
Christopher E. Haley, 0000
Joy E. Hall, 0000
Robert P. Hill, 0000
Frank L. Hinson, 0000
Giles C. Hoback III, 0000
Matthew M. Hobbie, 0000
Robert E. Hollinger, 0000
Timothy D. Howard, 0000
Thomas P. Hrynyshyn, 0000
Donald K. Isom, 0000
Jack W. Jackson, 0000
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APPOINTMENT AUTHORIZATION

Mr. FRIST. I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or inter-parliamentary conferences authorized by law, by current action of the two Houses, or by order of the Senate. Without objection, it is so ordered.

ADJOURNMENT OF THE HOUSE AND SENATE

Mr. FRIST. I ask unanimous consent that the Senate now proceed to the consideration of H. Con. Res. 345, the adjournment resolution; provided that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 345) was agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any day of its legislative session, other than on a day on which the Senate is in session, it stand adjourned until 2 p.m. on Tuesday, February 28, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day of its legislative session, it stand adjourned until 2 p.m. on Tuesday, February 28, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day of its legislative session, the Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 28, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day of its legislative session, the majority leader and the senior Senator from Virginia be authorized to sign duly enrolled bills or joint resolutions.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

SIGNING AUTHORIZATION

Mr. FRIST. Mr. President, I ask unanimous consent that during the adjournment of the Senate, the majority leader and the senior Senator from Virginia be authorized to sign duly enrolled bills or joint resolutions.

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

APPOINTMENT AUTHORIZATION

Mr. FRIST. I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or inter-parliamentary conferences authorized by law, by current action of the two Houses, or by order of the Senate. Without objection, it is so ordered.

ADJOURNMENT OF THE HOUSE AND SENATE

Mr. FRIST. I ask unanimous consent that the Senate now proceed to the consideration of H. Con. Res. 345, the adjournment resolution; provided that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 345) was agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any day of its legislative session, other than on a day on which the Senate is in session, it stand adjourned until 2 p.m. on Tuesday, February 28, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day of its legislative session, the Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 28, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day of its legislative session, the majority leader and the senior Senator from Virginia be authorized to sign duly enrolled bills or joint resolutions.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

SIGNING AUTHORIZATION

Mr. FRIST. Mr. President, I ask unanimous consent that during the adjournment of the Senate, the majority leader and the senior Senator from Virginia be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.
from Friday, February 17, 2006, through Tuesday, February 21, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall be in order for the Senate to consider any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

Sec. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Majority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate in their opinion, the public interest shall warrant it.

MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE SMALL BUSINESS ADMINISTRATION

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4745, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4745) making supplemental appropriations for fiscal year 2006 for the Small Business Administration’s disaster loans program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. LANDRIEU. Mr. President, after the close of business on February 9, 2006, the Small Business Administration’s disaster loan program was going to run out of money 4 days later on February 13, 2006. I was outraged that my office was only made aware of the situation because USA Today was about to do a story on it. The Disaster Loan Program is one of the most important lifelines that the people of my State are relying on to pull themselves out of the destruction wrought by Hurricanes Katrina and Rita. When SBA first knew about the funding shortfall in this program, the Senators from Louisiana, Mississippi, Florida, Texas, and Alabama should have been the first people told. No doubt some of my colleagues may only have learned about this in the media. That is not how a Federal agency should notify Congress of important developments.

The administration has requested, and the Appropriations Committee has approved, a reprogramming of $100 million from SBA’s salaries and expenses account to the Disaster Loan Program to keep it funded for another 2 weeks. The program will still need additional funding beyond this. H.R. 4745, that is before the Senate today, will allow for a reallocation of $712 million in funds from the Federal Emergency Management Agency in order to keep the Disaster Loan Program running until the end of April. They hope that by then Congress will have acted on an additional Katrina supplemental appropriations bill to keep the Disaster Loan Program funded through the end of the fiscal year. I certainly support this legislation and I am pleased that SBA acted to keep the Disaster Loan Program funded.

But even with these temporary extensions, this latest incident is just another example of the poor performance of SBA under the current Administrator Hector Barreto. SBA told us that it has known about the problem since December when they realized that their average disaster loan size for damage as a result of Katrina was double what they had previously experienced in the program. So all of their estimates were off. They knew that the amount of money they had budgeted for disaster loans to businesses and homeowners for the program would not last. But they never said anything to us about it—until they thought that the press would tell us first.

The Small Business Committee held hearings focusing on SBA’s disaster response to Katrina and Rita, so the agency knew that this was a major concern to the chair and ranking member of the committee, Senator Snowe and Senator Vitter, not to mention my colleague from Louisiana, Senator VITTER. The committee staff is in almost daily contact with SBA, giving SBA ample opportunity to discuss upcoming issues that would warrant congressional action. But at SBA raised this issue, everything was fine.

When the administration released the Federal budget for 2007, SBA made no mention that the Disaster Loan Program was going to need additional funding. The SBA’s Chief Financial Officer took part in budget briefings for staff along with other SBA officials. Again no mention that the Disaster Loan Program was running out of money.

Mr. President, if this was an isolated incident or oversight, I would not be nearly as disappointed. But this is far from an isolated event. My constituents have been complaining about SBA and the Disaster Loan Program since the earliest days after the disaster. Katrina and Rita catastrophically destroyed or damaged over 18,000 businesses and over 200,000 homes in Louisiana alone. Early on after the storm, disaster victims had to wait months for any action from SBA. The agency did not have enough staff on the ground to do damage assessments. The situation has improved since those early days, and the SBA has finally heeded our calls to contract out the loss verification process to speed things up. I commend them for coming to their senses on that, but I still believe that the SBA’s slow start has led to business failures and has left many homeowners without any hope of returning home.

In Furthermore, SBA’s failure to accurately track the finances of the Disaster Loan Program, and more importantly, its neglect in keeping Congress updated on this developing problem, is evidence of a culture of inefficiency that goes through to the highest levels of the SBA. I want to know what these officials knew and when they knew it, because certainly no one in Congress or the American public knew about this until February 6—12 days—I repeat 12 days—before the program was set to run out of money.

Mr. President, Katrina and Rita threw the gulf coast into a state of uncertainty. SBA’s handling of the Disaster Loan Program has only made this feeling of uncertainty worse. We need more than a string of temporary fixes to the financial viability of the program to ensure that the dollars will be there for the people in the gulf who are trying to rebuild. We need a permanent solution or else the management mistakes of the past will continue to plague the SBA’s disaster response for future disasters.

Mr. KERRY. Mr. President, the Small Business Administration’s disaster loan program is facing another shutdown this month unless Congress passes a bill to provide the program with more funding. A shutdown of this program would further delay the recov- ery of the gulf, where hundreds of thousands of business owners and homeowners have been waiting months for the administration to process and disburse loans to help them pay their bills and start rebuilding their businesses and homes.

As of this week, according to the SBA’s data, out of more than 60,000 loans approved for businesses and homeowners, only 37,000 have made it to the gulf and are partially or fully disbursed. And out of the almost 375,000 applications received, 190,000 are still waiting to be processed. The families and businesses waiting should not be subjected to yet another roadblock to assistance through the disaster loan program.

The mismanagement of the SBA’s disaster loan program has been well-documented on national news programs like CNN and in major papers like the Washington Post. The Committee on Small Business and Entrepreneurship has held two hearings on the matter. Adding to the problems, the SBA was not paying attention to the books and didn’t realize it was making larger loans and spending more than it had estimated. This lack of oversight brought the program to the brink of shutting down.

When the President’s budget was released on February 6, the SBA discovered it only had enough money to make it to February 13. Instead of being forthcoming about the problem when the SBA and its financial team came up to brief the Oversight Committee on SBA’s budget and financial standing, they were silent. Luckily, as has been the pattern since President Bush has been in office, the Congress stepped in to pass emergency legisla- tion to keep one of SBA’s small business programs up and running. Specifically, Congress approved a last-minute request from the administration to reprogram $100 million from
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SBA’s disaster administrative funds into the account for disaster loans. Unfortunately, not only did SBA wait until the last minute to seek assistance, but the assistance it sought was not enough to keep the program running long—just enough to keep the program running from February 14 to maybe the end of the month. To make it through the year, the SBA needs an estimated $1.3 billion.

Demonstrating yet another lapse in judgment, the administration did not plan to seek the entire amount to avoid another shutdown but instead decided to take a piecemeal approach. Their plan was to ask now for enough money to make it through July and then later in the year to seek the rest of the needed funding. I disagreed with this approach and urged the President and Senator Majority Leader Frist to request the entire funding at one time and to move the funding measure as a freestanding bill. It would pass before the Congress breaks for the Presidents Day recess. Waiting until Congress comes back on February 28 would be too risky given that SBA only has the $100 million it requested to keep going.

Given all that is at stake for the families and businesses in the gulf, I am very glad that today, before we recess, the Senate is considering H.R. 4745, a bill to provide funding to the SBA’s disaster loan program. I am glad that Congress was able to come to the administration’s rescue to pass another emergency bill, one that is freestanding. I only wish the bill provided the full $1.3 billion instead of $712 million. This will only keep the program running through April. However, the House has already recessed, so we are not in the position to add more funding at this time.

I hope this bill gives some peace of mind to those in the gulf waiting for help. But I fear that when we come back we can be just as swift in approving a final measure to fully fund the disaster loan program.

In closing, I ask unanimous consent that letters from me and my colleagues be printed in the RECORD.

Sincerely,

JOHN F. KERRY,
U.S. SENATE, COMMITTEE ON SMALL BUSINESS & ENTREPRENEURSHIP
WASHINGTON, DC, FEBRUARY 14, 2006.

Re Averting Shutdown of SBA’s Disaster Loan Program.

The PRESIDENT.
The White House, Washington, DC.

DEAR MR. PRESIDENT: We have just received word that the Small Business Administration’s (SBA) disaster loan program was on the brink of running out of money next week, on February 13, 2006. Our Committee was not notified until this week that the SBA needed more funding, and according to documents I have just received, not even the appropriators were notified until recently. Indeed, until the last minute to try and avoid a shutdown, further exacerbating the disaster loan program’s failure to meet the urgent needs of hurricane victims in the Gulf, the Administration should have notified Congress of this problem sooner. This is reminiscent of the way in which the Administration handled the shutdown of its largest small business lending program two years ago and the way it handled the shortage of funds to pay SBA’s disaster loan staff during the 2004 Florida hurricanes.

Mr. President, your FY2007 budget was released on Monday, and you deployed your full staff out to the various oversight committees this week to promote your priorities for the various agencies and departments and to justify the requests. Among other key SBA employees you met with the SBA’s Chief Financial Officer. No one should be in a better position to know the Agency’s fiscal standing in its accounts. Yet, not once did the CFO or anyone from the SBA mention a need for additional disaster loan funding.

For too long, you have ignored the mismanagement of the SBA. The draconian cuts to the SBA by this Administration have proven deleterious to the delivery of resources important to small businesses across the nation. The near-shutdown of the disaster loan program demonstrates the short-sightedness of these budget cuts.

This is reminiscent of the way in which the Administration handled the shutdown of its inspection general of the Department of Transportation during the 2004 Florida hurricanes. We are waiting to be processed, and 35 percent of the business owners are waiting for their loan applications to be processed.

Unfortunately this will only fund the disaster loan program through July, requiring a last-minute request from the CFO for an additional $300 million to be reallocated from its Disaster Relief Fund.

Instead, I ask unanimous consent that the bill be read as a freestanding bill rather than combining it with other bills that run the risk of delay because of unrelated controversies.

Instead of seeking the full amount, SBA has informed the Committee that the Administration intends to request only part of the needed money now, through a reallocation of $1 billion from the unspent funds in the Federal Emergency Management Agency’s (FEMA) Disaster Relief Fund. Unfortunately this will only fund the disaster loan program through April. If this request should move as a free-standing bill, rather than combining it with other bills that run the risk of delay because of unrelated controversies.

In summary, we seek your cooperation to immediately pass a free-standing bill in the Senate that would authorize FEMA to re-allocate from its Disaster Relief Fund $1.3 billion to the SBA’s Disaster Loan program. And we request that any reallocated funds from the Disaster Relief Fund be restored as soon as possible through the next supplemental emergency funding bill that Congress enacts.

Sincerely,

JOHN F. KERRY,
CARL LEVIN,
MARK PEYOR,
MARY LANDREIUE,
MARIA CANTWELL,
TOM HARKIN,

Mr. Frist, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDENT.

Mr. Frist. Mr. President, your FY2007 budget was released on Monday, and you deployed your full staff out to the various oversight committees this week to promote your priorities for the various agencies and departments and to justify the requests. Among other key SBA employees you met with the SBA’s Chief Financial Officer. No one should be in a better position to know the Agency’s fiscal standing in its accounts. Yet, not once did the CFO or anyone from the SBA mention a need for additional disaster loan funding.

For too long, you have ignored the mismanagement of the SBA. The draconian cuts to the SBA by this Administration have proven deleterious to the delivery of resources important to small businesses across the nation. The near-shutdown of the disaster loan program demonstrates the short-sightedness of these budget cuts.

As you are aware, the SBA Disaster Loan program would have run out of money yesterday, February 13, 2006, if the Congress had not allocated an additional $300 million to the SBA’s Disaster Loan program. The bill (H.R. 4745) was read the third time and passed.

RECOGNIZING KENNETH M. MEAD’S SERVICE AS INSPECTOR GENERAL OF THE DEPARTMENT OF TRANSPORTATION

Mr. Frist. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 382, which was submitted earlier today.

The PRESIDENT.

Mr. President, your FY2007 budget was released on Monday, and you deployed your full staff out to the various oversight committees this week to promote your priorities for the various agencies and departments and to justify the requests. Among other key SBA employees you met with the SBA’s Chief Financial Officer. No one should be in a better position to know the Agency’s fiscal standing in its accounts. Yet, not once did the CFO or anyone from the SBA mention a need for additional disaster loan funding.

For too long, you have ignored the mismanagement of the SBA. The draconian cuts to the SBA by this Administration have proven deleterious to the delivery of resources important to small businesses across the nation. The near-shutdown of the disaster loan program demonstrates the short-sightedness of these budget cuts.

As you are aware, the SBA Disaster Loan program would have run out of money yesterday, February 13, 2006, if the Congress had not allocated an additional $300 million to the SBA’s Disaster Loan program. The bill (H.R. 4745) was read the third time and passed.

ReCOGNIZING KENNETH M. MEAD’S SERVICE AS INSPECTOR GENERAL OF THE DEPARTMENT OF TRANSPORTATION

Mr. Frist. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 382, which was submitted earlier today.

The PRESIDENT.

The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 382) recognizing Kenneth M. Mead’s service as Inspector General of the Department of Transportation.

Mr. Frist. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the resolution.

Mr. STEVENS. Mr. President, I take this opportunity to commend Kenneth M. Mead’s service as Inspector General of the Department of Transportation. I am joined by Commerce Committee Co-chairman Senator Inouye and committee members Senators Burns, McCain, Rockefeller, Lott, Lautenberg, Sununu, Pryor, and Bill Nelson.

On February 11, 2006, Mr. Mead announced his retirement as the inspector general of the Department of Transportation.
Transportation after nearly 9 years of service in that position. In those 9 years of service, Mr. Mead and his staff conducted countless investigations in an independent, impartial, and professional manner regarding numerous issues affecting the Department.

Mr. Mead appeared before the committee as a witness on several occasions throughout his tenure, and the committee always found that he provided independent, thorough, and relevant commentary and recommendations concerning a wide range of Federal transportation policies and programs. His contributions to transportation safety are greatly appreciated by the current and former members of the committee.

On behalf of the Commerce Committee, I ask that the Senate recognize and commend Kenneth M. Mead for his more than 8 years of exemplary service to the Nation as the inspector general of the Department of Transportation, and we express our deep appreciation and gratitude for his long and outstanding service.

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. 382) was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 382

Whereas Kenneth M. Mead has announced his retirement as the Inspector General of the Department of Transportation after nearly 9 years of service in that position;

Whereas Kenneth M. Mead and his staff conducted investigations independently, impartially, and with professional thoroughness into myriad issues affecting transportation and transportation policy;

Whereas Kenneth M. Mead and his staff provided continuous, thorough, and relevant commentary and recommendations concerning a wide range of Federal transportation policies and programs, including aviation operations and safety, highway, auto and truck operations and safety, transportation security, rail operations and safety, and pipeline and hazardous materials transportation safety;

Whereas, during Kenneth M. Mead’s tenure as Inspector General, the events of September 11, 2001, had a dramatic impact on the Department’s relationship with the aviation industry and posed significant challenges for ensuring the safety and security of public transportation in general and the United States aviation industry in particular;

Whereas Secretary of Transportation Norman Mineta recognized Kenneth M. Mead’s contributions by describing him as “a tireless advocate for setting the highest possible standards of integrity, accountability, and performance” in the Department’s efforts to make the Nation’s transportation system as safe and efficient as possible: Now, therefore, be it

Resolved, That the United States Senate commends Kenneth M. Mead for his more than 8 years of faithful and exemplary service to the Nation as the Inspector General of the Department of Transportation, and expresses its deep appreciation and gratitude for his long and outstanding service.

SNC 2. The Secretary of the Senate shall transmit a copy of this resolution to Kenneth M. Mead.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today’s Executive Calendar: Calendar Nos. 286, 294, 521, 522, 524, 525, 526, 527, 528, 544, 545, and 546.

Finally, I ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate’s action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE NAVY

The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (hb) Craig O. McDonald, 0000

To be rear admiral (lower half)

Capt. Raymond P. English, 0000

EXECUTIVE OFFICE OF THE PRESIDENT

Carol E. Dinkins, of Texas, to be Chairman of the Privacy and Civil Liberties Oversight Board.

Alan Charles Raul, of the District of Columbia, to be Vice Chairman of the Privacy and Civil Liberties Oversight Board.

Stephen C. King, of New York, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2008.

STEPHEN C. KING

Preston M. Geren, of Texas, to be Under Secretary of the Army.

James I. Finley, of Minnesota, to be Deputy Under Secretary of Defense for Acquisition and Technology.

THOMAS P. D’AGOSTINO

Randall S. Kroszner, of New Jersey, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 1994.

Kevin M. Warah, of New York, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2004.

EXECUTIVE OF THE PRESIDENT

Edward P. Lazear, of California, to be a Member of the Council of Economic Advisers.

Mr. CORNYN. Mr. President, I rise today in support of the nomination of Carol Dinkins of Houston, TX, to be the chair of the Privacy and Civil Liberties Oversight Board.

Congress recently created this important position based on the recommendation of the 9/11 Commission. The Privacy and Civil Liberties Oversight Board is designed to monitor and uphold our nation’s commitment to defend civil liberties. Part of the board’s responsibilities will be to provide honest, responsible, and fair review of the development and implementation of policies and programs, and ensure that branch policies specifically with respect to our Federal Government’s commitment to protect America from the ongoing threat of terrorism.

The board will play an important role in ensuring that privacy and civil liberty concerns are appropriately considered. Such oversight is important because, as a Nation, we proudly revere our civil liberties. We must remain committed to vigorously defend them, in order to ensure that we remain a beacon of freedom to the rest of the world.

Congress strives to strike a careful and wise balance between national security and civil liberties. While this is not always easy, I believe we do so with the best interests of our Nation in mind—and do so in an honest and good faith manner.

Ms. Dinkins is the right person for this important position, as she has proven throughout her distinguished career to share these values. Her vast public service and private-sector experience will allow Carol Dinkins to offer unique perspectives to the privacy board. As Deputy Attorney General under President Reagan—the second-highest ranking position in the Department of Justice—Ms. Dinkins was responsible for the day-to-day management of the Justice Department’s more than 60,000 employees. Moreover, she played a significant role in the development of the Reagan administration’s criminal justice and anti-terrorism policies.

Ms. Dinkins has also been a long-time partner in the distinguished Texas law firm of Vinson & Elkins. She has devoted a substantial amount of her time to a variety of public service initiatives, including service on the American Bar Association, and has also donated significant time to activities designed to promote conservation and protect the environment.

I am proud to support Carol Dinkins for this position and am confident that she will serve the Nation with honor and distinction.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

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

Mr. FRIST. Yes.

Mr. WARNER. I thank the majority leader for working with the minority
leader to get these three nominations confirmed. Two are under the category of the Department of Defense, and the third is Energy. Nevertheless, the Energy nominee works carefully with the Committee on Armed Services, which makes up 60 percent of the Department of Energy’s budget. Together with my colleague, Senate LEVIN, we have worked very hard, and this is probably one of the shortest periods in which we have been able to completely go through the advice and consent process very carefully, meticulously, but in a very timely fashion. I will have further remarks about these nominations, but the Department is very much in need of these key personnel, particularly the Under Secretary of the Army, a former member of Congress.

I thank the leader for his cooperation in insisting that we get these nominations done in a timely manner, and I thank the staff. There is a lot of staff work that went into this effort.

ORDERS FOR MONDAY, FEBRUARY 27, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate engages in business tomorrow, the Senate stand in adjournment under the provisions of H. Con. Res. 345 until 2 p.m. on Monday, February 27. 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 that the Senate then conduct a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each. I further ask that following morning business, the Senate resume consideration of S. 2271, the PATRIOT Act amendments bill, as under the previous order.

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

PROGRAM

Mr. FRIST. Mr. President, today the Senate will adjourn for the President’s Day recess. When we reconvene on Monday, February 27, we will resume consideration of the PATRIOT Act amendments bill, and under the agreement reached this week, we will have a vote on the motion to invoke cloture on the bill at 2:30 p.m. on Tuesday, February 28, and a vote on passage at 10 a.m. the following day, on Wednesday. The vote on Tuesday will be the first vote of the week.

I thank Senator SALAZAR for today’s reading of George Washington’s Farewell Address. This tradition has been long-standing. It began in 1892 and became an annual event in the Senate beginning in 1893. Ever since that point in time, we celebrate Washington’s birthday with the reading of the 7,641-word address. The address has been made available to each of our colleagues. I have had the opportunity to read that 7,641-word address. It means a lot to be able to share those words which have been so meaningful and such a tremendous tradition for this body and our heritage and, speaking very directly to the future as well, the tradition that we will continue to pass on and respect.

ORDER FOR ADJOURNMENT

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment following the remarks of my distinguished colleague from Virginia.

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

The Senator from Virginia.

DEPARTMENT OF DEFENSE NOMINATIONS

Mr. WARNER. Mr. President, I again thank the majority leader.

He made reference to the George Washington Farewell Address. I remember 25 years ago, a quarter of a century ago, I gave the address and I was awakened on that day to 25 inches of snow. The only people who came to the Congress that day were the President, the President pro tempore, the Vice President, and a clerk, and myself to deliver that address. I remember I walked from my then-residence some 2 miles in the snow. There was a farmer’s march here, and they were all in a tent camp at Bladensburg. I had to walk the hill the final 3 or 4 blocks. It was one of the few moments of any fame in my life. I was picked by The New York Times as the “Man of the Week” for forging through the storm to give that very important address. Since then, it has all been downhill for me.

I wish to address the Senate with regard to these nominations for the Department of Defense. I ask unanimous consent to have printed in the RECORD a brief biography of each of these distinguished Americans, which we have stepped forward to take on these responsibilities.

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

JAMES L. FINLEY

Jim has over 30 years of multi-national business leadership and management experience. Programs span air, land, sea and space for the DoD, all services and DARPA, and include Space & Missile Defense, Radar systems and the NASA Space Shuttle Program. Systems and subsystems experience includes mission analysis, design, development and deployment of weapon delivery, flight control, navigation, information management, CHISR, battle space management, chem/bio defense systems. His education includes a Masters of Business Administration, MBA, and Bachelors of Science in Electrical Engineering, BSEE.

With a background that includes marketing, finance and operations management, he brings a broad experience base of technology including international technology transfer, outsourcing, multi-plant sourcing, product development, manufacturing, lean manufacturing implementation, demand flow technology systems, six sigma/black belt systems, information technology systems, purchasing, logistics, facilities, security, product support and total quality management.

His leadership and engineering abilities have led many companies, including large and small operations, to achieve double-digit financial growth. Jim has also participated in many strategic initiatives and divestitures providing business analysis including strategic fit, organizational alignment, marketing assessments, project evaluations and divestiture initiatives.

Jim has achieved significant operational recognition and success through progressive, increasing management responsibilities at General Electric, General Dynamics, United Technologies and General Dynamics, where he was a Corporate Officer, President of Information Systems and Chair of the Business Development Council. In 2002, Jim formed his own consulting company, The Finley Group, LLC, that provides business assistance and advice for all facets of the business cycle including start-up, growth, acquisition and divestiture.

He resides in Ghanhassen, Minnesota, and enjoys golf, cycling, fishing, reading and volunteer’s work.

PETE GEREN

Pete Geren joined the Department of Defense in September of 2000 as the Special Assistant to the Secretary of Defense with responsibilities in the areas of inter-agency initiatives, legislative affairs and special projects. Prior to joining the Department of Defense, Geren was an attorney and business man in Fort Worth, Texas.

From 1989 until his retirement in 1997, Geren was a member of the U.S. Congress, representing the Twelfth Congressional District of Texas for four terms. He served on the Armed Services, Armed Services & Technology and the Public Works and Transportation Committees during his tenure in the Congress.

Geren received his BA degree from the University of Texas in 1974 and his JD from University of Texas Law School in 1978. He and his wife, Beckie, have three daughters, Tracy, Annie and Mary.

THOMAS PAUL D’AGOSTINO

Mr. Thomas Paul D’Agostino is the Assistant Secretary of the Army for Acquisition, Logistics and Technology and leads the Office of Defense Programs at the Department of Energy’s National Nuclear Security Administration. NNSA. D’Agostino directs the Stockpile Stewardship Program, SSP, which is responsible for maintaining the safety, security, and reliability of the Nation’s nuclear weapons stockpile. The NNSA’s nuclear weapons complex includes three national research laboratories, the Nevada Test Site, and four production plants.

Defensive Programs oversees the SSP, which employs over 30,000 people around the country. This approximately $5.2 billion program encompasses operations associated with manufacturing, maintaining, refurbishing, and dismantling the nuclear weapons stockpile. Defense Programs also provides oversight and direction of the research, development and engineering support to maintain the safety and reliability of the nuclear weapons stockpile in the absence of underground testing, and ensures the capability for maintaining the stockpile to test and develop new warheads, if required.

In other previous assignments, Mr. D’Agostino served as the Deputy Director for the Nuclear Weapons Development, and Simulation Program where he directed the formulation of the programs and
budget for the research and development program that supports the SSP. From 1989 to 1996, Mr. D’Agostino worked in numerous assignments within the Federal Government in the string of government’s submarine propulsion reactors and at the Naval Sea Systems Command as a program manager for the SEAWOLF submarine propulsion system.

Mr. D’Agostino has served with the U.S. Naval Reserves where he has served with the Navy Inspector General and with the Deputy Chief of Naval Operations for Submarine Warfare developing concepts for new attack submarine propulsion systems. He also served with the Deputy Chief of Naval Operations for Plans, Policy, and Operations that is the Navy Command Center in the Pentagon. In this capacity, he was the French Desk Officer for the Chief of Naval Operations responsible for all Politico-Military interactions with the French Navy and served as the Duty Captain at the Navy Command Center.

He spent over eight years on active duty in the Navy as a submarine officer to include assignments onboard the USS Skipjack, SSN 585, and with the Board of Inspection and Survey where he was the Main Propulsion and Nuclear Inspectors. In this position, he performed nuclear reactor and propulsion engineering inspections for over 65 submarines and more than 50 nuclear powered ships in the Atlantic and Pacific Fleets.

Mr. D’Agostino’s awards include the Navy Commendation Medal with Gold Stars, Navy Achievement Medal, Meritorious Unit Commendation, National Defense Service Medal, Presidential Rank Meritorious Executive Award, and numerous other awards. Mr. D’Agostino is married to Beth Ann Aleyman of Manchester, CT, and has two children. Mr. D’Agostino is a member of the Senior Executive Service.

Mr. D’Agostino graduated from Marist College, New York, RI, MS National Security Studies, 1979 (Distinquished Graduate), Johns Hopkins University, Baltimore, MD, MS Business Finance, 1982, United States Naval Academy, Annapolis, MD, BS Physical Science, 1980.

Mr. WARNER. In a time of great concern for those of us who, on a daily basis, work the situations primarily in Iraq and Afghanistan, I hope to make the point that, unless this thorn tries to get the situation in both areas, in my judgment, still has a high degree of fragility and a high degree of uncertainty. We have to reinforce the resolve of our Nation, working with our coalition partners, to achieve the goals that were set down by the respective governments in the coalition and, indeed, the wise and strong leadership of the President of the United States, in the absolute necessity that we enable both of these nations to establish that form of democracy that they consider best suits them.

Great progress has been made in Afghanistan. Elections have been held there. We have seen recent elections likewise in Iraq. Progress is being made. I will have further remarks on this subject when the Senate returns after the recess. But it is absolutely imperative that the various factions in Iraq—Shia, Kurds—work together to bring in a representative group from the Sunni faction to establish this government. It seems to be off to a start, a little slower—I will speak for myself—that I had hoped. But we have to impress upon the leadership in those three political divisions that time is running out. That government must be formed. That involved individuals of unquestioned strength and integrity to run the Ministries—primarily the Ministry of Defense, the Ministry of the Homeland—the Interior.

I think this is an extraordinary measure, through loss of life, loss of limb, through economic support. It is an enormous drain. We will soon be dealing with enormous sums of money in continuing supplements to allow those people in Iraq, as well as Afghanistan, to achieve their level of democracy.

As does every Member of this Chamber, I feel for those members of the family in the United States, and indeed for those of our coalition partners, who have lost a family member or are bringing back their family member to nurture that individual who has been wounded so they can once again resume their life and their own responsibilities.

SURVEILLANCE

I wish to comment on a different subject which has given me a great deal of concern, and that is this question of surveillance. I will unhesitatingly now say, given the statements yesterday by the distinguished chairman of the Intelligence Committee—I am privileged to serve on that committee—that in consultation with the White House, we will proceed legally, on a cost-effective and fair and objective, to the extent we can get politics out of it, look at the existing laws and determine such modifications as can be agreed upon.

I have continuously taken that stance, quietly, in consultation with my colleagues here, with members of the gang of 14. I may say, which has taken a constructive role in other matters—they have come to consideration and they have a position on that. After we return. But it is imperative that we approach this in a bipartisan way.

The intelligence system underpins it is the foundation on which we conduct our operations of the military in harm’s way. It is what we call a force multiplier, meaning for every bit of factual, sound, accurate intelligence effort that can be given to the Armed Forces, the more likely engagement, the more thorough way is that it produces an advantage such that you possibly would have fewer military people to carry out the mission if you know with great precision what has to be done. We refer to it as a force multiplier in the annals of military planning and history, throughout our recent history. That system has undergone some stresses, occasioned by the wise—I was a partner through this—legislation to establish the Intelligence National—through its military and civilian representatives, deals with those taken as prisoners. That is behind us.

We are now faced with the imperative necessity to give our President every possible power in which to continue to utilize the wide spectrum of assets this Nation has to gain that same intelligence to guide us in the days and the weeks and the months to come and, indeed, the years to come because the war on terrorism is going on long after I have departed this Earth, and it will be the responsibility of my children and my grandchildren, regrettably, for their lifetime.

It is the turn of events that we now experience in this troubled world. Consequently, our President, as the leader of the most powerful Nation of the free world, must be given all the powers that we possibly can under our Constitution, preserving the integrity of what we call our basic rights and freedoms as given by the Constitution. But at the same time, without that valuable intelligence, we run a greater and greater risk to preserve these freedoms. I do not believe we do not have a strong and in place and fully functioning.

I hope we can arrive at some legislative package—and it should not be seen as the administration giving in to the Congress or the Congress overriding. We must work as coequal branches in partnership.

Recently I had a chance to have a private conversation with the Attorney General of United States and, indeed, the senior officers who are engaged in intelligence gathering. They should build a bridge between the two branches of Government and let us cross it together and decide how we can strengthen this system and leave no doubt—I underscore that—no doubt in the minds of every American citizen that our President is acting within the law, acting consistent with the Constitution of the United States as those powers were enumerated 200-plus years ago but still are as vitally important today as ever.

But this world has moved so far, for example, in the 30-odd years of the FISA Act, which is the core piece of legislation at the moment that is out in the public domain with years of study—so much new technology has come on that it is time to look at the revisions which need to be made under that act.

I do not think we should hold tenaciously on this question of the constitutional authority of the President as being the sole province of the administration for interpretation. Having trained in the law myself, I don’t express any great expertise, but I know men and women of clear and sound and patriotic conscience on both sides of this issue look at the words of the Constitution will determine exactly what the powers of our President are. Yes, this is a political potion and element to the debate, but still beyond that there are men and women of good, strong character who will on both sides of that issue.

People say: Well, let it be resolved by the courts. It may well come to pass.
ADJOURNMENT UNTIL MONDAY, FEBRUARY 27, 2006, AT 2 P.M.

THE PRESIDING OFFICER. Under the previous order, pursuant to H. Con. Res. 345, the Senate stands adjourned until 2 p.m. on Monday, February 27, 2006. Thereupon, at 1:25 p.m., the Senate adjourned until Monday, February 27, 2006, at 2 p.m.

NOMINATIONS
Executive nominations received by the Senate February 17, 2006.

DEPARTMENT OF AGRICULTURE
LINDA AVERY STRACHAN, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE, VICE MARY KENT TAYLOR, RESIGNED.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
RANALD L. TORAS, OF IOWA, TO BE ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE ANDREW S. NATHOS, RESIGNED.

FOREIGN SERVICE
THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASS STATED, FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECOND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE
BRENT ROYAL BOHNE, OF MINNESOTA FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECOND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

DEPARTMENT OF STATE
JACQUELINE K. MCKENNAN, OF MONTANA WILLIAM STEUER, OF TEXAS FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECOND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

DEPARTMENT OF STATE
KATHLEEN A. FITZGERALD, OF VIRGINIA TIMOTHY S. GRIFFIN, OF VIRGINIA DIHAR GEBREAB, OF VIRGINIA WILLIAM ALEXANDER JAMES, OF THE DISTRICT OF COLUMBIA MONA A. KUNTZ, OF FLORIDA FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECOND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

DEPARTMENT OF STATE

DEPARTMENT OF THE TREASURY

DEPARTMENT OF STATE
WILLIAM J. BOOTh, OF CALIFORNIA IN THE COAST GUARD THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, ATLANTIC AREA OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

TO BE VICE ADMIRAL
BRAD ADAM CHARLES D. WURSTHORF, 0000 THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, PACIFIC AREA OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

TO BE VICE ADMIRAL
BRAD ADAM ROBERT J. FAPP, 0000 THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, PACIFIC AREA OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

TO BE VICE ADMIRAL
VICE ADMIRAL VIVIAN C. S. CHEE, 0000 IN THE AIR FORCE THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

TO BE COLONEL
THOMAS L. MCKENNIGHT, 0000 THE FOLLOWING NAMED INDIVIDUALS IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 50:

TO BE COLONEL

TO BE COLONEL
LANCE J. KAPLAN, JR., 0000 THE FOLLOWING NAMED INDIVIDUALS IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 50:

TO BE COLONEL
MARIANNE B. WATSON, 0000 THE FOLLOWING NAMED NATIONAL GUARD OF THE UNITED STATES OF AMERICA FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

TO BE COLONEL
STERLING W. HEYMANN, 0000 THE FOLLOWING NAMED NATIONAL GUARD OF THE UNITED STATES OF AMERICA FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 304:

TO BE MAJOR
DAVID B. ARDALLA, 0000 THE FOLLOWING NAMED NATIONAL GUARD OF THE UNITED STATES OF AMERICA FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

TO BE MAJOR
LANNY J. ACOSTA, JR., 0000 THE FOLLOWING NAMED NATIONAL GUARD OF THE UNITED STATES OF AMERICA FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

TO BE MAJOR
DAVID B. ARDALLA, 0000 THE FOLLOWING NAMED NATIONAL GUARD OF THE UNITED STATES OF AMERICA FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

TO BE MAJOR
LANNY J. ACOSTA, JR., 0000 THE FOLLOWING NAMED NATIONAL GUARD OF THE UNITED STATES OF AMERICA FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

TO BE MAJOR
LANNY J. ACOSTA, JR., 0000 THE FOLLOWING NAMED NATIONAL GUARD OF THE UNITED STATES OF AMERICA FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:
CONFIRMATIONS

Executive nominations confirmed by the Senate Friday, February 17, 2006:

DEPARTMENT OF DEFENSE

PRESTON M. GREEN, OF TEXAS, TO BE UNDER SECRETARY OF THE ARMY.
JAMES I. FINLEY, OF MINNESOTA, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOLOGY.

DEPARTMENT OF ENERGY

THOMAS P. D’AGOSTINO, OF MARYLAND, TO BE DEPUTY ADMINISTRATOR FOR DEFENSE PROGRAMS, NATIONAL NUCLEAR SECURITY ADMINISTRATION.

FEDERAL RESERVE SYSTEM


EXECUTIVE OFFICE OF THE PRESIDENT

EDWARD P. LAZAR, OF CALIFORNIA, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES’ COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DUTY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF STATE

RICHARD A. BOUCHER, OF MARYLAND, TO BE ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) CRAIG O. MCDONALD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT RAYMOND P. ENGLISH

EXECUTIVE OFFICE OF THE PRESIDENT

CAROL E. DINKINS, OF TEXAS, TO BE CHAIRMAN OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

ALAN CHARLES Raul, OF THE DISTRICT OF COLUMBIA, TO BE VICE CHAIRMAN OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

DEPARTMENT OF JUSTICE


REGINALD I. LLOYD, OF SOUTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF SOUTH CAROLINA FOR THE TERM OF FOUR YEARS.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH MICHAEL W. ALBERT AND ENDING WITH CHRISTOPHER J. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 8, 2006.
TRIBUTE TO RUTH COLE DUSENBERY

HON. MARILYN N. MUSGRAVE
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mrs. MUSGRAVE. Mr. Speaker, I rise today to honor Ruth Cole Dusenbury whose life was a shining example of responsible citizenship. Born in Maryland in 1929, Ruth’s busy life led her to Holyoke, Colorado in 1974 where she became part owner of Speer Cushion Company and was an active participant in numerous professional organizations and civic groups.

Ruth was an energetic advocate for small business concerns. From 1976–1987 Ruth served in the local Business and Professional Women’s Organization in all offices as well as District Chairman. She served as State Legislative Chairman for 2 years and she attended 3 national conventions as well as 6 state conventions. She was a member of a delegation of businesspeople from throughout the United States to the Republic of China in 1986. Mrs. Dusenbury participated in the State Leadership Initiative sponsored by then Secretary of State Natalie Meyers.

In 1996 Ruth was a member of the Statehouse Conference on Small Business and, in 1995, she was elected as a delegate to the White House Conference on Small Business in Washington DC. Ruth was an active member of the National Federation of Independent Businesses, serving as a delegate to national meetings in 1996 and 1998.

Ruth also had a deep love of the arts. She was a board member of the Holyoke Community Arts Council for 30 years. She was a charter member of the Colorado Arts Consortium and participated in regional activities as well as at a national level with the National Association of Local Arts Agencies. Additionally, Ruth was President of the Colorado Arts Coalition for 2 years, an advocacy group for the arts.

The Republican Party also consumed a great deal of Ruth’s time and energy. She was a campaign worker for Nixon/Agnew, Senator Hank Brown, Representative and Senator WAYNE ALLARD, Senator Ben Nighthorse Campbell, Governor Bill Owens, and numerous state and local candidates. Ruth was the Republican chairman of Phillips County, Colorado and served as a delegate to the state conventions numerous years. She was an alternate to the Republican National Convention in 1984.

Ruth led by example and her enthusiastic community involvement demonstrated her passion for making a positive impact on the world around her. We have been saddened by the recent loss of this woman. She gave so much to her community and her state for so many years. Ruth Dusenbury was also well known as a loving wife and mother. She is leaving behind her loving husband Wally and two beautiful daughters.

HONORING THE EDUCATORS HALL OF FAME

HON. RANDY NEUGEBAUER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. NEUGEBAUER. Mr. Speaker, I would like to bring to my colleagues’ attention an important event in my congressional district. On February 27, 2006, the African-American Chamber of Commerce in Lubbock, Texas, is holding the third annual induction ceremony for the Educators Hall of Fame. This unique event honors Lubbock’s local educators and recognizes the essential role they play in the community.

This year, the Educators Hall of Fame will honor six teachers who, among other accomplishments, prepared students for leadership before and during the civil rights movement. These educators are unsung heroes who helped build a foundation during those turbulent times for the march toward full equality. For the first time, three non-African-Americans will be honored for their commitment to help African-American youth during that time. This year’s inductees into the Educators Hall of Fame are Dr. Sam Ayers, Ms. Lottie Barrow, Lubbock Independent School District Superintendent Wayne Havens, Ms. Nora Hutchinson, Ms. Rose Mediano, and Ms. Mae Phea.

The Lubbock African-American Chamber of Commerce should be commended for their initiative to recognize the important work done by education professionals. These educators are being honored because they believe that America can be made a better place through education. Their years of service have touched the lives of many and improved our community, State and country.

CONGRATULATING J.H. ROSE HIGH SCHOOL’S 2005 VARSITY FOOTBALL TEAM

HON. WALTER B. JONES
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. JONES of North Carolina. Mr. Speaker, though it is now 2006, I want to take the opportunity to recognize a great success story from my district last year.

One great story of accomplishment from Eastern North Carolina in 2005 is an outstanding athletic achievement by the Rampants of Junius H. Rose High School in Greenville, North Carolina.

This past December, the Junius H. Rose High School varsity football team finished an undefeated season by claiming then third consecutive North Carolina High School Athletic Association 4-A state football title.

Rose High School is one of only four 4-A teams in North Carolina to win at least three consecutive titles, with a total of four state titles. I am very proud of the Rose High varsity football team’s hard work and determination in establishing this winning tradition. Rose coach Greg Thomas, the 2004 AP state prep coach of the year, has declared that the ultimate goal of his team each year is winning a state championship.

I wish to congratulate all of the team’s coaches and players:


Players: Jonathan Williams, Maurice Weaver, Josiah Andrews, Rashard Green, Brian Blick, Jamie Williams, Chris Townsend, John Wilhelmsen, Scott Hodges, Camerion Johnson, Brandon Taylor, J J Bryant, Marcus Best, Adam Carraway, Malcolm Blount, Demetrious Dixon, Anthony Adams, Phillip Turner, Montrel Miles, Brandon Cox.


Mr. Speaker, I, like many of my colleagues in Congress, have had the fortunate opportunity of playing on a high school state championship team. More than 40 years later, I can still vividly recall in my mind the wonderful memories of the night my high school basketball team at Hargrave Military Academy won the Military League Championship.

I close by once again congratulating the J.H. Rose High School coaches and players for their hard work and their success in achieving an athletic victory which they will remember with pride for years to come.

REGARDING THE INTRODUCTION OF A BILL TO REQUIRE ACCREDITING AGENCIES AND ASSOCIATIONS TO COMPLY WITH DUE PROCESS THROUGHOUT THE ACCREDITATION PROCESS

HON. JUANITA MILLENDER-MCDONALD
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Ms. MILLENDER-MCDONALD. Mr. Speaker, according to recent reports, 46 percent of all U.S. undergraduates are enrolled in a community college. Community college is an important alternative for our students, especially minority students. Over 47 percent of African
American undergraduates, 56 percent of Hispanic undergraduates, 48 percent of Asian/Pacific Islander undergraduates, and 57 percent of Native American undergraduates are enrolled in community colleges.

Why do community colleges serve an increasingly vital role to the students in our districts?

For many students, tuition to a 4-year college or university is prohibitively expensive. Community college tuition is at least one-tenth that of 4-year colleges and often maintain transfer relationships with nearby colleges and universities.

For others, financial constraints require students to work long hours at one or more full-time jobs while attending school. Community colleges provide more lenient enrollment requirements that allow students to attend school around their work schedules and attain a degree, albeit in longer than the traditional 4-year time frame.

For still others, community college offers students the ability to obtain technical and vocational training while enrolled in academic courses for credit toward an associate degree.

In short, community colleges offer the flexibility and accessibility that are essential to ensuring that all of our students, not just the ones who are able to attend 4-year colleges and universities, obtain postsecondary educations.

Public community colleges receive 40 percent of their revenue from State funds and 5 percent from Federal funds. Over 37 percent of community college students receive financial aid of some kind.

These funding sources are dependent on the school maintaining its accreditation. It would then make sense that any attempts to revoke accreditation would be highly regulated and easily appealed.

This is not the case in my district. Compton Community College is in grave danger of losing its accreditation. One would think that school officials would have received fair and adequate notice of the deficiencies that may lead to its loss of accreditation. One would think that a thorough due process standard would apply to any attempts to appeal a decision to revoke accreditation. One would think that the large number of students who would be affected could be given an opportunity to attend a public hearing where the fate of their community would be decided. One would think all of these things, but the fact is that none of these standards apply.

That is why I have introduced a bill that will strengthen the due process available to community colleges nationwide that face threats of accreditation revocation.

Community colleges are community treasures. Accreditation boards should be doing all they can to keep community colleges alive, rather than taking steps to summarily cement their failure. In the event that a determination is made to revoke accreditation, every school in this Nation should have access to a full and fair review of their cases and every member of the community should have the ability to witness and participate in the process. This bill will strengthen those rights.

Elections to close down a community college, which is why loss of accreditation effectively means, is a serious decision and it must be accompanied by serious oversight. That is what this bill will put in place.

I have dedicated my time in Congress to the issue of education and have worked to try to improve our educational system by supporting such initiatives as the creation of incentives for new teachers and increased funding for pre-school programs.

I am in honor of this same pursuit by the Catholic schools of this Nation that I rise today. These schools are charged with the most important responsibility in our society: Educating our children. The pursuit of excellence in education and opportunities for students in the area of music and the arts put these schools and educators in a class of their own.

The future of the American educational system is tenuous. To quote the former Chair of the Federal Reserve Bank Alan Greenspan in a recent congressional hearing regarding solving the education problem in this country, “if you don’t solve it, nothing else is going to matter.”

Many thanks to the Catholic school system for all it does to help meet this challenge and I call on my colleagues in Congress to join me in working to put the education of our children at the top of our legislative priorities.

CONGRATULATING MIKE POTTER FOR WINNING THE CELLFILX FESTIVAL GRAND PRIZE

HON. MARK UDALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. UDALL of Colorado. Mr. Speaker, I rise today to congratulate a young constituent of mine who recently demonstrated his creativity and technological prowess on a very large stage. Mike Potter of Broomfield, Colorado, now a junior at Ilthaca College, recently won the Grand Prize in the “Cellflix Festival,” a prize that included $5,000 and a tremendous amount of respect for individual ingenuity and creativity.

The “Cellflix Festival” is a competition that asks participants to submit a short film shot entirely on a cellular telephone camera. Within these constraints, Mike Potter submitted a film called Cheat, a charming and short exhibition that celebrates his grandfather’s loving relationship. In it, Mike’s grandfather quizzes his grandmother on newspaper headlines, offering her a kiss as a prize for each time she correctly guesses whether a headline is true or false. Sometimes, Mike’s grandfather confesses at the end, he cheats. Described by one contest judge as “contagious,” Mike Potter’s creative short shows how much can be accomplished artistically with a limited medium, and one in which most of us are only vaguely aware.

I don’t know about all my colleagues, but I have only barely mastered the use of a blackberry and my cell phone is still just a convenient technology for communicating. It never occurred to me until I saw the story about Mike Potter that the device I take for granted could be used as a means of artistic expression.

What’s really intriguing about Mike’s work is that it shows how young people, better versed in the ways of technology than any previous generation, may be blazing new trails of innovation and creative expression that will have implications for our economy and the entertainment industry.

I ask my colleagues to join me in congratulating Mike Potter on his recent award and in wishing him well in his future endeavors. I certainly look forward to seeing what else he can produce, and I am proud to represent such a creative young person in Congress.

CELEBRATING THE LIFE OF HARRY T. MOORE

HON. ELIJAH E. CUMMINGS
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. CUMMINGS. Mr. Speaker, as our Nation celebrates Black History Month, I rise today to pay homage to the life and legacy of Harry T. Moore, a devoted husband, father, educator, and one of the first civil rights martyrs of our time. His tireless efforts and unselfish sacrifice in the name of social justice continue to inspire and empower Americans of all stripes, even now, over fifty years after his death.

Harry Tyson Moore was born in Houston, Florida on November 18, 1905. After his father’s death his mother sent her only son to live with his three aunts in Jacksonville, Florida. In the prosperous and intellectual community of Jacksonville, Mr. Moore cultivated his intelligence and excelled. After graduating from Florida Memorial College in 1925, he moved to Cocoa, Florida. He settled in Brevard County teaching fourth grade at the only African-American elementary school in the area.

While there, he went on to meet his future wife, Hariette Vyda Simms. In time, Mr. Moore became principal of the Titusville Colored School which taught children from the fourth to ninth grade. In March 1928 and September 1930, the Moore’s welcomed two daughters into the world. With his family and professional life in place, Mr. Moore began an additional career in political activism.

In 1934, Mr. Moore founded the Brevard County NAACP chapter. In 1937, by working with the Black Florida State Teacher’s Association and NAACP attorney Thurgood Marshall, he catalyzed a movement to equalize the salaries of Black and White teachers. Although he lost the court battle, he would ultimately win the war. Mr. Moore made no mistake, his actions inspired many others and ultimately, Mr. Moore helped achieve pay parity among teachers of color and their White counterparts.
CIRCULATE LETTERS VOICING HIS CONCERNS ABOUT THE ISSUES.

He also organized the Progressive Voter's League and with his persistence and diligence, he helped over 116,000 Black voters register, which represented 31 percent of the African-American voting population in the Florida Democratic Party. In 1946, due to his role in the League, Mr. Moore and his wife were terminated from their jobs. Mr. Moore then took on a full-time paid position as an organizer for the NAACP. However, in 1948, over Mr. Moore's objection, the national NAACP office raised the dues from $1 to $2, causing a substantial amount of members to revoke their membership. This marked only the beginning of a strained relationship between Mr. Moore and the national NAACP office.

During that same year, the landmark Groveland rape case occurred, in which four African-American men were falsely accused of raping a White woman. Although the men were brutally beaten and no evidence suggested that the woman was raped, one of the men was killed, one was given a life sentence, and the other two were sentenced to death. With Mr. Moore's assistance in conjunction with the legal counsel of the NAACP, the case went to the U.S. Supreme Court and the conviction for the two sentenced to death was overturned. However, Sheriff Willis McCall, a known White supremacist, shot the two men to death as he was driving them to their pre-trial hearing. Recognizing this tragic injustice, Mr. Moore vigorously advocated for the indictment of Sheriff McCall.

Sadly, Mr. Moore never lived to see the outcome of his work in this case. On the eve of his 25th wedding anniversary and Christmas Day 1951, Mr. Moore and his wife were killed when a Mississippi bomb placed underneath their bed in the floor detonated. Mr. Moore died in his mother's arms on the way to the hospital while Harriet died only nine days later.

Following the Moores' murder, there was a public outcry in the African-American community. Despite massive amounts of mail sent to President Truman and the Florida Governor in protest and the many protests and memorials organized demanding justice, no arrests were made in relation to the horrendous crime.

In no uncertain terms, Harry T. Moore led without fear, acknowledging his past and without fear. What made his vision so tangible was the fact that he believed he could achieve what he set before himself. In a speech his daughter gave in 2002, she stated, "Daddy started the movement. He had absolutely nobody but us, and yet he accomplished all of those things without the support or the help of the National Negro Business League or the Urban League or any other organization. He accomplished it on his own."

Mr. Moore's story is one of such importance that we celebrate Black History Month and reflect on the success of past and present leaders. For these stories are not only told to recall the achievements of African-American trailblazers, but to offer the next Harry T. Moore the hope, promise, direction, and purpose needed to rise from the ordinary to achieve the extraordinary.

I shall conclude with an excerpt of the heartfelt words written by Langston Hughes in memory of Harry T. Moore:

In his heart is only love
For all the human race,
And his hands were only strong
To have his rightful place.

And this he says, our Harry Moore,
As from the grave he cries:
No bomb can stop the dreams I hold
For freedom never dies.

SPEECH OF
HON. HENRY CUELLAR
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 8, 2006
Mr. CUELLAR. Mr. Speaker, I rise today to honor the important contributions of mentoring programs such as the One Star Foundation, an initiative established by the State of Texas, and the program HOSTS, Helping One Student to Succeed, in the Independent School District, which help students who are at risk of failing reading and or math by mentoring them with members of the community, and the Big Brothers Big Sisters of South Texas program. The National Mentoring Month is important, and it serves as a guide to us in our communities to reach out to youth, to show them there is another way, that they should not give into despair, but instead give into the hope of a better future.

Every time you reach out and mentor a child, you provide that child with a positive example of what an adult role model should be. Mentoring can be an invaluable resource for single-parent families, and low-income families, and it helps give the children the ability to succeed in school. There are over 156 mentoring programs in the State of Texas, and over 50 mentoring programs in my district working to give hope to children in urban and rural communities. These are excellent examples of how communities should come together to ensure that children have the best chance to succeed in their lives.

Mr. Speaker, I am proud to have had this opportunity to honor the value of H.R. 660, which supports the goals and ideals of National Mentoring Month.

TSUNAMIS, FLOODS AND EARTHQUAKES: SEEN AND UNSEEN
HON. CHARLES B. RANGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006
Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD “Witness for Justice # 248” entitled Tsunamis, Floods and Earthquakes; Seen and Unseen, published December 26, 2005 by the United Church of Christ of Cleveland, Ohio. The article eloquently written by Rev. Sala W.J. Nolan, Minister for Criminal Justice and Human Rights of this Church on 700 Prospect Ave. in Cleveland reminds us of the existence of unseen tsunamis, floods and earthquakes that continue to overrun communities around the world—stifling the voices of those forgotten. Recalling the 2005 Indian Ocean tsunami that killed nearly 300,000, and Hurricane Katrina that took the lives of more than 1,000 Gulf Coast residents, leaving in their scores millions displaced, Rev. Nolan speaks of unseen tsunamis, floods and earthquakes that manifest throughout the world in the form of racism and other forms of injustice. “They take place in U.S. prisons, which house one-fourth of all American men who exist at 8 times the population rate of the Black men of South Africa at the height of Apartheid,” explains Rev. Nolan. The “invisible flood of incarceration” as described by Rev. Nolan—the imprisonment of our Black and Hispanic youth—is robbing our communities of future entrepreneurs, doctors, lawyers, political and community leaders and tearing them away from their families—leaving them to languish and surrender their dreams within a less-than-colorblind criminal justice system with a swift, revolving door.

I join Rev. Nolan in her concern over the erosion of freedoms not protected in a political environment where the Republican-controlled White House and Congress have mistakenly justified the infringement of personal freedoms for the sake of a safer America. Rev. Nolan says that since the PATRIOT Act has passed, “our government has acquired vastly broadened authority to monitor, arrest and detain citizens. We have learned that freedoms not protected will erode.” Since the 2001 terrorist attacks, the Bush administration has failed and deported millions of immigrants who have been living in our country for many years, obeying our laws, contributing to our society and working hard to support their families. It has created an atmosphere of fear and suspicion of anybody who seems to be a foreigner. We must force this secret tsunami to retreat off our lands and we must restore freedoms to those least victimized by the misplaced political zeal for power—the poor, the enslaved, and the tortured.

the prisoners in the world and young Black men at eight-times the population rate of the Black men of South Africa at the height of Apartheid. They happen among immigrants to projects of their own. They occur among the farmers of Vizcaya and fishers of the Marshals Islands whose livelihoods and health have been damaged by years. They occur among school-aged children in broken neighborhoods; with Afghan nationals in the cells of Guantanamo; and in secret prisons in Eastern Europe and Saudi Arabia, all over our world, where governments and institutions fail to protect their citizens or actively harm them, the earthquake happens. And when those who suffer are forgotten, the devastation is terrible.

Consider the political activists who were imprisoned in the late 1960s and 1970s. Richard Williams was one of them. Following 9/11, he was placed in isolation for 15 months without cause. He was given poor medical care, which often occurs in prison. He passed this month, at the age of 88, and we remember him. Remember Marilyn Buck, Leonard Peltier, Oscar Lopez and others who have languished in prison. Remember Assata Shakur, who has a price on her head. In June, ten environmental and animal protection activists from the San Francisco Bay Area went down to a grand jury after police raids failed to produce evidence of criminal wrongdoing. Since the Patriot Act passed, our government has acquired vastly broadened authority to monitor, arrest and detain citizens. We have learned that freedoms not protected will erode.

Recently, I traveled to the Gulf Coast after the hurricanes, carrying supplies and assessing what we could do to help. I met a little boy, about 10 or 11, collecting toys for his brother and sister. When his turn came, he took the appropriate toys for the three girls he had in the family. He turned away, dejected. Then I remembered that my 5-year-old niece had given me her most precious rubber frog and told me to give it to somebody special. I pulled the frog out of my pocket and gave it to the boy. His face lit up and he ran off with it, laughing and teasing his little brother. In that moment, the disaster was forgotten and he was just a boy again.

The prisons of the U.S. hold fathers and mothers whose children, more likely than not, were left up in an earthquake of poverty and chaos. You probably know some of them, because the invisible flood of incarceration is enormous, but you may not know the secret Courage to continue, because discrimination is a powerful force in their lives. Remember them. What could you do for the children? What could you do for someone who is ill? How much could be done by remembrance and a well-placed word for political prisoners and indigenous peoples of contaminated lands. Remember those who suffer from the secret crimes of our world today, and consider that is in your hand. What will you do with what you have?

CONGRATULATING BREEANNA AND SADIE LANCASTER

HON. MICHAEL C. BURGESS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate sisters Breeanna and Sadie Lancaster, the top performance in the Pony of the Americas Horse Show.

Breeanna and Sadie both placed in the top 10 of the recent show and received awards at the State Chapter Banquet on January 15, 2006.

Breeanna placed first overall in the 9-to-12 years-old category. She scored first place in showmanship, reining, western riding, trail, bareback equitation, and horsemanship and jumping competitions. Sadie placed in western pleasure and junior English pleasure, and third place in junior western pleasure, junior trail and open and Indian costume competitions.

Sadie placed second overall in the 9-to-12 years-old category. She placed first in times and senior English pleasure competitions; second place in reining.

At the banquet, Breeanna was named “Top Rider” for the Texas POA Club for 2005 and Sadie was the third overall in the State chapter. Breeanna was also given the Lance P. Scott Award for the most overall points in a year. She was also awarded the Diane Goodman Tennant Showmanship Traveling Award given annually to the point exhibitor who accumulated the most showmanship points in their age group for that year.

These young people exemplify hard work and a commitment to excellence. Both ladies have overcome obstacles to persevere and to have winning seasons.

I extend my sincere congratulations to Ms. Breeanna and Ms. Sadie Lancaster for their extreme dedication and persistence to their extra curricular activities. These young ladies serve as an inspiration for all.

PERSONAL EXPLANATION
HON. ELTON GALLEGGY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. GALLEGGY. Mr. Speaker, on Wednesday, February 9, 2006, I was unable to be present to vote on the motion to suspend the rules and agree to H. Res. 670, congratulating the Pittsburgh Steelers for winning Super Bowl XL, rollcall vote 5; on the motion to suspend the rules and agree to H. Res. 657 and H. Res. 658, the motion to instruct conferees on H.R. 4297, the Tax Relief Extension Reconciliation Act, rollcall vote 7. Had I been present, I would have voted "yea" on the motion to suspend the rules and pass H. Res. 670 and H. Res. 657 and “nay” on the motion to instruct conferees on H.R. 4297.

TRIBUTE TO BONNIE TERRY
HON. CHARLES A. GONZALES
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. GONZALES. Mr. Speaker, I rise today to honor a dear friend who left us far too soon. On January 27, 2006, Bonnie Terry lost her battle with breast cancer, which she had bravely fought since 1998. Bonnie's fight was the vessel for her determination to make her life's work. People will always seek a higher purpose in life. Bonnie found hers in serving others and in doing so making their lives better.

If Bonnie's determination was the vessel for her actions, faith was her North Star. Steeped in the United Methodist Church, Bonnie sought to implement the teachings of the Lord. She served as an urban missionary at Travis Park United Methodist Church where she energized a food bank and outreach program, which the Reverend Bert Clayton, a long-time friend, said this was one of her greatest feats. Her next project focused on the downtown's homeless community. The Reverend John Flowers, pastor at Travis Park, said Bonnie helped envision a day center for homeless or transitional people there that opened in 2004.

My prayers and thoughts go out to her sisters, brothers, nieces and nephews. I hope it comforts them in their time of grief that Bonnie was a beloved figure in San Antonio. We will miss her.

TRIBUTE TO MRS. SALLY FOX
HON. MARILYN N. MUSGRAVE
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mrs. MUSGRAVE. Mr. Speaker, I rise today to pay tribute to the public service and remarkable community involvement of Mrs. Sally Fox. Mrs. Fox played a crucial role in helping struggling families and teachers. Mrs. Fox devoted much of her life to public schools in Colorado. In addition to other volunteer efforts, Mrs. Fox served as president of
CONGRATULATING FARMVILLE CENTRAL HIGH SCHOOL’S 2005 VARSITY BASEBALL TEAM

HON. WALTER B. JONES
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. JONES of North Carolina. Mr. Speaker, though it is now 2006, I want to take the opportunity to recognize, on two separate occasions, two great success stories from my district last year.

One great success story from eastern North Carolina in 2005 is an outstanding athletic achievement from my hometown of Farmville. Though Farmville Central High School’s 2005 boys’ varsity baseball team began their season with a rocky start, the Jaguars were able to turn their season around and capture the school’s very first State baseball championship.

I am very proud of my hometown team’s record and their historic victory in the North Carolina High School Athletic Association State I-A championship in June of 2005.

I wish to congratulate all of the team’s coaches and players: Head Coach John Galeazzi; Assistant Coaches Ed Hines and Brian Perry; Statistician Joe Allen; Athletic Director Dixon Sauls; Players: Justin Bagley, Chad Bagley, Brad Bagley, Bill Fisher, Cameron Moore, Robbie Jones, Spencer Albritton, Jonathan Landen, Brandon Cox, Landon Walker, Tommy Cobb, Chris Tomlin, Jordan Corbett, Will Rhem, Mike Dail, Warren Rhem, and Craig Taylor.

Mr. Speaker, I like many of my colleagues in Congress, have had the fortunate opportunity of playing on a high school State championship team. More than 40 years later, I can still vividly recall in my mind the wonderful memory of the night my high school basketball team triumphed. More than 40 years later, I can still vividly recall in my mind the wonderful memory of the night my high school basketball team triumphed. More than 40 years later, I can still vividly recall in my mind the wonderful memory of the night my high school basketball team triumphed.

The Jaguars did just that, and for their success in achieving an athletic victory which they will remember with pride for years to come.

COMMEMORATING NATIONAL HEART MONTH

HON. JUANITA MILLENDEER-MCDONALD
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Ms. MILLENDEER-MCDONALD. Mr. Speaker, heart disease and stroke, the largest threats to women’s lives are largely preventable.

Prevention is easy: eating a healthy diet, exercising frequently, refraining from smoking, and maintaining weight, cholesterol and blood pressure are all ways that women can protect themselves against heart disease and stroke which kill 1 in 2.4 women annually.

But most women in the United States do not know that they are at a higher risk for deadly heart attacks, hypertension, and strokes than they are for any other disease.

According to an American Heart Association survey, only 57 percent of American women know that heart disease is the leading killer of women. The women who have yet to learn of these deadly diseases are the women who are at the greatest risk.

Only 38 percent of African-American women and 42 percent of Latina women know about the dangers posed by heart disease and stroke.

All women need this knowledge. They need to know that they are at risk and they need to know there is a causal connection between the lifestyle choices they make and their personal risk for death by heart disease and stroke.

That is why I am here to announce my firm commitment to National Heart Month and that is why I co-sponsor forward thinking legislation like the HEART for Women Act that will contribute to heightened awareness.

Efforts like National Heart Month, the American Heart Association’s “Go Red for Women” initiative, and the National Institutes of Health’s “The Heart Truth” awareness campaign all contribute to a greater awareness among women about the dangers posed by heart disease and stroke.

The more women know about how their everyday choices affect their long-term health, the better those choices will be. This information is a part of a national movement that will save women’s lives.

We must do our part to ensure that every woman in our communities, especially the ones who are at the greatest risk, is touched by these campaigns. We encourage all women to visit their doctors and talk about the many positive steps they can take towards heart disease prevention.

Knowledge is power and we need to ensure that outreach efforts are made to African-American and Latina communities so that they can share in this power.

National Heart Month is timely, it is necessary, and the information it seeks to impart is a matter of life and death.
obstacles for those living with the illness. Robin Bohannan was an early warrior in the battle against HIV/AIDS and all these years later, her efforts serve as a model for how one person can make a lasting contribution to the greater community.

For her years of service, her devotion to others, her role in building a community of support, and her ability to harbor equal parts courage and compassion, I ask my colleagues to join me in honoring Ms. Robin Bohannan upon her resignation as executive director of the Boulder County AIDS Project. I am sure that her future will continue her legacy of service to Colorado.

SALUTING C. THOMAS KEEGEL
HON. LORETTA SANCHEZ
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Ms. SANCHEZ of California. Mr. Speaker, I rise today to honor Mr. C. Thomas Keegel. Mr. Keegel joined the Teamsters in 1959 as a member of Local 544 in Minneapolis, Minnesota. He was a driver for the Sterling Cartage Company.

From driver to recording secretary of Local 544, Mr. Keegel has held elected office for 25 years.

Since being elected to general secretary-treasurer in March of 1999, Mr. Keegel has not only balanced the union’s budget for the first time in nearly a decade, but has helped set an example of clarity and ethics for local union chapters.

In addition, Mr. Keegel has taken a leading role in continuing the Teamster’s comprehensive anti-corruption policy, instituting sweeping reforms and safeguards in every area of the union’s finances, as well as initiating legal actions to recover money stolen from the union in past years.

It is for these reasons that I stand in recognition of the work and dedication Mr. C. Thomas Keegel has demonstrated to labor workers across this country and especially the International Brotherhood of Teamsters.

COMMEMORATING THE LIFE OF HATTIE MCDANIEL
HON. ELIJAH E. CUMMINGS
OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. CUMMINGS. Mr. Speaker, I rise today to pay tribute to the life of Hattie McDaniel, a woman of firsts, whose career as an acclaimed singer and actress on film, television, and radio inspired and illuminated the lives of many. Her dynamic career afforded her the opportunity to break barriers in the entertainment industry, which allowed her to inevitably create a path for other gifted and aspiring African-Americans in the arts to travel.

Ms. McDaniel was born on June 10, 1895 in Wichita, KS, to Henry McDaniel, a Baptist minister and freed slave, and Susie Holbert, a spiritual singer. She was raised in Denver, CO, and was the 13th child of the family. Realizing her talents at an early age, her father put her in the family performance troupe she organized and managed.

Her experience aided her in winning a medal in dramatic art at age 15. However, in 1910, she dropped out of school and gained employment as a band vocalist with Professor George Walker’s Orchestra. She toured the country and in 1915 became the first African-American to sing on network radio in the United States.

Ms. McDaniel worked in minstrel vaudeville shows until the Depression. During this time, she moved to Milwaukee and worked as a domestic. In 1930, while working as a chambermaid, her vocal abilities were discovered by the club manager. Subsequently, she landed a job in the club singing for a year and never looked back.

In 1931, Ms. McDaniel moved to Hollywood in pursuit of a film career, a time in which many African-Americans were solely portrayed as domestics and servants. These roles were often deemed to be stereotypical and insulting in the African-American community. However, Ms. McDaniel did not share this belief, and instead of continuing to play subservient, and trusted servant that also possessed an assertive and chastising attitude. Her subversive yet stem demeanor gained a job in the club singing for a year and never looked back.

As a result, she was able to build a remarkable three-decade career comprised of over 300 movies, and was able to accomplish what many others still consider unattainable. She was praised for many of her roles including the role of Queenie in Show Boat in 1936; however, her most memorable role and greatest achievement was through her portrayal of Mammy in Gone with the Wind in 1939.

Similar to the characters she played in other movies, she portrayed Mammy as a humble, submissive, and trusted servant that also possessed an assertive and chastising attitude. Her subversive yet stern demeanor gained her immense respect both on and off the camera. In fact, her clever and brilliant performance in Gone with the Wind led her to becoming the first African-American Best Supporting Actress nominee and winner at the 1940 Academy Awards. She became the first African-American guest to be invited to the ceremonies and was also the first and last recipient of the prestigious honor for 25 years.

Unfortunately, Ms. McDaniel’s accomplishments were not revered by everyone. Although heavily criticized by African-Americans, some whites were equally condemning. Many blacks protested at the movie premiere describing Mammy as a symbolic reminder of slavery. In fact, Ms. McDaniel had to make the painful decision not to attend the Gone with the Wind premiere in Atlanta because of the highly charged racist climate in the South at that time.

In response to critics of her career, she simply stated, “it’s better to get $7,000 a week for playing a servant than $7 a week for being one.” In fact, as her career progressed, Ms. McDaniel was able to broaden her career and shift into portraying more dramatic, less stereotypical roles, which encapsulated the depth of her talents.

Ms. McDaniel was also an advocate for racial equity and integration. When Whites tried to block her from moving into her Los Angeles home, she rallied her Black neighbors and shifted the case to the Supreme Court and won. Additionally, she served as the chair of the African-American sector of the Hollywood Victory Committee, which provided entertainment for segregated black soldiers. She also organized fundraisers for African-American youth education.

In 1947, she was cast as a regular in The Beulah Show radio show. In 1951, The Beulah Show expanded to the small screen. Unfortunately, Ms. McDaniel appeared in only three episodes before she lost her battle with breast cancer and died in 1952.

Her dying wish was to be buried in the Hollywood Cemetery on Santa Monica Boulevard but because of her race, the owner at the time refused. However, in 1999, the new owner overruled the decision and asked that her remains be transferred to the cemetery. The family did not want to disturb her remains and respectfully declined. Nevertheless, the cemetery was dedicated to honoring her wish and as a result erected a cenotaph memorial on the lawn overlooking the lake in her memory.

Ms. McDaniel was a resilient, gifted, and witty figure in American history and her accomplishments are merely the testimonies of her diligence. She has two stars on the Hollywood Walk of Fame—one for her contributions to radio and one for her motion pictures contributions.

One of Hattie McDaniel’s favorite and most famous sayings was, “Humble is the way.” Although she had an admirable career, she had to travel an arduous path to attain it. However, through her humility and determination, she was able to carve her rightful place in American history. That is why I introduced legislation in the 108th Congress seeking to have her image memorialized on a postage stamp. As a result, on January 26, 2006, the Postal Service did indeed select to honor this great woman by making her 29th image to appear on the Black Heritage commemorative stamp series. I also congratulate fellow Marylander, Ms. Ethel Kessler of Bethesda, for designing the stunning image on the stamp.

Mr. Speaker, though her spirit is gone with the wind, her legacy will always resonate through her artistic works and thus will continue to live on forever.

TRIBUTE TO THE SESQUICENTENNIAL OF ATASCOSA COUNTY
HON. HENRY CUellar
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. CUellar. Mr. Speaker, I rise today to honor the sesquicentennial of Atascosa County, which is a county in the 28th district of Texas and was founded in 1856. This year marks the 150th anniversary of Atascosa’s beginnings and we will kick off a year long celebration at the annual Tux and Boots Ball on Saturday, January 28, in Pleasanton, TX.

Mr. Speaker, Atascosa County is south of San Antonio on the Rio Grande Plain region of south central Texas. The area taken in Atascosa County was in 1860 and counted 1,578 people. Today, Atascosa County’s population is at more than 43,000 residents.

The earliest schools in Atascosa County were organized around the time of the Civil War. By 1914, the Atascosa school system had been consolidated. The total number of persons over the age of 25 who had completed 4 years of high school rose from 1,300 in

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Mr. Speaker, I rise today to congratulate Caribbean leaders for their achievement of the Caribbean Single Market Economy and to enter into the Record a Caribnews editorial celebrating this milestone. The CSME—the initial phase of a historic regional economic integration project uniting 13 countries within the Caribbean—culminates a movement that was years in the making.

With the creation of this newest trade bloc that includes Barbados, Belize, Guyana, Jamaica, Suriname, Trinidad and Tobago, the countries have agreed to lift tariffs and allow all citizens to open businesses. In conjunction with Antigua, Dominica, Grenada, St. Kitts-Nevis, St. Lucia and St. Vincent and the Grenadines, the countries will also be able to provide services and move capital throughout the single market. The implications of the CSME are sweeping, plans advancing to replace national travel documents with the CSME, one that will allow citizens of the CSME to travel freely throughout the region without restrictions. The CSME is a fitting and progressive response to the evolving global environment characterized by disappearing borders. I have full faith that CSME will create a larger spectrum of opportunities for employment, investment, production and trade for the people of the Caribbean islands. The coming together of regional economies into one bloc will undeniably give the countries strength in facing other trade blocs and superpowers across the negotiating tables.

Mr. Speaker, please join me again in congratulating the leaders of the participating Caribbean nations for forging ahead with the CSME and wishing them well in their next steps.

CARIBBEAN SINGLE MARKET: SEALED, SHOENED AND DELIVERED

"Sealed," stated the front-page newspaper headline on the Caribbean in London on Tuesday morning.

"Caribbean leaders sign on formal document," hailed another paper.

And a third publication completed the process when it made it clear that the pact had been duly signed.

In effect, the Caribbean Single Market, the long awaited important step towards deep economic and social integration had moved another step forward. CARICOM leaders signed on the dotted line on Monday, committing their countries to be bound by and live up to the provisions of the treaty establishing the CSME.

The signing took place, quite appropriately, on the Mona campus of the University of the West Indies, the quintessential Caribbean educational institution, and the occasion wasn’t simply historic but vital if the countries of the region are to realize their full potential.

Admittedly, there were some unfortunate aspects of the ceremony. One of them was a hard fact of Caribbean life: at least one nation, the Bahamas, opted out all together while Haiti, a country in chaos with a dysfunctional interim government wasn’t invited to the party. Another setback, of sorts, was the decision of the Organization of Eastern Caribbean States to push back the deadline for their implementation of the CSME. Originally, the deadline was January 1, then it was moved to March and now we are being told that it would be the end of June. Don’t be surprised if the OECS countries demand another extension.

The countries, which are moving ahead with the CSME, are Barbados, Belize, Guyana, Jamaica, Suriname and Trinidad and Tobago. Antigua, Dominica, Grenada, St. Kitts-Nevis, St. Lucia and St. Vincent and the Grenadines, the OECS nations are coming on board during the second half of the year. The pact, a work in progress, calls for the removal of all customs duties, removal of all barriers to trade in goods and services, limited freedom of movement by a handful of skilled people, such as UWI graduates, sports figures and journalists, the setting of a regional standard for goods being produced in or entering the region from other countries and recognition of Caribbean Court of Justice. Eventually, it could result in a common currency and the harmonization of economic policies.

What it wouldn’t involve is a political union.

These desirable and important objectives should become a reality by 2008, the year when the CSME should become fully implemented. The CSME is a large step towards achieving that togetherness but at the very least we are on the road to it becoming a fact of life.

CONGRATULATIONS TO THE FLOWER MOUND LIBRARY

HON. MICHAEL C. BURGESS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. BURGESS. Mr. Speaker, I rise today to recognize the Flower Mound Public Library for their receipt of the 2006 Alibris Collection Award. The Alibris Collection Award is an annual grant of up to $3,000 worth of books to an academic, public, special, or school library supporting specific collection development projects that advance the mission, priority areas, and goals of the selected library.

The purpose of the award is to help provide materials that support very projects, retrospective collection development projects, or routine collection building needs.

The library tied for first place with the College State Library in Anchorage, Alaska. Both schools were presented this award on January 22, 2006.

The library will be contributing the prize money to the—"Still Stay?? READ!! Program." This program is designed to help kids with reading disabilities. Working in conjunction with Delta Society trained dogs, the program pairs children with a pet, which helps the children relax and improve their confidence. This creates a non-judgmental audience and thus a lighter stress load on the children allowing them to truly embrace and improve their skills.

I extend my sincere congratulations to the Flower Mound Public Library for their contributions to the community and youth education as well as their dedication to excellence. This truly original program deserves much applause.

SUPPORT FOR ANIMAL FIGHTING PROHIBITION ENFORCEMENT ACT

HON. ELTON GALLEGLY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. GALLEGLY. Mr. Speaker, I rise to express my support for H.R. 817, the Animal
Fighting Prohibition Enforcement Act. More than 150 local police and sheriff’s departments have requested this legislation and I am pleased that the committee is considering it.

A few years ago, Congress enacted legislation to tighten Federal law and close some loopholes in the barbaric practices of animal fighting to thrive nationwide, in spite of bans in virtually every State.

But Congress didn’t finish the job. We left in place weak penalties that have proven ineffective. Misdemeanor penalties simply don’t provide a meaningful deterrent. Those involved in animal fighting ventures—where thousands of dollars typically change hands in the associated gambling activity—consider misdemeanor penalties a “slap on the wrist” or merely a “cost of doing business.” Moreover, we’ve heard from U.S. Attorneys that they are reluctant to pursue animal fighting cases with just a misdemeanor penalty.

In recent years, we have seen a marked rise in the frequency of animal fighting arrests in communities across the country. Local police and sheriffs are increasingly concerned about animal fighting ventures—not only because of the animal cruelty involved, but also because of the other crimes that often go hand-in-hand, including illegal gambling, drug traffic, and acts of human violence.

In addition, there are concerns cockfighters spread diseases that jeopardize poultry flocks and even public health. We in California experienced this first-hand, when cockfighters spread exotic Newcastle disease, which was so devastating to many of our poultry producers in 2002 and 2003. That outbreak cost U.S. taxpayers “nearly $200 million to eradicate, wiped out millions of dollars in poultry industry earnings, and millions more in lost export markets,” according to Agriculture Secretary Ann Veneman.

It is time Congress finishes the job and helps State and local law enforcement officials who have requested stronger Federal laws to help State and local law enforcement officials.

Mr. Speaker, I rise today to honor the contributions and life-time achievements of Mr. Jim Beatty. He is an outstanding member of his community who has shown dedication through his endless service and volunteer efforts.

After graduating from Adams State College in Alamosa, CO, he served in the Air Force as an intelligence officer during the Korean war. Following his service in the military, Mr. Beatty used the G.I. bill to attend law school at the University of Colorado.

Soon after receiving his law degree, Mr. Beatty became senior partner at the Fish &amp; Beatty law office. Mr. Beatty also became very involved in the Fort Collins community.

He was a member of the Fort Collins Junior Chamber of Commerce and, at age 35, was youngest president of the Rotary Club. He was also actively involved in the Fort Collins PTA and coached Little League.

Mr. Beatty frequently volunteered his legal services to local service clubs and organizations.

Mr. Beatty has been actively involved in State and local politics. In the 1960’s and 1970’s, he served as a precinct committeeman and subsequently served every Republican in his precinct to vote.

In 1980, Mr. Beatty was elected to the Colorado State Senate, where he served until 1988. During his time in the State Senate, Mr. Beatty proved himself to be an intelligent and effective legislator, serving as chair or vice-chair of eight legislative committees, including the Judiciary, Finance, Legal Affairs, Appropriations, and Joint Budget committees.

Mr. Speaker, I am honored to represent Mr. Beatty in Congress and I am very grateful for his unselfish and prolific service to his community. I urge my colleagues to join me in recognizing the many contributions and achievements of Mr. Jim Beatty.

50TH ANNIVERSARY OF MAEDGEN ELEMENTARY SCHOOL

HON. RANDY NEUGEBAUER OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. NEUGEBAUER. Mr. Speaker, I would like to take this opportunity to bring an important anniversary to my colleagues’ attention. My elementary school, Maedgen Elementary School, in Lubbock, TX, is celebrating its 50th anniversary this year. Maedgen first opened in the spring of 1955 and has been educating Lubbock’s youngest citizens ever since. The school was named in honor of Charles Ernest Maedgen—1882-1964—an early resident of Lubbock who had a strong interest in the community and in education.

I am proud to be a Maedgen alumnus and am looking forward to attending the anniversary celebration on February 24, 2006. I have many fond memories of my elementary school years. Mrs. Dunn, my first grade teacher, had a big influence on my life. I particularly remember a chart she placed in the front of the classroom to teach reading. Mrs. Dunn, using that chart, unlocked the world of reading for me. I also have memories of Mr. Ford, my principal. Some days I think I spent as much time in his office as he did.

Many things have changed in our world and in education over the past 50 years. Teaching methods have changed, and technology that we never could have imagined 50 years ago now plays a big role in students’ education. For example, computers, instead of charts, are used to teach reading now. I am pleased that Maedgen Elementary School is still serving the Lubbock community by teaching our children and giving them the tools to build a successful life. Congratulations to all who have worked over the past 50 years teaching and serving Lubbock children at Maedgen, and best wishes for much success to all future students, teachers and administrators.

SALUTING JAMES P. HOFFA

HON. LORETTA SANCHEZ OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Ms. SANCHEZ of California. Mr. Speaker, I rise today to salute James P. Hoffa, president of the International Brotherhood of Teamsters. Mr. Hoffa has spent the past 47 years in diligent and loyal service to the Teamsters Union and workers across the country.

Sworn in at the age of 18 by his father, James has been a member of the Teamsters Union since 1959. He learned early in his life the importance of workers’ rights and founded his father on picket lines as a young boy.

Since taking office in March of 1999, Mr. Hoffa has been rebuilding the International
Brotherhood of Teamsters. During his tenure as President, union membership has increased and the budget has been balanced for the first time in nearly a decade.

The Teamsters have also increased their global outreach, creating a new office of global strategies to focus resources on building alliances with workers from around the world, and by holding meetings of the International Transportation Workers Federation, ITF, with union leaders representing 624 transport unions that consist of 4.5 million workers from 142 countries.

Most recently, Mr. Hoffa faced intense challenges while the union family chose to take different directions for its future. It is my hope that these changes will be positive for the Teamsters and provide Mr. Hoffa with a continued opportunity to lead.

It is for these reasons that I stand to recognize the work and dedication of Mr. James Hoffa, and his commitment to workers and the International Brotherhood of Teamsters.

PRESIDENT CHEN’S LUNAR NEW YEAR’S DAY REMARKS

HON. EDOLPHUS TOWNS

IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. TOWNS. Mr. Speaker, in his Lunar New Year’s Day remarks to the nation, Taiwan President Chen Shui-bian expressed his concern over Taiwan’s lack of representation in major international organizations and the Taiwanese people’s need to revisit the issue of national unification with China.

Taiwan has tried to rejoin the United Nations and the World Health Organization but its efforts have been blocked by China and its diplomatic allies year after year. To break out of China’s diplomatic suppression of Taiwan, President Chen was wondering if Taiwan should apply for membership in the United Nations under a new name, “Taiwan.”

Apart from Taiwan’s lack of international presence, Taiwanese people have developed a strong feeling that the balance of power in the Taiwan Strait has shifted to China’s favor. Last spring, China passed its antisecession law codifying the use of force against Taiwan. In recent years, China’s military buildup along the coast of Taiwan has engendered suspicion and deep distrust of China’s intentions toward Taiwan.

The Taiwanese people fear a military confrontation in the Taiwan Strait. It is therefore not surprising that their president would voice their apprehensions in his Lunar New Year’s Day remarks. President Chen was wondering aloud if Taiwan should consider abolishing the National Unification Commission and the Guidelines for National Unification in view of China’s repeated hostile actions taken against Taiwan over the past year, this issue being studied by Taiwan’s National Security Council.

President Chen must seek to explore venues, other than the National Unification Commission and the Guidelines for National Unification, to safeguard Taiwan’s future.

To help ease Taiwanese apprehension, we, as friends of Taiwan, must ask President Bush to assure the people of Taiwan that America will adhere to its commitments to Taiwan under the Taiwan Relations Act and that America would defend Taiwan if China were to invade Taiwan. Also, I think it is worthwhile for President Bush to further express America’s strong concern over China’s passage of the antisecession legislation. The enactment of the law has in effect changed the status quo in the Taiwan Strait, thereby threatening the stability of the region.

Once again, President Bush should openly inform Chinese leaders that the future of Taiwan must be solved through peaceful means and with the consent of the people of Taiwan. Last but not least, President Bush should encourage Chinese leaders to resume a meaningful dialogue with Taiwan President Chen Shui-bian over cross-strait issues under the principles of sovereignty, democracy, peace and parity.

Mr. Speaker, Taiwan President Chen Shui-bian has not reneged on his inaugural pledges to his people. In the last 6 years he has not declared independence for Taiwan. He would like Chinese leaders to openly pledge to the world that China would not use force against Taiwan either now or in the future—a statement that we here in the Congress would welcome as well.

TRIBUTE TO COACH GENE BESS

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mrs. EMERSON. Mr. Speaker, I rise today to honor the accomplishment of Three Rivers Community College basketball coach Gene Bess. Coach Bess is a fixture of the southern Missouri community of Poplar Bluff and a legend of college basketball coaching. This season, he will accomplish a tremendous feat for a coach in any sport at any level: Coach Bess will win his 1,000th game.

Three Rivers Community College is lucky to have a great coach—a model of perseverance and service. In Coach Bess, the Three Rivers Raiders have a mentor, a leader, and a friend to compete with them both on and off the court. For southern Missouri, Coach Bess is more than an expert on basketball and leadership—he is a student of the game of life. He is also a reminder that accomplishing our goals requires planning, hard work and plenty of sacrifice. After notchng 1,000 wins, Coach Bess has also become an expert on sportsmanship. His players are instructed in the art of fair play right along with the other fundamentals of the game.

Most remarkable about Coach Bess to me and to many is that the basketball team is not the first priority in his life. He is proud of the fact that his faith and his family always come before his work. This is just one secret of his success.

But today I join with Coach Bess’s family, his friends, his colleagues at Three Rivers, the hundreds of young men who have played on his teams, and the proud fans of the Eighth Congressional District to congratulate Coach Bess on achieving a rare milestone. In his long tenure as coach of the Three Rivers Raiders, Coach Bess has never had a losing season. His 1,000th victory marks a record that is unsurpassed at any level.

We are proud of this tradition, proud of this record, and most proud of Coach Bess.

IN HONOR OF BETTY FRIEDAN

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise today in support of the resolution introduced by Congresswoman SOLIS to honor the late Betty Friedan, an influential and inspirational feminist pioneer, author, and leader who passed away on February 4. Throughout her life, Ms. Friedan fought for gender equality and social justice.

Ms. Friedan was born on February 4, 1921, in Peoria, IL. She graduated summa cum laude from Smith College in 1942 and did graduate work in psychology at the University of California at Berkeley. Ms. Friedan is best known for her 1963 book The Feminine Mystique, a groundbreaking work, which exposed for the first time the contradiction between expectations for women and the reality they were living. This best-seller challenged the prevalent assumption that women’s interests were limited to housework and child rearing and called for greater opportunities for women in the workplace. The Feminine Mystique is viewed as one of the primary triggers of the second wave of feminism.

Betty Friedan played a significant role in the women’s movement of the late 1960s and 1970s. In 1966, she co-founded the National Organization for Women, NOW, which remains one of our country’s largest feminist organizations, and served as NOW’s first president from 1966 to 1970. Ms. Friedan tirelessly advocated for equal treatment for women. She was a powerful voice for a multitude of reforms ranging from laws against sex discrimination to equal pay for equal work. Under her leadership, in 1968, NOW became the first organization to announce support for legalization of a woman’s right to choose.

Women and men have benefited from the bravery and leadership of Betty Friedan. The Feminine Mystique continues to be read in college classrooms around the country, inspiring young people to continue Ms. Friedan’s pursuit of equality.

It is with great sadness that I send my deepest condolences to the Friedan family. Ms. Friedan’s lasting contributions to women’s rights and social justice will always be remembered. Let us honor Ms. Friedan’s memory by committing ourselves to promoting equality for all Americans.

Mr. Speaker, please join me in paying tribute to the life of Ms. Betty Friedan.

SPICΗE_Of

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 8, 2006

Mr. GENE GREEN of Texas. Mr. Speaker, Congress should act to increase the borrowing authority for the National Flood Insurance Program to honor the debt incurred by the United States.

If we do not act, people who have paid their flood insurance premiums will not receive their...
claims for their flood damage. No one wants to live in a nation that does not honor its debts.

In addition, I am concerned that Congress is reacting to the unprecedented flooding damage of 2005 by blaming the victims and innocent parties.

Fed-erally backed flood insurance is necessary because the private sector will not supply this product since the damages are too concentrated geographically and chronologically for the risk to be sufficiently spread by private firms.

We recently passed a Federal flood insurance reform bill in 2003 and many of those provisions have not come into force, so I think it is important for Congress to approve more “reforms” before honest, premium pay- ing policy holders are allowed to receive their payments.

The Katrina disaster was a tragedy, because the mass New Orleans flooding was probably preventable; if the levees had been built and maintained as they should have been.

Now my constituents in Houston, who do not live below sea level and do not live on the ocean coastline, will have to pay the price.

There are over 120,000 families in the 100- year floodplain who are required to have flood insurance. In Harris County we have updated our maps using airborne infrared radar, so they are accurate. There are another 155,000 families in the 500-year floodplain.

These people did not develop irresponsibly, in fact many of them didn’t move into the floodplain, but the floodplain moved to them. Subsidence and later development has expanded floodplains and put innocent homeowners in the floodplain.

We should not blame these people for geo- graphic factors beyond their control. Reforms of the NFIP should focus instead new develop- ment in floodplains, eliminating flood insurance for beach houses, and ensuring that the program keeps its commitments to its policy holders.

If we greatly increase premiums or expand the number of people required to have flood insurance, we should take into account the shock this can have on low-income families, and consider my legislation, H.R. 103, to offer 50 percent discounts for the first 5 years to low-income homeowners who suddenly have to pay premiums after a floodplain is redrawn to include them.

GREAT LAKES INVASIVE SPECIES CONTROL ACT

HON. MARK STEVEN KIRK
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. KIRK. Mr. Speaker, today I introduced a bill to require all vessels, including those with no ballast water on board (NOBOBs), to un- dergo ballast water exchange before entering the Great Lakes.

Invasive species pose a dangerous threat to the Great Lakes. These creatures can cause irreparable ecological and economic damage to a variety of locations and industries. Al-

though no federal agency accumulates such statistics comprehensively, an estimate by the American Association for the Advancement of Science put damage to the U.S. economy at $123 billion annually. We must do better to prevent the introduction of invasives into the Great Lakes environment.

One method by which these species enter the Great Lakes is through ballast water tanks. Current law requires ships carrying ballast water to undergo ballast water exchange to flush out invasive species before entering the Great Lakes from another port. However, 90 percent of all ships entering the Great Lakes have no ballast water on board. These NOBOBs are not subject to undergo ballast water exchange laws, even though they still have ballast tanks. Invasive species often sur- vive in the sediment at the bottom of these tanks. When these ships operate in the Great Lakes, they may add and then pump out new ballast water before leaving. This mixes with residual ballast water and sediments, and pro- vides an unregulated pathway for the introduc- tion of new invasive species when the ballast water is released.

In other words, the contamination begins. We must not leave 90 percent of ships enter- ing the Great Lakes untreated. This bipar- tisan legislation requires all ships with ballast tanks, including NOBOBs, to undergo ballast water exchange. In addition, the bill commis- sions a study of the effectiveness and environ- mental soundness of other ballast treatment options. The language fixes a current problem and works towards an even stronger solution for the future.

Mr. Speaker, this legislation, while small, has enormous consequences for the health and safety of one of our national treasures. I am proud to introduce this ballast water legis- lation to significantly reduce the infiltration of invasive species into the Great Lakes.

NATIONAL PHYSICAL EDUCATION AND SPORTS WEEK

HON. MARK UDALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. UDALL of Colorado. Mr. Speaker, as obesity and the associated health risks con- tinue to increase in America’s youth, it is im- portant to encourage children to participate in physical activity.

To help spread this message, today I am in- troducing with Congressman ZACH WAMP of Tennessee, a resolution urging the declaration of a National Physical Education and Sports Week and National Physical Fitness and Sports Month.

This resolution notes the increase in child- hood obesity along with the negative con- sequences of extremely overweight and obese people including a decrease in the average life span and rising health care costs stemming from obesity related illness. It also includes findings from the United States Surgeon docu- menting that regular physical activity is associ- ated with improved health-related quality of life. It resolves the sense of the House of Rep- resentatives regarding “National Physical Edu- cation and Sports Week” and “National Phys- ical Fitness and Sports Month.”

Research shows that sound physical edu- cation programs can help students learn healthy habits for life. Through regular exercise and information on proper nutrition, children can develop habits for maintaining a healthy weight into adulthood. We must en- courage our children to adopt healthier life- styles because America’s children are experi- encing obesity in growing numbers, and data continues to highlight the link between obesity and diabetes, heart disease and other life- threatening medical conditions.

“National Physical Education and Sports Week” and “National Physical Fitness and Sports Month” would remind citizens of the importance of maintaining a consistent exer- cise program and healthy lifestyle.

I urge the support of this resolution and look forward to its consideration.

TRIBUTE TO GEORGE DUNKLIN, SR.

HON. MARION BERRY
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. BERRY. Mr. Speaker, I rise here today to pay tribute to one of my father’s great friends, Mr. George Dunklin, Sr., who is a true leader in Arkansas’ agriculture community. With more than 60 years of work in the cottonseed oil and fertilizer industries, George Dunklin, Sr. is one of the state’s most gifted businessmen.

As the former President of the most suc- cessful cottonseed oil mill in the country, George Dunklin, Sr. knows how to run a suc- cessful business. From the day his father bought the Planters Cotton Oil mill in 1935, to his days as President of the cooperative, George Dunklin Sr. has worked hard to transform the cottonseed industry. He spent 66 years building a profitable enterprise, and left a lasting mark on MidSouth agriculture.

Years of hard work earned George Dunklin Sr. distinguished positions as the President of the National Cottonseed Association in 1975, a member of the Cottonseed Council, and recipient of the 1990 Harvey W. McGeorge Award for Distinguished Service to Agriculture. But George Dunklin, Sr.’s talents did not stop there. He was even elected to the Arkansas Sports Hall of Fame in 1991 for his accomplishments in tennis.

George Dunklin has been married to the former Mary Elisabeth Black of DeWitt, Arkan- sas for 57 years and is the father of two chil- dren, Deborah Tipton of Memphis and George Dunklin, Jr. of DeWitt. He and his wife have five grandchildren, Megan Dunklin, Robert Tipton, Mary Tipton, Hillary Dunklin and Lauren Dunklin.

On February 21, 2006, our community will meet in Pine Bluff, Arkansas to honor George Dunklin, Sr. for his remarkable contributions to Arkansas agriculture. I ask my colleagues in Congress to join me in congratulating him on this occasion and thanking him for over half a century of dedicated service, as a great friend, and a great American.
TRIBUTE TO DR. TOM BLACKWELL

HON. SUE WILKINS MYRICK
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mrs. MYRICK. Mr. Speaker, I rise today to acknowledge the great work of one of my constituents, Dr. Tom Blackwell. Dr. Blackwell is a credit to the medical community in Charlotte, North Carolina, where he serves as an emergency room physician and EMS specialist at Carolinas Medical Center.

In early September, Dr. Blackwell and his team took their hospital on wheels—Carolinas MED—1— to Waveland, Mississippi to care for sick and injured Hurricane Katrina victims. This mobile medical unit is a one-of-a-kind creation, originally devised by Dr. Blackwell to respond to terror attacks and other national disasters. Its two tractor trailers transform into a 14-bed hospital with operating facilities, radiology, and pharmacy support.

More than 350 doctors, nurses, and other North Carolina medical professionals spent about 2 months in Mississippi—caring for nearly 5,000 patients in a debris-strewn K-Mart parking lot. They bravely dealt with life-threatening injuries and other medical needs—from attending to heart attack patients to delivering babies.

Our mobile hospital workers were praised for their effectiveness in the Final Report of the Committee to Investigate the Response to Hurricane Katrina, released on February 15, 2006. Charlotteans and Carolinians alike can be very proud of their neighbors who participated in MED–1’s mission to the Gulf Coast, and I thank them for their outstanding service to fellow Americans in need.

PERSONAL EXPLANATION

HON. MAJOR R. OWENS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. OWENS. Mr. Speaker, I was absent on Tuesday, February 14, 2006, due to unavoidable circumstances in my Congressional District. Had I been present, I would have voted: Yea to H. Con. Res. 322—Expressing the Sense of Congress regarding the contribution of the USA to the morale and welfare of our servicemen and women of our armed forces and their families; and Yea to S. 1989—the Holly A. Charette Post Office Designation Act.

IN RECOGNITION OF MR. FREDDIE HART

HON. MIKE ROGERS
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to pay tribute to Mr. Freddie Hart, a well known Alabamian who will soon have a street dedicated to him in his honor on Friday, February 17, 2006.

Mr. Hart was born Fred Segrest on December 21, 1926 to sharecropper parents in Lochapoka, Alabama. He was later raised in Phenix City, Alabama. He taught himself to play the guitar at the age of five and only finished school past the second grade. He later pursued his musical interests by getting involved in bands, and landed his first recording contract with Capitol Records. In 1959, his first hit recording was “I’m a Wall.” In 1971, his song “Easy Lover” went to number one on the charts, won two Grammys, and was named “Song of the Year” for both 1971 and 1972 by The Country Music Association. In 1991, he was awarded the Governor’s Achievement Award, and in 2001 was inducted in the Alabama Music Hall of Fame.

I am delighted Mr. Hart will soon be honored with this important recognition, and congratulate him for his many accomplishments. It is my honor to pay tribute to Mr. Hart today in the House, and wish him many more years of success.

HONORING THE UTAHNS COMPETING IN THE 2006 WINTER OLYMPIC GAMES

HON. JIM MATHESON
OF UTAH
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. MATHESON. Mr. Speaker, all Utahns have watched with pride and anticipation as the U.S. Olympic team began competing at the Torino Winter Olympic Games this month. I am especially proud of the Utah athletes on the team.

They are Alpine skiers Steve Nyman, Ted Ligety, and Erik Scholpy; Nordic skiers Brett and Eric Camerota, Carl Swenson and Wendy Wagner; Ski jumper Anders Johnson; Freestyler Joe Pack; Bobsled members Shauna Rohbock, Steve Holcomb and Bill Schuffenhauer; and Luge team member Preston Griffall.

Utah is home to a long and distinguished tradition of winter sports. Names like Alf Engen and Stein Erikson are two of the winter sports icons that have helped make Utah synonymous with skiing.

When Utah welcomed the world to the 2002 Winter Olympic Games, we showcased the greatest snow on earth and the finest hospitality by building world-class winter sports venues, such as the Kearns Skating Oval and the Bear Hollow Bobsled and Luge track and Nordic ski jumps, Utah also became a vital link in our country’s support and training system for young athletes.

It has been said—and rightly so—that the Olympic Games are all about the athletes—about the gifted and dedicated men and women who display the drive, the courage and the integrity to represent America on the world athletic stage. With so much tension and trouble around the world today, it is heartening to see the best and the brightest from 80 nations coming together in peaceful competition, celebrating each other’s culture and contribution to their sport.

I would like to salute all the athletes, especially my fellow Utahns, who bring us this inspiring and heart-warming interval from the beauty of winter.

HONORING STEVE MESLER, U.S. BOBSLED OLYMPIAN FROM BUFFALO, NY

HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. HIGGINS. Mr. Speaker, I rise today to recognize 2006 Winter Olympian Steve Mesler. Steve, originally from the West Side of Buffalo, is to compete in the four man bobsled race Friday, February 25. This will be his first time competing in the Winter Olympics, as he served as an alternate in the 2002 games.

Steve Mesler is truly a scholar-athlete. Born and raised in Buffalo, he graduated from City Honors High School in 1996 after participating in four consecutive city track and field championships. He also received the Buffalo Bills Academic/Community Service/Athletic Scholarship. Steve attended the University of Florida with a track and field scholarship. He graduated from the University of Florida, where he is still ranked sixth all-time among University of Florida decathletes with 6,817 points, with honors for a degree in Exercise and Sports Science.

After ending his track and field career in 2001, Steve traveled to San Diego for bobsled training camp. Although he was new to the sport he learned quickly. Four months after beginning the sport he was selected to travel with the 2002 men’s Olympic Bobsled team to Salt Lake City, Utah as an alternate. Steve won his first World Cup medal in 2002–2003 season.

The men’s bobsled competition consists of four runs, two runs per day for two days timed to hundredth of a second. The final standings are determined by the total time over the four runs; the winner is the sled with the lowest time. As a part of the nine man Olympic bobsled team, Steve Mesler is expected to push for Todd Hays, the 2002 Olympic silver medalist. Steve has much courage and determination—he and his team have come back from their four man sled crash at the November 2005 World Cup in Lake Placid, NY.

Steve is truly a member of the City of Good Neighbors. He describes himself as a kid from Buffalo having grown up playing street hockey and soccer. He is a die-hard Buffalo Bills fan; his favorite bill was Thurman Thomas, and his family partakes in Buffalo traditions such as tailgating— even when temperatures reach as low as 30 degrees.

The 2006 men’s Olympic bobsled team is expected to bring home a medal, and I am proud to have Steve Mesler represent my district, my state, and our country at the 20th Olympic Winter Games in Torino, Italy.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Ms. WOOLSEY. Mr. Speaker, I was unavoidably detained yesterday and missed Roll call votes #10 and #11. Had I been present, I would have voted “yea” on Rollcall vote #10 and “yea” on Rollcall vote #11.
INTRODUCTION OF LEGISLATION REGARDING THE LABELING OF INDOOR TANNING DEVICES

HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mrs. MALONEY. Mr. Speaker, the American people are not aware that indoor tanning is dangerous. While many people understand that tanning outside is harmful, they mistakenly believe that tanning in a salon is a safe alternative to sunbathing. It’s time we examined the labeling requirements for tanning devices. Today, I, along with my colleague from Florida, Representative GINNY BROWN-WAITE, introduce the Tanning Accountability and Notification Act, which would require the FDA to determine whether the current labeling of indoor tanning devices communicates sufficient information about the risks indoor tanning devices pose for the development of irreversible skin damage, including skin cancer.

According to a 2005 survey conducted by the American Academy of Dermatology (AAD), in their quest for a sunless tan, almost 30 million Americans visit indoor tanning salons each year. Of these 70% are women between the ages of 16 and 49. The dermatologists have concluded that indoor tanning is not safe. One of the reported side effects of indoor tanning is an elevated risk of skin cancer. According to the AAD, regular tanning bed use was associated with a 55% increase in the risk of developing melanoma, especially in women between the ages of 20 and 29. FDA and numerous leading United States’ and international health care organizations have expressed concerns that the consuming public is not aware that indoor tanning devices emit ultraviolet radiation that is similar to and sometimes more powerful than UV radiation emitted by the sun. This legislation will ensure Americans make informed choices about preserving the health of their skin.

TAIWAN: LUNAR NEW YEAR

HON. PHIL GINGREY
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. GINGREY. Mr. Speaker, last Spring the People’s Republic of China passed an anti-secession law targeting the Republic of China on Taiwan. This law gives Communist leaders the right to use force against Taiwan if they suspect separatist activities. In addition to the enactment of the anti-secession law, Communist China’s rapid military build-up has brought substantial concern to the Taiwanese people. With 700 Communist missiles posted along the coast of Taiwan, mainland China makes it clear that military capability to defend itself and assert its sovereignty. In response to China’s unilateral change of the status quo in the Taiwan Strait, it is my understanding that President Chen has expressed concern about Taiwan’s future in his Lunar New Year’s Day remarks.

If China really wants to unify Taiwan, it is my hope that they will listen to the advice of President Chen who requests mainland China to relinquish the use of force, listen to the people of Taiwan, and stop obstructing Taiwan from participating in international organizations like the United Nations and the World Health Organization. It is also my understanding that President Chen has, on many occasions, stated that the development of cross-strait relations must conform to the principles of sovereignty, democracy, peace and prosperity. China has no right by the principle of self-determination to change the status quo either through the anti-secession law or military intimidation. Like President Chen, I believe Taiwan’s future must be made by the free will of the 23 million people of Taiwan.

Taiwan is a free and democratic nation and deserves to be treated properly and with respect from the international community. Exclusion from the United Nations has deprived Taiwan its international identity. The Republic of China on Taiwan is content on returning to the international community and it is speculated that President Chen might even reapply to the United Nations under the new name of “Taiwan.”

It is my understanding that in the last six years, President Chen has not broken any of his pledges and has, in turn, offered many goodwill gestures to the People’s Republic of China. I believe President Chen’s remarks deserve our undivided attention and consideration.

Maintaining the status quo is currently the peaceful alternative and it is my understanding that President Chen once again reaffirmed his 2000 inaugural pledge to maintain status quo with mainland China, not declare independence, not change the name of the government, or add any other language to the Republic of China’s Constitution that promotes an independence referendum.

Mr. Speaker, I ask my colleagues to support peace in the region and hope that the People’s Republic of China will reciprocate President Chen’s goodwill by renouncing the use of force against Taiwan. However, should the need arise, we must not forget our responsibilities under the Taiwan Relations Act to make sure the Republic of China on Taiwan has the military capability to defend itself and assert its free voice to the international community.

HONORING GABRIEL AND SARA MATOS

HON. MARIO DIAZ-BALART
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I rise today in recognition of Gabriel and Sara Matos, for their dedication to citizen activism and crime prevention. Mr. and Mrs. Matos have been leaders of the Crime Watch in Miami-Dade County, an organization they created it nearly fifteen years ago. They were instrumental in the adoption of an anti-graffiti enforcement and politicians on zoning and crime issues.

The couple have been leaders of the Concerned Citizens of West Dade, Inc. since they created it nearly fifteen years ago. They were instrumental in the adoption of an anti-graffiti ordinance, and as chairpersons of their neighborhood crime watch, have helped to keep their neighborhood safe, as well as motivating other neighborhoods in their community to set up crime watch groups.

I congratulate Gabriel and Sara Matos, and on behalf of the residents of Miami-Dade County, I thank them for their dedication to their community.
RECOGNITION OF LANCE CORPORAL JONATHAN KYLE PRICE

HON. JOHN SHIMKUS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the life of Lance Corporal Jonathan Kyle Price who was recently killed in action fighting for freedom in Ramadi, Iraq.

Lance Cpl Price was a 19 year-old from Woodlawn, Illinois and was assigned to the 3rd Battalion, 10th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, N.C. He graduated from Woodlawn High School in Woodlawn, Ill.

Price paid the ultimate sacrifice for his country. He is survived by his mother and stepfather, Cheryl Price Hunsell and John Hunsell of Woodlawn; his fiancee, Brea Tate of Mt. Vernon and many other family, friends and loved ones. I am proud of the service this young man gave to his country and the service his fellow troops perform everyday. Not enough can be said about Lance Cpl Price. It is soldiers like him that are risking their lives day in and day out to ensure our freedom here at home and to others throughout the rest of the world. I salute him and my best wishes go out to his family and all the troops fighting to ensure freedom and democracy. God bless them and may God continue to bless America.

TRIBUTE TO MAYOR RICK ALLEN

HON. GREG WALDEN
OF OREGON
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. WALDEN of Oregon. Mr. Speaker, I rise today to pay tribute to a great American, a dedicated Oreganian, an avid Oregon Duck fan, and a good friend of mine, Mayor Rick Allen. Throughout his career, Mayor Allen has played a significant role in shaping the City of Madras, while paving the way for future development and growth. Today, we thank him for his years of public service and recognize the numerous contributions he’s made during his tenure in office.

Mr. Speaker, following graduation from Madras High School in 1975, Rick took over as the manager of the local bowling alley. It was there that he began learning the ways of the business world. His hard work at the bowling alley gave him the experience and knowledge that led him to his next business endeavor as a manager of the Tiger Mart. It didn’t take long until Rick had purchased Tiger Mart and turned it into a thriving gas station and mini market. Soon, he’d be on to even bigger and better endeavors.

First elected in 1982, at the young age of 25, Rick embarked into the world of politics as a member of the Madras City Council. His business background brought efficiency and effectiveness to his elected post and to the operation of local government. Rick served 6 years as a member of the city council, and served as the mayor for the last 2 years. Following his service on the city council, Mayor Allen went on to serve 8 years as a Jefferson County Commissioner, continuing his role of public stewardship.

Mr. Speaker, following a brief departure from elected office, Rick’s dedication and devotion to his community called him back for a second tour of duty. In 2000, the City of Madras faced great uncertainty with alleged scan- dals and wrongdoings within the city government. During these tumultuous times, Rick recognized the need for stability and con- sistent leadership, and inspired him to mount a write-in candidacy to once again return to serve as the Mayor of Madras. He was overwhelmingly elected in 2001, securing 80 percent of the vote and upon election immediately went to work to rebuild and restore trust within the community.

Mr. Speaker, those who know Rick best will tell you that he’s not one to back down from a challenge and he’s not afraid to make an unpopular decision if he believes it is best for the community. During his tenure, Rick tackled challenges head-on with a vision for growth, led the charge for expansion, and has been a champion for eco- nomic development in the region. Under his leadership, the city acquired industrial land near the airport while making significant improve- ments and enhancements to the airport property. Rick has been a strong advocate for recreation and rafters who float along the lower Deschutes River. He was a key player in East Madras Development Project, which will establish 1,700 new homes, an 18-hole golf course, over 60 acres of open space, and 20 acres set aside for schools.

Mr. Speaker, these illustrate just a few of Mayor Allen’s accomplishments during a long and distinguished career. I ask that my fellow colleagues join me in congratulating this extraordinary man and great American. For years to come the region will flourish and residents will benefit from the foundation and vision that Mayor Allen has pursued. I wish Rick the best in future endeavors, and personally, I would like to thank him for all he’s done for the people of Jefferson County, the Second Congressional District, and the great state of Oregon.

TRIBUTE TO CLOYCE DICKERSON

HON. DALE E. KILDEE
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. KILDEE. Mr. Speaker, I ask the House of Representatives to join me today in congratulating Cloyce Dickerson as he receives the Walter Reuther Award from UAW Local 659. Cloyce will be honored at a reception on Sunday by the membership of the Local.

Cloyce is a visionary for growth, led the charge for improvements and enhancements to the airport property. Rick has been a strong advocate for recreation and rafters who float along the lower Deschutes River. He was a key player in East Madras Development Project, which will establish 1,700 new homes, an 18-hole golf course, over 60 acres of open space, and 20 acres set aside for schools.

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The Walter Reuther Award is given to UAW members, public officials and community leaders, in acknowledgement of their contributions to the advancement of working people and their families. 41 years ago Cloyce Dickerson began her career with General Motors Chev- rolet Manufacturing Plant and started his lifelong commitment to improving conditions for his fellow workers.

He was employed with Chevrolet as a skilled tradesman and a Building Repairman. He worked for the UAW in the capacities of Alternate Committeeman, UAW/CAP Council Member, Jobs Bank Coordinator, Attendance Coordinator, EAP Coordinator-International Appointment, Health and Safety Representa- tive-International Appointment, Quality Net- work Representative-International Appointment, served on Personnel Person Committee, the Joint Council, and was chair of the UAW Black Caucus.

In addition he also was a founding member of the North End “GOTV” Headquarters, a member of Christ Fellowship Missionary Bap- tist Church, former Vice-President and a member of the NAACP–Flint Branch, a board member of Big Brother/Big Sisters, works with Boys and Girls Club, and the Democratic Black Caucus. As the father of six and the grandfather of nine, Cloyce understands the importance of instilling community values in our youth and was recently honored by the Flint Human Relations Commission with the Service to Youth Award.

Cloyce was inducted into the Afro-American Hall of Fame in 1998. In 2005 the Bruin Club of Flint gave him the Black Heritage Award because of his athletic prowess during his high school and college years. Cloyce was an All Conference and All State honoree basketball player during his years attending Central High School. Attending Mott Community College, Cloyce was on the school’s 1964 Re- gional Championship Basketball team.

Mr. Speaker, may the members of the House of Representatives join me in honoring a remarkable, committed, compassionate man, Cloyce Dickerson, and he is recognized for his lifelong contributions to the UAW and its members.

GIRL SCOUTS OF NASSAU COUNTY
FOCUS ON THE IMPORTANCE OF GOOD SELF IMAGE FOR GIRLS

HON. CAROLYN McCARTHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mrs. McCARTHY. Mr. Speaker, I am proud to recognize the Girl Scouts of Nassau County for their work to promote health and self-esteem, to build courage, confidence and character in girls and young women.

The Girl Scouts provide an extremely important service, always working to find new ways to address the key issues facing girls and young women. Recently, the Girl Scout Research Institute released a study which concluded that feeling acceptance and emotional support are critical toward achieving healthy habits. The study was quite timely, released just before National Eating Disorder Awareness Week, which is February 27 through March 3. The study brings everyday girls’ voices to the forefront of discussions on health and self esteem issues.

The Girl Scouts of Nassau County offer a range of healthy living activities that address the girl as a whole rather than just the food she eats, her weight and her exercise habits. Dove, the beauty brand, made that point by running a Superbowl commercial. The com- mercial featured a television version of the definition of beauty and inspire healthy, positive self-images among women. The talents of the Girl Scouts of Nassau County Chorus were recruited, and
the young ladies provided the vocals for the commercial, singing the Cyndi Lauper song “True Colors.”

Mr. Speaker, it is with pride that I commend and honor the following Girl Scouts of Nassau County and their adult leaders for their achievements and dedication to improving the self image and health of girls and young women. Natalie Aiken, Kara Arena, Alice Azzara, Catherine Azzara, Jennifer Azzara, Chantice Barr, Emily Berger, Gillian Berkowitz, Emme Bir, Stella Bowles, Nicole Bowman, Antoinette Burland, Tori Carrela, Kara Curtin, Lauren Dash, Meryl Dickstein, Vicki Eberle, Emma Hood, Alexis Jacobsen, Emily Jacobson, Enrica Maccaroni, Julia Mars, Mykela Martinez, Carlie Mendoza, Christina Mendoza Emily Mervosh, Carly Mignone, Alli-Letitia Mignone, Samantha Watterson, Angelica Weber, Amelia Weck, Brenda Wells, Jr., Elizabeth Woods, Courtney Wright, Crystalin Wynter, Laura Bissett-Carr, Marie Rauch, Donna Rivera-Downey, Melanie Trainor.

INTRODUCTION OF THE CITIZEN SOLDIER PROTECTION ACT OF 2006

HON. RON PAUL
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. PAUL. Mr. Speaker, today I am introduce the Citizen Soldier Protection Act of 2006. This legislation will protect our American soldiers from being forced to serve under a United Nations or other foreign command and from being forced to wear the insignia of the United Nations or other foreign states.

Mr. Speaker, there have been instances where members of the U.S. Armed Forces were compelled, without lawful authority, to serve under United Nations or other foreign command and to wear as part of their military uniform visible indicia or insignia of the United Nations and foreign states. This is absolutely unacceptable, as a constitutional role of the United States Armed Forces is to protect the United States of America. It is the responsibility of the U.S. Congress to ensure that the men and women who sign up for the noble duty of defending our country do not end up serving under a foreign flag or foreign commander. And American soldiers certainly should not be forced to serve the sovereignty destroying plans of the United Nations!

I hope my colleagues will join me in defending our men and women in uniform by cosponsoring Citizen Soldier Protection Act of 2006.

IN CELEBRATION OF THE 30TH ANNIVERSARY OF THE PENSION RIGHTS CENTER

HON. GEORGE MILLER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. GEORGE MILLER of California. Mr. Speaker, I rise to celebrate the 30th anniversary of the Pension Rights Center. Since its founding on February 17, 1976, the center has been a leading voice and champion for the retirement security of the American people. The center is the only organization in the United States solely dedicated to protecting and promoting the pension rights of American workers, retirees, and their families. Its founder, Karen Ferguson, has dedicated her career and much of her life to improving the retirement security of the American people.

From the beginning of our private pension law, the Pension Rights Center has fought to ensure fair treatment for all workers, but especially for the most vulnerable members of our society—widows, divorced spouses, and dis-located workers. Every day for the past 30 years, the Pension Rights Center has been the voice of the voiceless. The center was instrumental in the passage of the Retirement Equity Act of 1984 which improved pension protections for widows and divorcees, expanded pension coverage to younger workers and reduced pension vesting requirements for all workers. The center also played a key role in the development and passage of the Tax Reform Act of 1986 which expanded pension coverage requirements for all workers and improved benefits for low-income workers by limiting the integration of pension and Social Security benefits. In the last few years, the center has led in the fight to strengthen the law and work with Congress and the executive branch on creative and thoughtful solutions that make our pension system fairer for all.

From plan asset reversions to cash balance conversions, the Pension Rights Center has alerted the public and organized activists to the problems of the day and helped us find a fair way to protect the pension promises made to employees and retirees.

In addition to its policy work, the center has helped tens of thousands of individuals with their pension problems. The center has worked with the Departments of Labor and Treasury, IRS, and the PBGC to improve their pension assistance functions. The center developed and coordinates a nationwide network of pension information and assistance services for all workers. The center also played a key role in the development and passage of the Tax Reform Act of 1986 which expanded pension coverage requirements for all workers and improved benefits for low-income workers by limiting the integration of pension and Social Security benefits. In the last few years, the center has led in the fight to strengthen the law and work with Congress and the executive branch on creative and thoughtful solutions that make our pension system fairer for all.

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Navy to open a radar-equipped airport tower for demonstration purposes. By 1950, the first Airport Surveillance Radar systems were deployed in the United States.

Ed Barrow’s participation was key to the development of our modern “positive air traffic control system,” which requires all aircraft at or above 18,000 feet to be under positive air traffic control in order to ensure that they were provided separation from all other aircraft operating at the same altitudes. As chief of the FAA’s Air Traffic Control Procedures Division, he was responsible for all of the procedures and phraseology used by American civilian and military air traffic controllers and ultimately oversaw the complete rewriting of the Air Traffic Control Procedures Manual. He established a set of Military Operations Areas, MOAs, in which military training and tactics would be contained and FAA controllers would then take the fighters to and from these MOAs and the military would then operate within these designated areas. Barrow also established that an FAA controller would be assigned to the NORAD facility to ensure the competency of the NORAD controllers. This all superseded an earlier agreement with the North American Air Defense, NORAD. Command of the U.S. Air Force which allowed NORAD to control fighter/inceptors independently of the FAA air traffic control system, which had become increasingly hazardous to the safety of both civilian and military aircraft.

Later, Ed Barrow was assigned to Kansas City, MO, to the headquarters of the director of the FAA’s Central Region, where he was responsible for aviation safety in an 11 State area, including the operational activities of the Air Traffic Division, the Flight Standards Safety Division and the Airways Facilities Division.

As his friend and coworker, Glen Tigner, recently told his daughter, Marilyn: “Your Dad often gave that country boy approach to critical matters, but believe me he was sharp as a tack. He was a real leader among men, stilling in them the attitude that they would follow him anywhere, anytime, anyhow . . . a man one would proudly serve. He will be remembered as the best of the best.”

Ed Barrow’s service to his country was recognized by the Department of the Air Force, which presented him with a Decoration for Exceptional Civilian Service. It reads: “In recognition of his exceptional performance as Airways Operations Specialist, Directorate of Operations, Headquarters USAF, from 15 October 1954 to 15 May 1956. The constant, increasing demands on the United States Air Force by the dynamics of the airspace since the advent of jet operations presented almost insurmountable problems in the air traffic field. Through his superior knowledge, extreme conscientiousness, and outstanding application, Mr. Barrow developed completely new concepts to meet the requirements so that the Air Force now leads in air traffic control, so vital to the air traffic control management.”

Mr. Speaker, I am pleased to take this opportunity to share with the House this tribute to the distinguished public service career of Daniel “Ed” Barrow, as he approaches his 90th birthday, and to wish him many happy returns in the years to come.

TRIBUTE TO TERRY R. JORDE ON HER ELECTION AS CHAIRMAN OF THE INDEPENDENT COMMUNITY BANKERS OF AMERICA

HON. EARL POMEROY
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. POMEROY. Mr. Speaker, today I rise to recognize the remarkable achievement and leadership of a great North Dakotan, a remarkable business CEO and a wonderful woman—Terry R. Jorde. Today on the occasion of Terry Jorde’s election as chairman of the Independent Community Bankers of America, ICBA, we celebrate her service and success. Firsts for Jorde are commonplace: She is the first North Dakotan and the first woman so honored.

Terry Jorde is president and CEO of Country Bank USA, a locally owned community bank in Cando, ND. Her career embodies the spirit of Cando, a town literally named for the “Can Do” spirit of the town’s founders.

Terry Jorde started her banking career at age 21 as a teller and bookkeeper, and in 11 years she advanced to election as president and CEO of the bank. Jorde successfully led the bank through the agricultural crisis in the early 1990’s, achieving strong growth in profitability and diversifying the bank’s geographic and revenue base.

ICBA’s election of Terry Jorde as the organization’s chairman comes in recognition of her service as chairman of the Independent Community Bankers of America is dedicated to enhancing services and values of the Nation’s community bankers for the benefit of their customers. Locally owned community banks are the bankers for municipalities and school districts. Community bankers generally know personally many small business owners and establish lending relationships with these individuals and their businesses. These small businesses, in turn, provide the majority of new jobs in our economy.

Like other community bankers around the Nation, Terry Jorde provides tremendous leadership in her communities of Cando and Devils Lake, which is critical to economic development and community revitalization. In any given week, she might spend 6 hours in a hospital board meeting, 4 hours in an economic development corporation meeting, and another 4 hours working with other local community bankers to develop a financial incentive package for a potential new business in Cando. She knows that community service is an important and cost-effective way to invest her time. The Bank depends on the economic success and vitality of the local communities of Cando and Devils Lake.

Jorde has taken that service mission to the national and State levels. She has been an important voice for rural America calling for a three-hour visit to ICBA brings together a broad rural coalition of various private sector entities, government and educational institutions to focus on the many challenges facing our rural communities. She has testified before congressional committees and had the privilege of being the only active banker to sit on the FDIC’s Advisory Committee on Banking Policy. Terry is past president of the Independent Community Banks of North Dakota and a past member of the Federal Reserve Board Con-

siderer Advisory Council. She also served on the board of the North Dakota Department of Financial Institutions.

With ICBA, Jorde has served on the Executive Committee as treasurer and as chairman of ICBA’s Services Network, the holding company that oversees the trade association’s six for-profit subsidiaries. She has also been chairman of ICBA’s Securities Corp. and ICBA’s Agriculture-Rural America Committee.

Terry Jorde is a business development leader, serving on the board of the Towner County Economic Development Corp., the Towner County Medical Center, the Cando Community Foundation, and the North Dakota Development Fund. She is also currently a member of Fannie Mae’s National Advisory Council.

Terry Jorde holds a bachelor’s degree in finance from the University of Illinois in Champaign-Urbana. She and her husband also farm 1,200 acres of potatoes, and they are the parents of three children.

North Dakota is very proud that her outstanding leadership skills and banking expertise are being recognized with this important national association position.

INTRODUCTION OF THE “INTERNET GAMBLING PROHIBITION ACT”

HON. BOB GOODLATTE
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. GOODLATTE. Mr. Speaker, I am pleased to introduce today bipartisan legislation, the Internet Gambling Prohibition Act, along with my colleague Representative Rick Boucher of Virginia, to address the ever increasing problem of illegal Internet gambling in our Nation.

The Internet is a revolutionary tool that dramatically affects the way we communicate, conduct business, and access information. As it knows no boundaries, the Internet is accessed by folks in rural and urban areas alike, in large countries as well as small. The Internet is currently expanding by leaps and bounds; however, it has not yet come close to reaching its true potential as a medium for commerce and communication.

One of the main reasons that the Internet has not reached this potential is that many folks view it as a wild frontier, with no safeguards to protect children and very few legal protections to prevent online criminal activity. The ability of the World Wide Web to penetrate every home and community across the globe has both positive and negative implications—while it can be an invaluable source of information and means of communication, it can also override community values and standards, subjecting them to whatever may or may not be found online.

Gambling is an excellent example of this situation. It is currently illegal in the United States unless regulated by the States. With the development of the Internet, however, prohibitions and regulations governing gambling have been turned on their head. No longer do people have to leave the comfort of their homes and make the affirmative decision to travel to a casino; they can access the casino from their living rooms.

Since 1868, the Federal Government has enacted Federal gambling statutes when a
particular type of gambling activity has escaped the ability of States to regulate it. For over 100 years, Congress has acted to assist States in enforcing their respective policies on gambling when developments in technology of an interstate nature, such as the Internet, have compromised the effectiveness of State gambling laws.

The negative consequences of online gambling can be as detrimental to the families and communities of addictive gamblers as if a brick-and-mortar casino was built right next door. Online gambling can result in addiction, bankruptcy, divorce, crime, and moral decline just as with traditional forms of gambling, the costs of which must ultimately be borne by society.

Gambling on the Internet is especially enticing to youth, pathological gamblers, and criminals. There are currently no mechanisms in place to prevent youth—who make up the largest percentage of Internet users—from using their parents’ credit card numbers to register and set up accounts for use at Internet gambling sites. In addition, pathological gamblers may become easily addicted to online gambling because of the Internet’s easy access, anonymity and instant results. Finally, Internet gambling can provide a nearly untraceable harbor for criminal enterprises. The anonymity associated with the Internet makes online gambling more susceptible to crime.

I have long been an advocate of the Internet and of limited government regulation of this new medium. However, that does not mean that the Internet should be a regulatory free zone or that our existing laws should not apply to the Internet. I think we can all agree that it would be very bad public policy to allow online activity deemed criminal by States to be freely committed online and to go unpunished simply because we are reluctant to apply our laws to the Internet.

Gambling on the Internet has become an extremely lucrative business. Numerous studies have and are showing the explosive growth of this industry, both by the increases in gambling websites available, and via industry revenues. Some estimates show that it is now a $12 billion a year industry.

Most Internet gambling sites are offshore. Virtual betting parlors accepting bets from individuals in the United States have attempted to avoid the application of United States law by locating themselves offshore and out of our jurisdic- tional reach. These offshore, fly-by-night Internet gambling operators are unlicensed, untaxed and unregulated and are sucking billions of dollars out of the United States. In addition, the FBI and the Department of Justice has testified that Internet gambling serves as a vehicle for money laundering activities and can be exploited by terrorists to launder money.

Current law already prohibits gambling over telephone wires. However, because the Internet does not always travel over telephone wires, these laws, which were written before the invention of the World Wide Web, have become outdated. My legislation simply clarifies the state of the law by bringing the current prohibition against wire line interstate gambling up to speed with the development of new technology. It also makes clear once and for all that the prohibition is not limited to sports-related bets and wagers.

In addition, my legislation will add a new provision to the law that would prohibit a gam-
TRIBUTE TO CYNTHIA MATHHEWS

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. FARR. Mr. Speaker, I have the privilege of rising this evening to honor Cynthia Mathews, a dedicated member of our community who recently retired after 40 years of service with Planned Parenthood Mar Monte organization. I have had the pleasure of working with Cynthia for many of those years and I can attest to her commitment to our community as well as her steadfast support of civil liberties that will continue to protect women’s health.

In 1965, Cynthia began her involvement with Planned Parenthood as a volunteer in San Diego County. She later served as both staff and board member of the organization. She was instrumental in ensuring the well-being of young mothers by organizing an abortion referral service to Mexico prior to the Therapeutic Abortion Act of 1967.

After moving to Santa Cruz in 1970, Cynthia was instrumental in forming Planned Parenthood of Santa Cruz County, where she served as the executive director. After a brief absence during which she gave birth to her second child, she rejoined the organization in 1979. Cynthia guided the growing affiliate to eventually become part of Planned Parenthood Mar Monte, a network that includes much of California and Nevada. Officially, she was a part-time public affairs staff member, however, all who know her were aware that she worked well beyond her outlined duties.

Cynthia actively built coalitions, engaged volunteers, sustained Planned Parenthood’s community presence, and protected the civil liberties and health of her community.

Beyond Planned Parenthood, Cynthia’s outstanding reputation as a public figure and liberal activist is strengthened by her tireless dedication to the City of Santa Cruz. Ms. Mathews has served as a city council member, a founding member of the Downtown Neighbors Association, a member of the Planning Commission and Zoning Board, a participant in Vision Santa Cruz, a cochair of the Santa Cruz High Centennial Campaign, and a volunteer on four successful election campaigns for schools and municipal revenue. She now holds the seat of Mayor of Santa Cruz. Through her involvement in these organizations, she has positively affected the quality of life for many residents in our community. She is an ideal role model for those who seek to create change through activism and I am honored to have known her throughout the many positions she has held. Though Cynthia has retired from her official position with Planned Parenthood Mar Monte, her position as Mayor will allow me to continue to work with her to support and strengthen our community and ensure that women have safe access to quality reproductive healthcare.

Mr. Speaker, in a time where women’s health and medical care is threatened by budget deficits and a conservative agenda, I am immensely thankful for Cynthia’s selfless service. I am confident that her legacy will continue as she has promised to take up the torch and encourage a new generation of voters to honor the promise to America’s women.

IN HONOR OF THE ASSOCIATED GENERAL CONTRACTORS OF ST. LOUIS

HON. W. TODD AKIN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. AKIN. Mr. Speaker, I rise today to recognize and commend the Associated General Contractors (AGC) of St. Louis. In 2005 alone the AGC has been involved in more that $52 billion worth of construction projects that employed approximately 80,000 workers. The members of the AGC provide the skill, teamwork, and spirit of innovation that makes a lasting contribution to our community; building facilities that support and enhance the quality of life in the St. Louis region. Whether it is a church or school, road or utilities, these skilled craftsmen conduct themselves and their work in a safe manner so as to avoid accidents and injuries. Their commitment to exceptional standards has been recognized by both the U.S. Department of Labor and the Occupational Safety and Health Administration (OSHA) along with receiving the coveted first place award for safety excellence from the National AGC Safety Awards (NASA) Program for 2004 and prior years. The AGC has also created a special safety training unit, Operation SafeSite, that provides two full-time construction professionals who provide on the job site training along with construction training school classes. I applaud the AGC’s vision and commitment toward improving construction safety in the St. Louis metropolitan community.

As a U.S. representative, I am honored to recognize the AGC Safety Awards Program. The AGC is a dedicated group of construction professionals who strive to create an environment where employment is safe and the workplace is productive.

FOREIGN MINISTERS

THURSDAY, FEBRUARY 16, 2006

Mr. Speaker, I rise today to call the attention of the House to the brave men and women from my district returning home from fighting for freedom and democracy in Iraq.

During a visit to Iraq last year, I was fortunate enough to witness firsthand these patriots’ dedication to their country and commitment to expanding the frontiers of freedom. It was also a reminder of the great sacrifice that they and their families make to secure the blessings of liberty to all Americans, and help bring hope to people who have been oppressed for decades.

From decorated Marine Sergeant Luke B. Miller’s selfless rescue of critically injured Marines in Karabiah to the opening of a medical clinic in Kikuy by the 116th Brigade Combat Team, these men and women serve as an example of our mission to fight terrorism and tyranny wherever it exists. The heroic efforts of these and many other individuals bring great and lasting credit to Idaho and all American armed forces.

I encourage my colleagues to join me, Mr. Speaker, in applauding and recognizing the exceptional individuals from Idaho who are returning home from their current deployment, and patriotism truly mark them as America’s newest generation of heroes. They deserve our utmost respect and heartfelt thanks.

WELCOMING OUR TROOPS HOME

HON. C.L. "BUTCH" OTTER
OF IDAHO
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. OTTER. Mr. Speaker, I rise today to call the attention of the House to the brave men and women from my district returning home from fighting for freedom and democracy in Iraq.

Mr. Speaker, please join me in paying tribute to the courageous and guiding history of the National Association for the Advancement of Colored People on this day of their 97th Anniversary.

Mr. Speaker, I rise today to commend the NAACP on this occasion of their 97th Anniversary. The necessity of the continued push for equality and justice for all citizens presents a great burden on all our shoulders, but the work of groups such as the NAACP gives our society the necessary guidance and reminder of our responsibilities towards one another.

Mr. Speaker, in applauding and recognizing the NAACP has been the implementation of a holistic approach, through the promotion of understanding and education, to the eradication of race and other problems that have long plagued our society. This nonviolent approach has put students through college, given the vote back to the voiceless, and ensured that the American people will not continue to be divided by differences, but rather be brought together by mutual compassion and kinship.

Mr. Speaker, it is with great admiration and encouragement that I commend the NAACP on this occasion of their 97th Anniversary. The necessity of the continued push for equality and justice for all citizens presents a great burden on all our shoulders, but the work of groups such as the NAACP gives our society the necessary guidance and reminder of our responsibilities towards one another.

Mr. Speaker, please join me in paying tribute to the courageous and guiding history of the National Association for the Advancement of Colored People on this day of their 97th Anniversary.

Ms. McCollum of Minnesota. Ms. Speaker, I rise today in honor of the 97th Anniversary of the National Association for the Advancement of Colored People, NAACP, which was founded on February 12, 1909. Throughout its existence, the NAACP has faithfully promoted equality in all areas of American society, from suffrage and public accommodation to justice in our nation’s courts and equality in employment.

For nearly a century, the NAACP has pushed for an inclusive American society, one that would grant all people the equality they deserve, regardless of the shade or color of their skin. The NAACP’s principled efforts towards the advancement of people who were long denied their rightful place in the workforce, the schools, and the ballot box have continued to come to fruition with the Civil Rights Acts, the Fair Housing Act, and other breakthroughs in the establishment of justice and quality in this country.

The mission of the NAACP continues today and the Saint Paul Branch of the NAACP continues to work towards equality, education and justice for all. My local NAACP chapter is well known for its tireless work addressing the injustices affecting individuals and the diverse communities of Minnesota. Recently, they have worked to bring our community together to seek healing and justice after an appalling act of discrimination and intimidation was perpetrated upon a local church. In addition, St. Paul’s NAACP is instilling hope through its establishment of the House Children’s Read Project, where volunteers are connected with students to develop their reading ability.

Ms. McCollum of Minnesota. Ms. Speaker, I rise today in honor of the 97th Anniversary of the National Association for the Advancement of Colored People, NAACP, which was founded on February 12, 1909. Throughout its existence, the NAACP has faithfully promoted equality in all areas of American society, from suffrage and public accommodation to justice in our nation’s courts and equality in employment.

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As a U.S. representative, it is appropriate for me to recognize the exceptional individuals from Idaho who are returning home from their current deployment, and patriotism truly mark them as Idaho’s newest generation of heroes. They deserve our utmost respect and heartfelt thanks.
Ms. BALDWIN. Mr. Speaker, I rise today to pay tribute to the life and work of Professor Nellie McKay of the University of Wisconsin-Madison. At the time of her death, Professor McKay was known world-wide as one of the most distinguished scholars of African-American literature.

Nellie McKay was the daughter of immigrants who sought for her the education and advancement that was denied them. She realized all their dreams and more.

After earning her doctorate in English and American literature from Harvard and teaching in Boston, Professor McKay, to the dismay of many of her friends, moved to the midwestern city of Madison. Craig Werner, the current chairman of the UW–Madison Afro-American studies department, said, “When she came here, there was not a single university that was paying any attention to black women’s literature. Now, there isn’t a single university that isn’t.”

Professor McKay chaired the Afro-American studies department at Madison and helped turn it into the nationally recognized program that it is today. She co-edited, with Henry Louis Gates, Jr., The Norton Anthology of African American Literature, a groundbreaking work that remains a cornerstone of the genre.

Professor McKay’s scholarship (more than 60 books, articles, and essays) was matched by her commitment to her students, both in and out of the classroom. She is remembered fondly as a teacher who challenged her students academically and challenged her colleagues to make the university a more welcoming place for all people. By all accounts, she succeeded at both. But she would be the first to say that her work is ongoing, to be continued, now, by others.

Nellie McKay did the unthinkable—sacrificing a department chair at Harvard, and its attendant fame, to continue living and working in Madison. We are grateful for her sacrifice and so much richer for it.

With the passing of Nellie McKay, the world has lost a great scholar and Wisconsin has lost a great teacher, citizen, and friend.

RECOGNIZING THE 80TH ANNIVERSARY OF NEWS TALK RADIO 1370 WCOA

HON. JEFF MILLER OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the 80th Anniversary of NewsTalk Radio 1370 WCOA.

On February 3, 1926, WCOA aired as Pensacola Florida’s first radio station. Ever since, Pensacola has been proud to call WCOA one of its own.

Beginning with John E. Frenkel, Sr., who originally came up with the call letters WCOA, or “Wonderful City of Advantages”, for generations, its radio personalities have entertained the Gulf Coast. Along the journey, WCOA gave us Don Priest, Ted Cassidy, Sally Henderson, along with so many others.

It is no wonder why, with a current broadcast team made up of Luke McCoy, Don Markers, Jim Roberts and Bryan Newark, many Northwest Floridians can be found tuning into 1370 daily. This station earned the respect and loyalty of its listeners.

During its inaugural year, a hurricane devastated the city of Pensacola and took WCOA off the air. Since then, it has stood as a source of information that people rely on during the times of emergency and has been designated as the Emergency Alert System radio station in the area.

After broadcasting music for many years, in 1981 the station turned to an all-news talk format. While WCOA broadcasts programs that feature prominent national radio personalities, such as, Rush Limbaugh and Bill O’Reilly, it is proud to be home to many local shows, including Pensacola Speaks, one of the longest running call-in shows in the United States.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize the 80th Anniversary of NewsTalk Radio 1370 WCOA and its service to the communities of Northwest Florida.

INTRODUCTION OF BILL TO RESTRAIN FEDERAL COURTS FROM INTERFERING IN THE INDEPENDENCE OF STATE LEGISLATURES AND TO PROTECT THE FREEDOM OF SPEECH AND CONSCIENCE OF STATE LEGISLATORS

HON. MICHAEL E. SODREL OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Mr. SODREL. Mr. Speaker, today, I am introducing legislation to address a problem in Indiana that has crossed the nation. A federal court in Indiana has imposed itself on the independence of state legislators. A federal district court judge, David Hamilton, in the case of Hinrichs v. Bosma, has ruled that the Indiana State Legislature, and the legislators themselves, must not make any reference to Jesus Christ or to the Christian religion. This decision goes beyond freedom of religion, to threaten freedom of speech, and imperils the foundation principles of our representative republic. If federal courts can regulate any speech of the members of a legislative body, then those courts can regulate all speech.

The U.S. Constitution guarantees to each state a representative form of government, and it is Congress’ duty to enforce this guarantee. This decision by Judge Hamilton is an unprecedented intrusion of federal courts on the independence of a state legislative body. The courts are now going beyond interpreting laws, and have begun inserting themselves in the legislative process. Hundreds of years of precedent argue against this court decision. It violates the principles of separation of legislative powers, and separate sovereignty between state and federal power. Judge Hamilton’s court is presuming to dictate what state legislators may or may not say, and decide how they should represent their constituents.

To protect the speech, conscience, and independence of legislators from un-elected and unaccountable judges serving for life, I am introducing a bill to do the following: remove the threat of court interference in the legislature from the jurisdiction of federal courts; provide immunity for the content of speech during a legislative session by a legislator or lawfully invited guests, excluding witnesses, unless such speech constituted treason, an admission of a crime, or a breach of the peace; prohibit the use of federal funds to enforce this or similar decisions; and prohibit the use of fines against the state as a body in order to enforce such a decision.

It is vital to representative government to preserve the ability of state legislators to represent their constituents as their consciences provide through the power of free speech. I ask the Congress to act to stop this cancer on the legislative power.

HEROIC FREEDOM FIGHTERS ABOARD USS “HOUSTON” WILL NEVER BE FORGOTTEN

HON. TED POE OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Mr. POE. Mr. Speaker, the USS Houston, a 9,050-ton Northampton class light cruiser, was lost to enemy fire in World War II. Today, I am proud to recognize the heroes who served aboard the USS Houston.

On February 28, 1942, in the Bismarck Sea, the USS Houston and two destroyers became the only American battle group to completely defeat a Japanese force. It was a victory that came at a high price. Of the total of 1,107 crewmen, 368 were captured by the Japanese, another 368 were lost at sea, and 371 were killed in action. The USS Houston was the flagship of the United States Navy’s U.S. Pacific Fleet, and it is now known as the “Lost Battalion.”

The USS Houston was a true American hero, and it is fitting to pay tribute to her service. On March 1, 1942, the USS Houston’s brave crew fought against all odds, and their sacrifice will not be forgotten.

Next Saturday in my home state of Texas, survivors, their families, friends and representatives of the Naval Order of the U.S. and several foreign nations will converge at the USS
Honor Tom Udall of New Mexico

In the House of Representatives

Thursday, February 16, 2006

Mr. UDALL of New Mexico. Mr. Speaker, today I would like to recognize the City of Rio Rancho on its 25th anniversary of being incorporated.

Started nearly 50 years ago as an investment and retirement community, Rio Rancho has blossomed into the third-largest city in the State of New Mexico and one of the fastest growing communities in our country.

Rio Rancho has become a model for its commitment to economic development, acquiring technology-based jobs, providing affordable housing, and establishing a first-rate public school system. The city has made these significant advancements while maintaining a high quality of life for residents. For these qualities and much more, the "City of Vision" is to be commended.

It is my privilege and honor to serve as Rio Rancho’s Member of Congress. I look forward to the “City of Vision’s” continued success and prosperity.

Once again, best wishes and congratulations on turning 25 Rio Rancho.

Honor the 50th Anniversary of the Business and Professional Women’s Foundation

Hon. Carolyn B. Maloney of New York

In the House of Representatives

Thursday, February 16, 2006

Mrs. MALONEY. Mr. Speaker, I rise to honor a unique and valuable organization that for the past 50 years has been partnering with employers to build successful workplaces and empowering workingwomen to achieve their full potential. The Business and Professional Women’s Foundation will be celebrating its 50th anniversary all year long starting on its incorporation date, February 27, 2006. I ask all of my colleagues to join me in saluting the Business and Professional Women’s Foundation’s record of helping workingwomen and their families in the areas of research, education, knowledge and policy.

Established in 1956, the BPW Foundation is a nonprofit research, and educational institution governed by a volunteer Board of Trustees. As a national convener, the foundation has influenced, informed, and educated presidents, Members of Congress, state officials, policymakers, women of influence—making research and educational resources available that accurately portray the challenges and important role of workingwomen.

This year, the Business and Professional Women’s Foundation will actively engage workingwomen and employers in dynamic discussions, innovative research projects, and exciting educational opportunities. These activities will empower workingwomen and help build a better future, as the BPW Foundation embraces its 50-year history as a research and education institution, it is setting the stage for a whole new phase of growth and engagement.

The 50th anniversary celebration will highlight the history of the BPW Foundation and its many milestones in the areas of research, education, knowledge and policy. The BPW Foundation has made its mark over the past 50 years, making a tangible difference in the lives of American workingwomen and their families. To date, $6 million in scholarships, grants, and loans have been awarded to more than 8,000 women and valuable research has been published that assists employers to improve work environments and workingwomen to pursue career advancement.

Mr. Speaker, it is an honor to pay tribute to the Business and Professional Women’s Foundation. As the first foundation to conduct research about workingwomen, their 5 decades of commitment to workingwomen has made an incredible difference in women’s lives. I am confident that they will “Light the Way” for future generations of workingwomen. I ask all of my colleagues to join me in thanking the BPW Foundation for their contribution to our country.

Sense of Congress Regarding Palestinian Authority

Speech of

Hon. Al Green

of Texas

In the House of Representatives

Wednesday, February 15, 2006

Mr. AL GREEN of Texas. Mr. Speaker, today I would like to express my support of S. Con. Res. 79. This resolution reaffirms the long-standing policy of the United States against dealing with terrorists by expressing the sense of Congress that no aid should be given to the Palestinian Authority should any political party holding a majority of Parliament seats advocate for the destruction of Israel or the majority party maintain a position calling for the destruction of Israel. This resolution recognizes the commitment to peace, real peace, by sending a clear, swift signal to those persons in the Palestinian Authority who refuse to recognize Israel’s right to exist.

While the Palestinian Authority was democratically elected, true democracy requires a willingness to negotiate with other states. I urge the Palestinian Authority to acknowledge the existence of the state of Israel and to announce a willingness to negotiate with Israel and, in doing so, make a declaration to the world that it is committed to true democracy and peace.

Tribute to the Retirement of Bishop James H. Garland

Hon. Bart Stupak

of Michigan

In the House of Representatives

Thursday, February 16, 2006

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to an outstanding man of faith, The Most Reverend James H. Garland, the Bishop Emeritus of the Diocese of Marquette. On December 13, 2005, Bishop Garland officially retired as the Bishop of Marquette; serving as Diocesan Administrator until January 25, 2006, when The Most Reverend Alexander K. Sample was ordained and installed as the twelfth Bishop of Marquette. On February 26, 2006, the Diocese of Marquette will host a retirement gathering for Bishop Garland to show their appreciation for his ministry and leadership.

Bishop Garland has been committed to the ministry and service for the Diocese of Marquette for 13 years, and 47 years as an ordained priest. Bishop Garland’s contribution to the Catholic Church and his faith has touched so many lives in Michigan’s Upper Peninsula and beyond.

Bishop Garland was born to Ada and Leo Garland on December 13, 1931. Growing up on a farm in Wilmington, OH, young James Garland learned the value of hard work by sharing chores with his four brothers and two sisters. That Midwest work ethic would come in handy years later when he studied at Ohio State University. In 1953, Bishop Garland graduated from Ohio State receiving a bachelor’s degree in Education.

Immediately upon graduating, Bishop Garland began studying at the seminaries of the Archdiocese of Cincinnati and in 1960 received a Master’s Degree in Philosophy from Mount Saint Mary’s Seminary of the West. Several years later in 1965, he went on to obtain a Master’s Degree in Social Work from the Catholic University of America in Washington, DC.

Bishop Garland served in several parishes after being ordained to the priesthood for the Archdiocese of Cincinnati on August 15, 1959.
Through the years, he directed offices of Catholic Charities in Springfield and Dayton, OH before directing the Archdiocesan Offices of Catholic Charities. On June 2, 1984 Pope John Paul II appointed Bishop Garland to the Episcopacy and then, on July 25, 1984, ordained him Bishop of Marquette. Since that time, Bishop Garland has served on the Administrative Committee and Board of the United States Conference of Catholic Bishops. From November 1992 to November 1995 he also served as Chairman of the United States Catholic Conference for the Campaign for Human Development. From November 1995 to November 1997 he served as the Chairperson of the Bishops of the Region VI of the National Conference of Catholic Bishops.

During his time as Bishop of the Diocese of Marquette, Bishop Garland also began the Legacy of Faith to raise $10 million toward the Diocese’s ongoing building campaigns. To surpass such a feat, he recruited the Bishop’s Ambassadors to help achieve the objective of allowing future generations the opportunity to experience all that the tradition of faith has to offer. Among the many wonderful causes this campaign has aided, it has benefited Catholic schools and the Upper Peninsula Catholic Social Services. My wife Laurie and I have proudly served as Ambassadors humbly assisting with this valiant effort.

Throughout his nearly 50 years of ministry, Bishop Garland has touched many lives and bestowed many lessons of faith. Although Bishop Garland is retiring, he will continue to help people and serve his faith. He plans to stay in Marquette to remain involved with the church. When called upon, he looks forward to substituting for local priests and celebrating Masses in his parishes.

Mr. Speaker, I ask the U.S. House of Representatives to join me in thanking Bishop James H. Garland for his service to the Diocese of Marquette, to the Holy Catholic Church and his dedication to the value of education and involvement in his faith community. Beyond the incredible credentials, leadership roles and accomplishments that span his lifetime, Bishop Garland has shown unwavering commitment to the people he has served. He has truly done God’s work through his teachings and as a role model for parishioners.

REMEMBERING JACK HERRITY OF FAIRFAX COUNTY, VIRGINIA

HON. FRANK R. WOLF
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. WOLF. Mr. Speaker, it is an honor for Mr. TOM DAVIS of Virginia and I to remember the Honorable John F. “Jack” Herrity, former chairman of the Fairfax County, Virginia, Board of Supervisors, who passed away on February 1. If anyone is worthy of the title “Mr. Fairfax,” Jack Herrity is that person.
suffered a major indignity in 1987 when he lost his prized office to Moore by more than 21 percentage points.

He never fully accepted defeat. Years later, his address in his telephone book was still the county government headquarters. “This was Jack’s life,” Davis recalled. “When he was defeated he couldn’t move on to something else. He was a doer. He could never sit still.”

The comeback Herrity methodically plotted collapsed in 1991 when he lost the GOP nomination for chairmanship to Davis, his one-time protege, who also handpicked a Republican to run against him in the 2003 primary for board chairman. Since his departure from elective politics also fell at the hands for Virginia governor in 2001 and county GOP chairman in 2004.

Born in Arlington, reared in Prince George’s County and educated at St. Anthony’s High School in the District (now All Saints High School), John Francis Herrity was the product of a working-class Irish Catholic family of elevator mechanics, union leaders and loyal Democrats. He spent much of his youth hustling on the basketball court.

After high school and a tour in the Coast Guard, the rambunctious young Herrity settled down to his studies at Georgetown University. He earned undergraduate and law degrees and met his first wife.

After marrying in 1958, he eventually went into the insurance business, where he worked as a consultant after his return to the private sector.

It did not take long for Herrity to jump into local civic affairs. He soon formed a homeowne association and became the local Democratic precinct captain. But like many Democrats in his era, he became alienated with his party’s lurch to the left and switched to the GOP just in time for his first run for office—that of Springfield District supervisor in 1971.

Mr. PORTER. Mr. Speaker, I rise today to honor the life of my good friend, Marci Berka Reimers.

Marci was born on May 21, 1957 at Crawford County Hospital in Denison, IA. She was the second of four children born to Marvin and Donna Berka. Marci had two sisters and a brother named Randy, who I am proud to call my best friend.

After graduating from Humboldt Community High School in 1975, Marci married Brian Reimers on November 29 of that same year. As a young couple they lived in Maryville, MO while Brian attended Northwest Missouri State University. Marci worked in retail while Brian was in college. In 1977, Brian accepted a teaching position at Riceville, IA and they lived in that community for two years. In 1979 they moved to Ogden, IA where Marci was instrumental in helping her husband build a first-time wrestling program for that community. Brian has been a teacher, coach, and athletic director at Ogden High School for 26 years, and he will be inducted in the Iowa High School Wrestling Hall of Fame this month.

Marci and Brian were blessed with two sons, Luke and Jordan. Luke was born November 7, 1978. He graduated from Simpson College in Indianola, IA. He and his wife, Sara, who live in Waukee, IA, gave Marci and Brian the gift of a grand-daughter on February 10, 2005. Ella Grace gave Marci and Brian the gift of a granddaughter on February 10, 2005. Ella Grace has been the joy of her grandmother’s eyes. Seth was born April 18, 1982. He graduated from Northwest Missouri State University in 2004. While attending NWMSU he was in Army ROTC and received the George C. Marshall ROTC award in 2002. Following graduation Seth became a U.S. Army Ranger and is currently a 2nd Lieutenant stationed at Fort Drum, NY where he is awaiting deployment to Iraq sometime this year.

Marci was Vice President of City State Bank in Ogden, IA where she was employed for 26 years. She was also a real estate loan officer. In addition, Marci served as treasurer for the Ogden Scholarship & Loan Foundation, which is a private loan foundation providing over one-half million dollars in scholarships to Ogden community members.

Mr. Speaker, Marci was a role model and mentor for many children and adults in Ogden.

HONORING CURTIS DANIEL “DAN” REAGAN

HON. JOHN ABNEY CULBERSON
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. CULBERSON. Mr. Speaker, I rise today to honor Curtis Daniel “Dan” Reagan of Austin, Texas. Dan Reagan has been a champion for quality transportation and his leadership, knowledge, and vision have helped improve the safety and reliability of the Texas transportation system.

Dan Reagan began his career with the Federal Highway Administration (FHWA), then the Bureau of Public Roads (BPR), on June 12, 1967 following his graduation from the University of Texas at Austin. He spent almost 3 years in the BPR Highway Engineer Training Program, learning all phases of organizational responsibility and honing his engineering and management skills in Point Reyes, California; Olympia, Washington; Payson, Arizona; Washington, D.C.; Tallahassee, Florida; Ft. Worth, Texas; and Austin, Texas. Mr. Reagan then held numerous positions in Baton Rouge, Louisiana, and Montgomery, Alabama, including Assistant Area Engineer, Area Engineer, Assistant Planning Engineer, Planning Engineer, and Planning Director. While serving in Baton Rouge, Mr. Reagan attended graduate school at Louisiana State University, taking classes in Transportation Engineering.

In June 1981, Mr. Reagan was assigned to the former FHWA Region One Office in Albany, New York, where he held several positions, including Director of Planning, Director of Planning and Program Development, and Deputy Regional Administrator. As the Deputy, he was responsible for all aspects of the Federal-aid Program in the states of New York, New Jersey, Connecticut, and the Territory of the U.S. Virgin Islands. Then from October 1994 to July 1995, Dan became the Acting Regional Administrator.

On February 4, 1996, Dan Reagan was appointed the Federal Highway Administration’s Division Administrator for Texas. With a staff of 50 employees, he was responsible for delivering the second largest Federal-aid Program in the Nation and implementing FHWA’s National Strategic Plan throughout Texas, in partnership with the Texas Department of Transportation. While serving as the Texas Division Administrator, Dan Reagan established the FHWA’s first International Programs Engineer position for the entire Texas border, created a forum known as the Texas Environmental Resource Center, and worked with the leaders of state and federal agencies impacting transportation to resolve issues in advance, and paved the way for such landmark public-private partnerships as TTC–35, TTC–69, and the Central Texas Tumpeke Project.

Mr. Speaker, I am very proud to honor and thank Dan Reagan and his family, on the occasion of his retirement, for a lifelong commitment to service to the traveling public. I wish Dan Reagan much happiness and good health in the years to come.

PAYING TRIBUTE TO MARCI BERKA REIMERS

HON. JON C. PORTER
OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the life of my good friend, Marci Berka Reimers.

Marci was born on May 21, 1957 at Crawford County Hospital in Denison, IA. She was the second of four children born to Marvin and Donna Berka. Marci had two sisters and a brother named Randy, who I am proud to call my best friend.

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Marci and Brian were blessed with two sons, Luke and Brian. Luke was born November 7, 1978. He graduated from Simpson College in Indianola, IA. He and his wife, Sara, who live in Waukee, IA, gave Marci and Brian the gift of a grand-
for himself, but also for his wife Jocelyn and his soon to be born son, which they had agreed to name Christopher Alejandro. He planned on bringing them both back to live in my district, where so many of his family still live and where he could take advantage of his G.I. benefits to get an education.

Yet, he also knew that our freedom was not a gift but a right that had to be earned and secured through shared sacrifice. So although he had his whole life ahead of him, he did not hesitate to serve his country. He answered the call when asked to share the load of this war.

I know that his family, both in Washington Heights and the Dominican Republic, are pained by his death. His loved ones, including his wife, his mother Carmen and his father Sergio Antonio, will never get to see the smile that so often lit up their lives.

Yet they can be proud of the way he served his country. We can all celebrate the life he led, the example he showed and the legacy he left for his son and his community. And we can make sure that the gift that he and other soldiers have given to us is never forgotten.

REMEMBERING DORIS GREGORY
HON. PHIL GINGREY
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 2006

Mr. GINGREY. Mr. Speaker, yesterday, our Nation lost a very special citizen with the passing of Doris Gregory of Millington, MI. Born to Vern and Golda Ostrander in 1922, Doris Gregory endured the Great Depression before she married Normal Narsted in 1939 and was blessed with 3 children.

When the United States entered World War II, Norman bravely volunteered to serve in the U.S. Army. Unfortunately, Normal was killed during a patrol mission in March 1945. Although she was left brokenhearted, Doris carried on with her family responsibilities and love for community.

Despite many hardships, Doris Gregory approached life with unbridled optimism and energy. Her friends were abundant and strangers to her were, like the words of playwright Tennessee Williams, “simply friends she hadn’t met.” She was loved and respected by everyone who knew her and was always willing to lend a helping hand.

Doris found great joy volunteering her time. After retirement, she served as the treasurer of the town of Millington and was instrumental in establishing the Millington Senior Center.

While we have said goodbye to Doris this week, her legacy of compassion will continue to shine in the hearts of her friends and family. May God bless Doris Gregory; she will be missed.
HIGHLIGHTS
Senator Salazar read Washington’s Farewell Address.

Senate

Chamber Action
Routine Proceedings, pages S1451–S1487

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 2321–2332, and S. Res. 382–383.

Measures Passed:

Adjournment Resolution: Senate agreed to H. Con. Res. 345, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

SBA Disaster Loans Supplemental Appropriations: Senate passed H.R. 4745, making supplemental appropriations for fiscal year 2006 for the Small Business Administration’s disaster loans program, clearing the measure for the President.

Recognizing Kenneth M. Mead: Senate agreed to S. Res. 382, recognizing Kenneth M. Mead’s services as the Inspector General of the Department of Transportation.

Washington’s Farewell Address: Senator Salazar was recognized to deliver Washington’s Farewell Address.

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions.

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences, by concurrent action of the two Houses, or by order of the Senate.

USA PATRIOT Act Additional Reauthorizing Amendments Act—Agreement: A unanimous-consent agreement was reached providing that at 3 p.m., on Monday, February 27, 2006, Senate will reume consideration of S. 2271, to clarify that individuals who receive FISA orders can challenge non-disclosure requirements, that individuals who receive national security letters are not required to disclose the name of their attorney, that libraries are not wire or electronic communication service providers unless they provide specific services.

Nominations Confirmed: Senate confirmed the following nominations:
Carol E. Dinkins, of Texas, to be Chairman of the Privacy and Civil Liberties Oversight Board.
Alan Charles Raul, of the District of Columbia, to be Vice Chairman of the Privacy and Civil Liberties Oversight Board.
Stephen C. King, of New York, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2008.
Reginald I. Lloyd, of South Carolina, to be United States Attorney for the District of South Carolina for the term of four years.
James I. Finley, of Minnesota, to be Deputy Under Secretary of Defense for Acquisition and Technology.
Preston M. Geren, of Texas, to be Under Secretary of the Army.
Richard A. Boucher, of Maryland, to be Assistant Secretary of State for South Asian Affairs. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)
Thomas P. D’Agostino, of Maryland, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration.
Randall S. Kroszner, of New Jersey, to be a Member of the Board of Governors of the Federal Reserve Board.
System for the unexpired term of fourteen years from February 1, 1994.

Kevin M. Warsh, of New York, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2004.

Edward P. Lazear, of California, to be a Member of the Council of Economic Advisers.

2 Navy nominations in the rank of admiral.

A routine list in the Coast Guard. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

Amul R. Thapar, of Kentucky, to be United States Attorney for the Eastern District of Kentucky for the term of four years.

4 Coast Guard nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service.

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Measures Placed on Calendar: Pages S1461, S1474

Enrolled Bills Presented: Page S1461

Additional Cosponsors: Pages S1461–62

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Additional Statements: Pages S1460–61

Adjournment: Senate convened at 10 a.m., and, pursuant to the provisions of H. Con. Res. 345, adjourned at 1:25 p.m., until 2 p.m., on Monday, February 27, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1479.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to H. Con. Res. 345, the House is scheduled to meet at 2 p.m. on Tuesday, February 28, 2006.

Committee Meetings

No committee meetings were held.
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