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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, February 28, 2006, at 2 p.m.

Senate

FRIDAY, FEBRUARY 17, 2006

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

PRAYER

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

Let us pray.

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

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

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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 and more that the shade 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 acknowledgment 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 for the opportunities I have thence enjoyed of manifesting 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 union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are 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 see in them the disinterested warnings 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 very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite movement that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess, are the work of joint councils and joint efforts—of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The *North*, in an unrestrained intercourse with the *South*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry. The *South*, in the same intercourse, benefiting by the same agency of the *North*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *North*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of 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 progressive improvement of interior 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 what is perhaps of still greater 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, directed 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 to find in the united mass of means and efforts 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 own rivalships alone would be sufficient 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 persuasive 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 in such a case were 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 interests and 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 the suspicions propagated among 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 these advantages on the Union by which they were 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 efficacy 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 times, have experienced. Sensible 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 upon full investigation and mature 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 fundamental principle, and of fatal 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 digested by common councils, and modified by mutual interests. However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, 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 unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition 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 will impair the energy of the system 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 of a country, that facility in changes upon the credit 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 your common interests in a country 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 fraction, to confine each member of the society within the limits prescribed by 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 founding 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.

This 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 repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to 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 repose 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 nevertheless ought 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, forments 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 monarchial 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 constitutional spheres, avoiding in 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 the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that the public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things 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 is more essential than that 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 and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times, it makes the animosity of the nation's subservient to projects of hostility, instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained and by exciting jealously, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity gilding with the appearances of virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are

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 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) the jealousy of a free people ought to be constantly awake, since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealously to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

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 engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest guided by justice shall counsel.

Why forgo 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 of permanent 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, therefore, let those engagements be observed 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, on 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 means the streams 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 them, conventional rules of intercourse, 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 real favors from nation to 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 the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfuenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress, without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever

favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDENT pro tempore. Under the previous order, the Senate will stand in recess subject to the call of the Chair.

Thereupon, the Senate, at 10:58 a.m., recessed subject to the call of the Chair and reassembled at 10:59 a.m. when called to order by the Presiding Officer (Mr. ISAKSON).

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 this essay to the point that I want to take my time this morning to read it to Members of the Senate because it articulates, in a very succinct way, why our young people today look to the Armed Forces as a career, and why they make the decisions they do to fight for freedom and to fight for this country.

We all greatly respect all people who take the time to serve in our Armed Forces, whether it is during a short enlistment period or they make it their lifetime career. This essay is well stated, and I think not only does it speak as to why a cadet would decide to serve in one of our academies—in this case, it happens to be the Air Force Academy—but it gives us insight as to why people would pick the Armed Forces to serve in during part of their adult lifetime or why they would dedicate their entire life to a career in the U.S. Armed Forces.

So here is the essay. It is titled, ''Winter Break.''

So after our sunburns have faded and the memories of our winter break have been reduced to pictures we've pinned on our desk boards, and once again we've exchanged t-shirts and swim suits for flight suits and camouflage, there still remains the question that every cadet at the U.S. Air Force Academy in Colorado Springs has asked themselves at some point: Why did we come back? Why, after spending two weeks with our family would we return to one of the most demanding lifestyles in the country? After listening to our friends who are home from State or Ivy League schools chock full of wisdom about how our war in Iraq is unjust and unworldly, why would we return? And after watching the news and reading the papers which only seem to condemn the military's every mistake and shadow every victory, why would we continue to think it is worth the sacrifice of a normal college life?

Is it because the institution to which we belong is tuition-free? Anyone who claims this has forgotten that we will, by the time we graduate, repay the U.S. taxpayer many times over. in blood, sweat, and tears. Is it because the schooling we are receiving is one of the best undergraduate educations in the country? While the quality of the education is second to none, anyone who provides this as a main reason has lost sight of the awesome responsibility that awaits those who are tough enough to graduate and become commissioned officers in the U.S. Air Force.

I come back to the academy because I want to have the training necessary so that one day I'll have the incredible responsibility of leading the sons and daughters of America in combat. These men and women will never ask about my academy grade point average, their only concern will be that I have the ability to lead them expertly—I will be humbled to earn their respect.

I come back to the academy because I want to be the commander who saves lives by negotiating with Arab leaders . . . in their own language. I come back to the academy because, if called upon, I want to be the pilot who flies half way around the world with 3 mid-air refuelings to send a bomb from 30,000 feet into a basement housing the enemy . . . through a ventilation shaft 2 feet wide. For becoming an officer in today's modem Air Force is so much more than just command; it is being a diplomat, a strategist, a communicator, a moral compass, but always a warrior first.

I come back to the Air Force Academy because right now the U.S. is fighting a global war that is an away game in Iraq—taking the fight to the terrorists. And whether or not we think the terrorists were in Iraq before our invasion, they are unquestionably there now. And if there is any doubt as to whether this is a global war, just ask the people in Amman, in London, in Madrid, in Casablanca, in Riyadh, and in Bali. This war must remain an away game because we have seen what happens when it becomes a home game. . . I come back to the academy because I want to be a part of that fight. I come back to the academy because I don't want my vacationing family to board a bus in Paris that gets blown away by someone who thinks that it would be a good idea to convert the Western world to Islam. I come back to the academy because I don't want the woman I love to be the one who dials her frantic cell phone call while huddled in the back of an airliner with 100 other people seconds away from slamming into the Capitol building. I come back to the academy because during my freshman year of high school I sat in a geometry class and watched nineteen terrorists change the course of history live on television. For the first time, every class currently at a U.S. Service Academy made the decision to join after the 2001 terror attacks. Some have said that the U.S. invasion of Iraq and Afghanistan only created more terrorists. . . I say that the attacks of September 11th, 2001 created an untold number of American soldiers; I go to school with 4,000 of them.—And that's worth missing more than a few frat parties.

That essay has been submitted by Joseph R. Tomczak, cadet fourth class, U.S. Air Force Academy.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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 particular, 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 SSG William A. Allers, III.

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 Al Khalis, Iraq—a dangerous city located within the Sunni Triangle, known as the hideout of killers and criminals who kidnap innocents for ransom. The Guard unit was patrolling the streets of this city, located about 40 miles north of Baghdad, when they were attacked. Three soldiers from the distinguished 617th Military Police Company were in the Humvee. Of the three, two were injured, and Sergeant Allers was killed. 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 617th Military Police Company had lost an outstanding soldier. ''Bill worked hard to keep high morale in his team,'' Capt. Lindner said, ''and was a catalyst 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 he grew up. Billy, as he was known as a kid, was 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 into a leader, and he wanted to be part of the team, and 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 high jump. He was also the ''anchor'' of the two-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 ground and win 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 landscaping 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 to improve 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 Allers, 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 he was first exposed 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 young 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 have joined us 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 PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination on today's Executive Calendar: Calendar No. 525. I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

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.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BYRD. Mr. President, I should first propound an inquiry of the Chair: What is the situation? What is the order of business?

The PRESIDING OFFICER. The Senate is in a period of morning business, and Senators may speak for up to 10 minutes each.

The Senator has 9 minutes remaining.

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—I 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 that again. A huge swath of America, 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 revered Constitution remain in force. It is a sad day, indeed, to see such an important committee wilt 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 in its most secret circles, follows 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 the 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 a 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 because our system of checks and balances requires it.

James Madison advised in Federalist 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, who 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.

LIHEAP

Mr. STEVENS. Mr. President, our country needs additional funding for LIHEAP. Temperatures in rural Alaska have reached 62 below zero. These temperatures have frozen heating systems and water and sewer lines in many of our villages. Alaskans are struggling this winter and paying over $5 per gallon to heat their homes. In fact, the mayor of a North Slope community told me that at one point, a village paid $8 per gallon.

While the home heating picture is not as bleak in other parts of our country, all Americans are feeling the effects of high energy prices.

In December, I tried to address this situation by including emergency LIHEAP funding in the Defense Appropriations Bill. Our bill created a new revenue stream by authorizing oil and gas development in the Coastal Plain of ANWR—and used this revenue to provide funding for several emergencies. Our bill included $2 billion for LIHEAP and funding for the hurricane victims, first responders, and farmers.

The ANWR provision would have created a long-term, dedicated funding stream for home energy assistance.

Most of my colleagues on the other side of the aisle successfully filibustered consideration of this package under the guise of a Rule XXVIII violation. They then noted to remove the ANWR provision and the funds it provided from the bill, including emergency funding for LIHEAP.

It was a sad display of good policy dying a quick death at the hands of partisan politics. It was a particularly sad day for the people this funding was designed to help.

Despite this, Americans still need heating assistance this winter. I hoped the Senate would put partisan politics aside and create a long-term funding stream for LIHEAP in December. I believe that would have been the best solution.

The measure before us today is the only other solution available, and I urge my colleagues to pass emergency LIHEAP assistance.

S. RES. 374 (PASSED THURSDAY, FEBRUARY 16)

Mr. FRIST. Mr. President, S. Res. 374 concerns a request for testimony, document production, and representation in a criminal case. The U.S. Department of Justice has brought a case in Federal court in the District of Columbia against the former chief of staff of the General Services Administration. The five-count indictment includes charges of making false statements and obstructing the investigation of the Committee on Indian Affairs into allegations of misconduct by lobbyists in the

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 chairman 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 to 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 at the end of the business day 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 witnessed the defendants' conduct. 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, the Senate authorized the Senate legal counsel to represent Senators JOHN MCCAIN and JON KYL in a pro se civil action in which the plaintiff complained that the Senator defendants violated their duties under the common law and the Federal Criminal Code by failing to investigate or prosecute the alleged commission of 1.6 million crimes. After the Senate legal counsel moved to dismiss the action, the plaintiff sought to amend the complaint to name 29 additional defendants, including Senators BILL FRIST, JOSEPH I. LIEBERMAN, MITCH MCCONNELL, RICK SANTORUM, and TED STEVENS, as well as 14 judges and 10 executive branch officials.

In a January 13, 2006, Memorandum Opinion and Order, the district court accepted the amended complaint for filing and dismissed it. The court held that plaintiff's criminal claims failed on the merits and that plaintiff's civil claims were barred under the Federal Tort Claims Act for plaintiff's failure to exhaust his administrative remedies under the act. The court also prohibited the plaintiff from filing in that court any further claim arising out of the subject matter of the case against any of the 31 defendants.

Plaintiff appealed the dismissal of his case. Accordingly, this resolution would authorize the Senate legal counsel to represent the five additionally named Senator defendants on appeal in defending the dismissal of the amended complaint against all of the Senator defendants.

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 several weeks ago 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 ofthese nominees at their hearings before the Judiciary Committee, I think 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 rule of law in this country—to restore the Supreme Court to its intended role, of declaring what 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 text, structure, or history of the Constitution. 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 Trade Center in New York and on the Pentagon. Those attacks still set much 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 Compromise Clears Way for Senate Vote.'' I will include this news story in the RECORD following my remarks. Last December, the PATRIOT Act—an important antiterrorism law that enhances investigators ability to detect and disrupt terrorist plots—was held up in a legislative filibuster. Occasionally, the Senate takes to heart its intended role as a brake on legislative action and throws one of its periodic tantrums. But fortunately, just in advance of Laura's arrival, the impasse over this indispensable law has been cleared.

Finally, this moment in 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. Mention of these projects, however, 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.

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.

I ask unanimous consent that the following Washington Post news story be printed in the RECORD.

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

[From washingtonpost.com, Feb. 10, 2006]

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 revisions that are virtually certain to secure Senate passage and likely to win House approval, congressional leaders said.

The law—passed in the wake 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, and even the Republican negotiators said they had to yield to the administration on several points.

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 four-year renewal of the statute for months. Senators said they think the White House will be able to coax the Republican-controlled House to agree as well, even though House leaders have complained 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 conduct terrorism investigations,'' Sen. John E. Sununu (R–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 the letters, Durbin said.

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. Recipients of such subpoenas 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 waiting period. ''You now have 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 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 changes'' that ''do not address the major problems,'' he said, adding: ''We've come too far and fought too hard to agree to reauthorize the Patriot Act without fixing those problems.''

But Justice Department spokesman Brian Roehrkasse said the Senate compromise ''maintains the tools necessary to fight terrorism while further strengthening safeguards to protect civil liberties.''

''We are hopeful that the Congress will now move forward to renew the Patriot Act,'' he said.

In a related area yesterday, several Democrats said the administration must do more to explain and justify the domestic surveillance program conducted by the National Security Agency.

''If they came with the idea that this is going to stop an investigation on the part of the Senate intelligence committee, they were wrong,'' committee Vice Chairman John D. Rockefeller IV (D-W.Va.) told reporters after a closed briefing by two top administration officials. ''There were certain kinds of questions which could easily have been answered but weren't. . . . Where we really wanted hard information that was important to us, that gave us the size and the scope and the reach and the depth of the program,'' he said, ''they were not forthcoming.''

Sen. Dianne Feinstein (D-Calif.) said after the briefing: ''For the life of me, I don't understand why the administration won't say, 'Sure, you have a right to look at this. We'd like to expand it.' ''

ADDITIONAL STATEMENTS

TRIBUTE TO WILLIAM A. COOPER

• Mr. COLEMAN. Mr. President, earlier this week, I paid tribute to Mr. William A. Cooper, honoring his career and service to the State at the occasion of his retirement. Today, I would like to have printed into the RECORD the following statement from the esteemed Minnesotan and former Senator Rudy Boschwitz in honor of our friend Bill Cooper.

The statement follows:

THE TAXPAYERS' FRIEND RETIRES (?)

Not many people can say they saved the taxpayers billions. Bill Cooper can. Well, some credit must be given to the team he brought to Minnesota and some locals that he found here and made a part of that team. But Bill was clearly the leader. Without him it is highly doubtful that TCF would have survived.

It must be mentioned at the very outset that without his wife, Sherry, it would have been highly doubtful that Bill himself would have survived, much less be able to endure the pressures and hours that first saving and then building a major institution entails.

It started about 20 years ago in the midst of the Savings & Loan crisis when S&L's were going broke left and right including some big ones here in Minnesota. The eventual cost to the taxpayer was in the neighborhood of $100 billion. Extraordinarily high interest rates combined with poor management and complicated by the lugubrious sounding phenomena of disintermediation had brought S&L's nationwide to their knees. Twin City Federal Savings and Loan (TCF), the largest and mightiest of them all in the Upper Midwest, appeared to be the next candidate for failure and a Government bailout to protect its depositors.

But, finally the Directors of TCF acted. By a single vote margin (many credit Community Activist and Leader, Harry Davis, with casting that vote) their decision was to bring in a fellow named Bill Cooper to save the sinking ship—though I suspect those embattled Directors must have had considerable doubt about the prospects for success.

My estimate may be wrong, but I suspect a TCF failure would have been one of the bigger ones nationally and cost the taxpayer $3 billion or more.

Instead, today TCF National Bank with its 500+ branches is a strong growing institution with stockholder value exceeding $3 billion. And much to Bill Cooper's credit, that value has been spread generously to his team (and other stockholders) returning riches beyond the dreams of the many who joined under Bill's leadership to create a new TCF.

This commendation could as well be entitled ''Only in America.'' I don't know the intricacies of Bill's life from his boyhood forward, but I do know that he was a policeman on the beat in Detroit; that he went to college in the evenings; got his degree in accounting and joined the many other young aspirants as an ''associate'' at a large national accounting firm. There he was put to work auditing bank clients and the rest, as they say, is history.

I joined the Board of TCF in 1991. The stock was about $2½ at the time (naturally I didn't buy enough of it). I served on the Board for about 9 years till my 70th birthday when the by-laws stipulated my retirement, though my feeling of closeness to the institution and its people continues unabated. It should! I continue to contribute to it's PAC and am the recipient (for another 3–4 years) of a retirement income from TCF.

I have been a Director of a number of national corporations. None has been as well managed as TCF. A single word summarizes Bill Cooper's role: Leadership. It is a totally focused leadership. At TCF there is no question about who is in charge. It is Bill Cooper (and with Lynn Nagorske as CEO I suspect there will continue to be no question). Bill has no problem in being tough, direct and fair. Bill does not turn away from the vagaries of the most difficult decisions. He is a remarkable leader both at the Bank and in his Community. The fact that in my 15-year association there have been few leadership changes at TCF—other than through retirements—attest to the quality and strength of Bill's leadership which includes delegating responsibility and expecting and very objectively measuring performance.

Does such a man really retire? I don't think so. Certainly not entirely. Not a man of Bill's curiosity and drive. Besides, he still has young kids in school and college educations loom ahead. The idea of Bill sitting around, playing golf, and not rising to new challenges is incongruous. It won't happen. And it will be fun watching what develops.•

PENSION RIGHTS CENTER'S 30TH ANNIVERSARY

• Mr. HARKIN. Mr. President, I would like to recognize the great achievement of the Pension Rights Center as it celebrates its 30-year anniversary. Since its founding on February 17, 1976, the center has championed the pension rights of working Americans and their families. The center is one of the country's foremost leaders on pension 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 and 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 information for policymakers, 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.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2320. A bill 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.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, February 17, 2006, she had presented to the President of the United States the following enrolled bill:

S. 1989. An act to designate the facility of the United States Postal Service located at 57 Rolfe Square in Cranston, Rhode Island, shall be known and designated as the ''Holly A. Charette Post Office'' .

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. MENENDEZ, Mr. LAUTENBERG, Mr. LIEBERMAN, Mrs. CLINTON, Mr. SCHUMER, Ms. STABENOW, Mr. DAYTON, Mr. GRASSLEY, Mr. CRAIG, Mr. BURR, Mr. CRAPO, 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 Banking, Housing, and Urban Affairs.

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

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.

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.

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

S. 2324. A bill to suspend temporarily the duty on certain audio headphones; to the Committee on Finance.

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

S. 2325. A bill to reduce temporarily the duty on certain audio headphones achieving full-spectrum noise reduction; to the Committee on Finance.

By Mr. DOMENICI:

S. 2326. 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.

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

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 transformers; to the Committee on Finance.

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

S. 2331. 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. 2332. A bill to amend the Communications Act of 1934 to promote and expedite wireless broadband deployment in rural and other areas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. STEVENS (for himself, Mr. INOUYE, Mr. BURNS, Mr. MCCAIN, Mr. ROCKEFELLER, Mr. LOTT, Mr. LAUTENBERG, Mr. SUNUNU, Mr. PRYOR, and Mr. NELSON of Florida):

S. Res. 382. A resolution recognizing Kenneth M. Mead's service as the Inspector General of the Department of Transportation; considered and agreed to.

By Mr. BIDEN (for himself, Mr. BROWNBACK, Mr. OBAMA, Mr. LUGAR, Mr. FEINGOLD, and Mr. DODD):

S. Res. 383. A resolution calling on the President to take immediate steps to help improve the security situation in Darfur, Sudan, with an emphasis on civilian protection; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 333

At the request of Mr. SANTORUM, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 333, a bill to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran.

S. 370

At the request of Mr. LOTT, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Florida (Mr. MARTINEZ) were added as cosponsors of S. 370, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 779

At the request of Mr. DORGAN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 779, a bill to amend the Internal Revenue Code of 1986 to treat controlled foreign corporations established in tax havens as domestic corporations.

S. 910

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 910, a bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and

lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 1479

At the request of Mr. DODD, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1479, a bill to provide for the expansion of Federal efforts concerning the 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. 2284

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. 2314

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2314, a bill to suspend the application of any provision of Federal law under which persons are relieved from the requirement to pay royalties for production of oil or natural gas from Federal lands in periods of high oil and natural gas prices, to require the Secretary to seek to renegotiate existing oil and natural gas leases to similarly limit suspension of royalty obligations under such leases, and for other purposes.

S. RES. 379

At the request of Mr. SANTORUM, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. Res. 379, a resolution recognizing the creation of the NASCAR-Historically Black Colleges and Universities Consortium.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

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. It is 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 least 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. As our population ages, we 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 set standards for 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 six States, 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 those 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 achievements 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 for us to achieve. I would make 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. Again, in those jurisdictions that regulate this type of technical practice, wage inflation has not occurred. Regardless, while I believe that workers should be compensated, fairly and proportionately, for the work that they do, the cost savings from delivering care correctly far outweigh any potential cost increase that might result from higher salaries.

Others are concerned that the RadCARE Act could infringe on the States' right to regulate health care practice or that Congress lacks the capacity to define the standards of practice that should apply. The Act does not codify any particular State action; rather, it provides a substantial economic incentive to the States to establish, at least, minimum standards, an action for which there is precedent in the Mammography Quality Standards Act and one that is consistent with current public and private sector initiatives, such as ''pay for performance,'' that tie reimbursement to recognized best practices. Similarly, the RadCARE Act does not specify what standards should be followed but gives the Secretary the opportunity to derive those standards from those most qualified to provide them: the professional community. Indeed, the Act is supported by the Alliance for Quality Medical Imaging and Radiation Therapy, a consortium of over 275,000 technical professionals.

I invite my colleagues to join me and Senator KENNEDY as sponsors of this bill to increase the quality and value of these important diagnostic procedures and lessen the possibility of life-threatening medical mistakes.

I ask 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. 2322

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Consumer Assurance of Radiologic Excellence Act of 2006''.

SEC. 2. PURPOSE.

The purpose of this Act is to improve the quality and value of healthcare by increasing the safety and accuracy of medical imaging examinations and radiation therapy treatments, thereby reducing duplication of services and decreasing costs.

SEC. 3. QUALITY OF MEDICAL IMAGING AND RADIATION THERAPY.

Part F of title III of the Public Health Service Act (42 U.S.C. 262 et seq.) is amended by adding at the end the following:

"Subpart 4—Medical Imaging and Radiation Therapy

"SEC. 355. QUALITY OF MEDICAL IMAGING AND RADIATION THERAPY.

''(a) ESTABLISHMENT OF STANDARDS.—

''(1) IN GENERAL.—The Secretary, in consultation with recognized experts in the technical provision of medical imaging and radiation therapy services, shall establish standards to ensure the safety and accuracy of medical imaging studies and radiation therapy treatments. Such standards shall pertain to the personnel who perform, plan, evaluate, or verify patient dose for medical imaging studies and radiation therapy procedures and not to the equipment used.

''(2) EXPERTS.—The Secretary shall select expert advisers under paragraph (1) to reflect a broad and balanced input from all sectors of the health care community that are involved in the provision of such services to avoid undue influence from any single sector of practice on the content of such standards.

''(3) LIMITATION.—The Secretary shall not take any action under this subsection that would require licensure by a State of those who provide the technical services referred to in this subsection.

''(b) EXEMPTIONS.—The standards established under subsection (a) shall not apply to physicians (as defined in section 1861(r) of the Social Security Act (42 U.S.C. 1395x(r))), nurse practitioners and physician assistants (as defined in section 1861(aa)(5) of the Social Security Act (42 U.S.C. 1395x(aa)(5))).

''(c) REQUIREMENTS.—

''(1) IN GENERAL.—Under the standards established under subsection (a), the Secretary shall ensure that individuals, prior to performing or planning medical imaging and radiation therapy services, demonstrate compliance with the standards established under subsection (a) through successful completion of certification by a professional organization, licensure, completion of an examination, pertinent coursework or degree program, verified pertinent experience, or through other ways determined appropriate by the Secretary, or through some combination thereof.

''(2) MISCELLANEOUS PROVISIONS.—The standards established under subsection (a)—

''(A) may vary from discipline to discipline, reflecting the unique and specialized nature of the technical services provided, and shall represent expert consensus as to what constitutes excellence in practice and be appropriate to the particular scope of care involved;

''(B) may vary in form for each of the covered disciplines; and

''(C) may exempt individual providers from meeting certain standards based on their scope of practice.

''(3) RECOGNITION OF INDIVIDUALS WITH EXTENSIVE PRACTICAL EXPERIENCE.—For purposes of this section, the Secretary shall, through regulation, provide a method for the recognition of individuals whose training or experience are determined to be equal to, or in excess of, those of a graduate of an accredited educational program in that specialty, or of an individual who is regularly eligible to take the licensure or certification examination for that discipline.

''(d) APPROVED BODIES.—

''(1) IN GENERAL.—Not later than the date described in subsection (j)(2), 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), if such organizations or agencies meet the standards established by the Secretary under paragraph (2) and provide the assurances required under paragraph (3).

''(2) STANDARDS.—The Secretary 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 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 person that was certified by that approved body prior to the date of such withdrawal.

''(e) EXISTING STATE STANDARDS.—Standards established by a State for the licensure 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 prescribed by the Secretary or are inconsistent with the purposes of this section.

''(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a State or other approved body from requiring compliance with a higher standard of education and training than that specified by this section.

''(g) EVALUATION AND REPORT.—The Secretary shall periodically evaluate the performance of each approved body under subsection (d) at an interval determined appropriate by the Secretary. The results of such evaluations shall be included as part of the report submitted to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives in accordance with 354(e)(6)(B).

''(h) DELIVERY OF AND PAYMENT FOR SERVICES.—Not later than the date described in subsection (j)(3), the Secretary shall promulgate regulations to ensure that all programs under the authority of the Secretary that involve the performance of or payment for medical imaging or radiation therapy, are performed in accordance with the standards established under this section.

''(i) ALTERNATIVE STANDARDS FOR RURAL AND UNDERSERVED AREAS.—The Secretary shall determine whether the standards established under subsection (a) must be met in their entirety for medical imaging or radiation therapy that is performed in a geographic area that is determined by the Medicare Geographic Classification Review Board to be a 'rural area' or that is designated as a health professional shortage area. If the Secretary determines that alternative standards for such rural areas or health professional shortage areas are appropriate to assure access to quality medical imaging, the Secretary is authorized to develop such alternative standards.

''(j) APPLICABLE TIMELINES.—

''(1) GENERAL IMPLEMENTATION REGULATIONS.—Not later than 18 months after the date of enactment of this section, the Secretary shall promulgate such regulations as may be necessary to implement all standards in this section except those provided for in subsection (d)(2).

''(2) MINIMUM STANDARDS FOR CERTIFICATION OF APPROVED BODIES.—Not later than 24 months after the date of enactment of this section, the Secretary shall establish the standards regarding approved bodies referred to in subsection (d)(2) and begin certifying approved bodies under such subsection.

''(3) REGULATIONS FOR DELIVERY OF OR PAYMENT FOR SERVICES.—Not later than 36 months after the date of enactment of this section, the Secretary shall promulgate the regulations described in subsection (h). The Secretary may withhold the provision of Federal assistance as provided for in subsection (h) beginning on the date that is 48 months after the date of enactment of this section.

''(k) DEFINITIONS.—In this section:

''(1) APPROVED BODY.—The term 'approved body' means an entity that has been certified by the Secretary under subsection (d)(1) to accredit the various mechanisms by which an individual can demonstrate compliance with the standards promulgated under subsection (a) with respect to performing, planning, evaluating, or verifying patient dose for medical imaging or radiation therapy.

''(2) MEDICAL IMAGING.—The term 'medical imaging' means any procedure used to visualize tissues, organs, or physiologic processes in humans for the purpose of diagnosing illness or following the progression of disease. Images may be produced utilizing ionizing radiation, radiopharmaceuticals, magnetic resonance, or ultrasound and image production may include the use of contrast media or computer processing. For purposes of this section, such term does not include routine dental diagnostic procedures.

''(3) PERFORM.—The term 'perform', with respect to medical imaging or radiation therapy, means—

''(A) the act of directly exposing a patient to radiation via ionizing or radio frequency radiation, to ultrasound, or to a magnetic field for purposes of medical imaging or for purposes of radiation therapy; and

''(B) the act of positioning a patient to receive such an exposure.

''(4) PLAN.—The term 'plan', with respect to medical imaging or radiation therapy, means the act of preparing for the performance of such a procedure to a patient by evaluating site-specific information, based on measurement and verification of radiation dose distribution, computer analysis, or direct measurement of dose, in order to customize the procedure for the patient.

''(5) RADIATION THERAPY.—The term 'radiation therapy' means any procedure or article intended for use in the cure, mitigation, treatment, or prevention of disease in humans that achieves its intended purpose through the emission of radiation.''.

SEC. 4. REPORT ON THE EFFECTS OF THIS ACT.

(a) Not later than 5 years after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Director of the Agency for Healthcare Research and Quality, shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the effects of this Act. Such report shall include the types and numbers of providers for whom standards have been developed, the impact of such standards on diagnostic accuracy and patient safety, and the availability and cost of services. Entities reimbursed for technical services through programs operating under the authority of the Secretary of Health and Human Services shall be required to contribute data to such report.

By Mr. DOMENICI:

S. 2326. A bill to provide for immigration reform, and for other purposes; to the Committee on the Judiciary.

Mr. DOMENICI. Mr. President, I rise today to introduce a bill regarding immigration: the Welcoming Immigrants to a Secure Homeland Act of 2006.

As a border State Senator and the son of immigrants, I have a unique perspective on immigration. I understand the need to provide a secure homeland for my constituents who see the problems caused by illegal entries into our country every day. I also understand the need to welcome immigrants to our country, so that America remains a country where hardworking, entrepreneurial, and intelligent immigrants can prosper. My perspective is the basis for the WISH Act.

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, DHS, 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 laws, employment of immigrants, and immigration fraud. My bill also increases penalties for violations of immigration laws and provides for a 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 worked 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. 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, genocide, persecution, or plans to overthrow 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 leaving 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 return. For aliens who have been working in the United States for at least 5 years before enactment of the WISH Act, my bill allows them to apply for any visa, adjustment of status, or immigration benefit except adjustment of status to that of a permanent resident after they have worked as legal guests for 5 years. However, such applications may not be granted until the alien has returned to his home country.

Lastly, we must create a more welcoming environment for students and visitors to our country. Before the horrific events of September 11, 2001, the United States was a preferred place for foreign students to attend school. This

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 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 the 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:

Sec. 1. Short title; table of contents.

TITLE I—IMPROVING ENFORCEMENT

Subtitle A—Increased Enforcement Resources and Penalties

Sec. 101. Additional worksite enforcement 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.

Subtitle C—Mandatory Electronic Employment Verification of All Workers in the United States

Sec. 121. Employment eligibility verification system.
Sec. 122. Good faith compliance.

TITLE II—NONIMMIGRANT GUEST WORKERS

Sec. 201. Nonimmigrant guest worker category.
Sec. 202. Guest worker program.
Sec. 203. Special rule for Mexico.
Sec. 204. Statutory construction.
Sec. 205. Authorization of appropriations.

TITLE III—NONIMMIGRANT GUEST WORKER 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 management system.
Sec. 402. Labor investigations and penalties.

TITLE V—PROTECTION AGAINST IMMIGRATION FRAUD

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

TITLE VI—HIGHLY EDUCATED AND SKILLED WORKERS

Sec. 601. Removal of numerical limitations for nonimmigrants with advanced degrees.
Sec. 602. Aliens not subject to numerical limitations on employment-based immigrants.
Sec. 603. Off-campus work authorization for foreign students.
Sec. 604. Temporary visas for graduating students.
Sec. 605. Travel authorization.
Sec. 606. Additional employees and technologies.

TITLE VII—TRAVEL RESTRICTIONS FOR TEMPORARY VISITORS

Sec. 701. Travel restrictions.

TITLE VIII—TEMPORARY AGRICULTURAL WORKERS

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

TITLE I—IMPROVING ENFORCEMENT

Subtitle A—Increased Enforcement Resources and Penalties

SEC. 101. ADDITIONAL WORKSITE ENFORCEMENT 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.

SEC. 102. PENALTIES FOR UNAUTHORIZED EMPLOYMENT AND FALSE CLAIMS OF CITIZENSHIP.

Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) is amended—

(1) in paragraphs (1)(A), (2), and (4) of subsection (a), by striking ''knowing'' each place it appears and inserting ''if the person or entity knows or should have known''; and

(2) in subsection (b)(2)—

(A) by striking ''The individual'' and inserting the following:

''(A) IN GENERAL.—The individual''; and

(B) by adding at the end the following:

''(B) PENALTIES.—Any individual who falsely represents that the individual is a citizen or national of the United States, an alien lawfully admitted for permanent residence, or an alien who is authorized by the Attorney General or by the Secretary of Homeland Security to be hired, recruited, or referred for such employment for purposes of obtaining employment shall, for each such violation, be subject to a fine of not more than $5,000 and a term of imprisonment not to exceed 3 years.''; and

(3) in subsection (f)(1), by striking ''$3,000'' and inserting ''$5,000''.

SEC. 103. PENALTIES FOR MISUSING SOCIAL SECURITY NUMBERS OR FILING FALSE INFORMATION WITH THE SOCIAL SECURITY ADMINISTRATION.

(a) MISUSE OF SOCIAL SECURITY NUMBERS.—

(1) IN GENERAL.—Section 208(a) of the Social Security Act (42 U.S.C. 408(a)) is amended—

(A) in paragraph (7), by adding after subparagraph (C) the following:

''(D) with intent to deceive, discloses, sells, or transfers his own social security account number, assigned to him by the Commissioner of Social Security (in the exercise of the Commissioner's authority under section 205(c)(2) to establish and maintain records), to any person; or;'';

(B) in paragraph (8), by adding ''or'' at the end; and

(C) by inserting after paragraph (8) the following:

''(9) without lawful authority, offers, for a fee, to acquire for any individual, or to assist in acquiring for any individual, an additional social security account number or a number that purports to be a Social Security account number;''.

(2) EFFECTIVE DATES.—Paragraphs (7)(D) and (9) of section 208(a) of the Social Security Act, as added by paragraph (1), shall apply with respect to each violation occurring after the date of the enactment of this Act.

(b) REPORT ON ENFORCEMENT EFFORTS CONCERNING EMPLOYERS FILING FALSE INFORMATION RETURNS.—The Commissioner of Internal Revenue and the Commissioner of Social Security shall submit an annual report to Congress on efforts taken to identify employers that file incorrect information returns and impose appropriate penalties on such employers.

Subtitle B—Information Integrity and Security

SEC. 111. SOCIAL SECURITY CARDS.

(a) MACHINE-READABLE, TAMPER-RESISTANT CARDS.—

(1) ISSUANCE.—

(A) IN GENERAL.—Not later than 3 months after the date of the enactment of this Act, the Commissioner of Social Security shall initiate a program to develop and issue machine-readable, tamper-resistant social security cards.

(B) COMPLETION.—As soon as practicable after the date of the enactment of this Act, the Commissioner of Social Security shall—

(i) only issue machine-readable, tamper-resistant social security cards; and

(ii) begin a program to replace existing social security cards with machine-readable, tamper-resistant social security cards.

(2) AMENDMENT.—Section 205(c)(2)(G) of the Social Security Act (42 U.S.C. 405(c)(2)(G)) is amended—

(A) by inserting ''(i)'' after ''(G)''; and

(B) by striking ''The social security card shall be made of banknote paper,'' and inserting the following:

''(ii) The social security card shall be machine-readable and tamper-resistant;''.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection and the amendments made by paragraph (2).

(b) 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:

''(iii) The Commissioner of Social Security shall not issue a replacement social security card to any individual unless the Commissioner of Social Security determines that the purpose for requiring the issuance of the replacement document is legitimate.''.

(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 the viability of using biometric authentication with employment authorization documents.

(d) EFFECTIVE DATE.—The amendments made by subsections (a)(2) 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. 112. ELECTRONIC INFORMATION.

(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 or for the evaluation of an employment verification program at the Social Security Administration, the Department of Homeland Security, or the Department of Labor, may have access to any information contained in a database maintained pursuant to the Employment Eligibility Verification System described in section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note), as amended by section 121 of this Act.

(2) PROTECTION FROM UNAUTHORIZED DISCLOSURE.—Information contained in a database maintained pursuant to the Employment Eligibility Verification System shall be adequately protected against unauthorized disclosure for other purposes, as provided in regulations established by the Commissioner of Social Security, in consultation with the Secretary of Homeland Security and the Secretary of Labor.

(b) IMPROVEMENTS TO INFORMATION INTEGRITY.—

(1) IN GENERAL.—The Commissioner of Social Security shall identify the sources of false, incorrect, or expired Social Security numbers and take steps to eliminate such numbers from the Social Security system.

(2) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Commissioner of Social Security shall submit to Congress a report that—

(A) identifies the sources of false, incorrect, or expired Social Security numbers;

(B) describes the actions carried out by the Commissioner to identify and eliminate the numbers described in paragraph (1); and

(C) describes the actions that the Commissioner plans to take to ensure the removal of the numbers described in paragraph (1) from the Social Security system during the 1-year period beginning on the date that the report is submitted.

Subtitle C—Mandatory Electronic Employment Verification of All Workers in the United States

SEC. 121. EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.

(a) RENAMING OF BASIC PILOT PROGRAM.—Subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended—

(1) in section 401(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 insert 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).

(2) MIDSIZED 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 25 or more individuals for employment in the United States shall participate in such Employment Eligibility Verification System.

(3) SMALL EMPLOYERS.—Beginning not later than 6 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.

(4) 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 under this subsection from voluntarily participating in such Employment Eligibility Verification System.

(5) CONFORMING AMENDMENT.—Section 402(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended in the second sentence by striking the comma after ''(e)'' and inserting ''or section 121(b) of the Welcoming Immigrants to a Secure Homeland Act of 2006,''.

(c) AFFORDABILITY OF SYSTEM.—The Secretary of Homeland Security shall work in cooperation with the Secretary of Labor and the Commissioner of Social Security to make such Employment Eligibility Verification System affordable to any person or entity that hires individuals for employment in the United States.

(d) ELECTRONIC FILING.—Any employer participating in such Employment Eligibility Verification System may complete and allow for newly hired individuals to complete employment verification documents electronically.

(e) REPORT ON IMPROVEMENT OF EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security, in cooperation with the Secretary of Labor and the Commissioner of Social Security, shall submit to Congress a report on ways to improve such Employment Eligibility Verification System.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be required to carry out such Employment Eligibility Verification System in every State and to allow every employer in the United States to participate.

SEC. 122. GOOD FAITH COMPLIANCE.

Any employer that complies with the requirements of this subtitle, the amendments made by this subtitle, and title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) has established an affirmative defense that the employer has not violated the employment verification requirements under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).

TITLE II—NONIMMIGRANT GUEST 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 service and who meets the requirements of section 218A.''.

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

(1) in subparagraph (U)(iii), by striking ''or'' at the end; and

(2) in subparagraph (V)(ii)(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 may grant a temporary visa to a nonimmigrant described in section 101(a)(15)(W) who demonstrates an intent to perform labor or services in the United States and who meets the requirements of this section.

''(b) REQUIREMENTS FOR ADMISSION.—In order to be eligible for nonimmigrant status under section 101(a)(15)(W), an alien shall meet the following requirements:

''(1) ELIGIBILITY TO WORK.—The alien shall establish that the alien is capable of performing the labor or services required for an occupation under section 101(a)(15)(W).

''(2) EVIDENCE OF EMPLOYMENT.—The alien shall establish that the alien has a job offer from an employer that utilizes the Employment Management System described in section 218C.

''(3) APPLICATION FEE.—The alien shall pay a $250 visa issuance fee in addition to the cost of processing and adjudicating such application. Nothing in this paragraph shall be construed to affect consular procedures for charging reciprocal fees.

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

''(5) APPLICATION CONTENT AND WAIVER.—

''(A) APPLICATION FORM.—The Secretary of Homeland Security shall create an application form that an alien shall be required to complete as a condition of being admitted as a nonimmigrant under section 101(a)(15)(W).

''(B) CONTENT.—In addition to any other information that the Secretary determines is required to determine an alien's eligibility for admission as a nonimmigrant under section 101(a)(15)(W), the Secretary shall require an alien to provide information 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.

''(C) WAIVER OF RIGHTS.—

''(i) AUTHORITY TO REQUEST.—The Secretary may request that an alien 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 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 on the basis of an application for asylum pursuant to the provisions contained in section 208 or 241(b)(3), or under the Convention Against Torture and Other Cruel, Inhuman or 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).

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

''(D) KNOWLEDGE.—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 and statements on the 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 all true and correct, and that the applicant authorizes the release of any information contained in the application and any 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.

''(d) ADMISSIBILITY.—

''(1) IN GENERAL.—In determining an alien's admissibility as a nonimmigrant under section 101(a)(15)(W)—

''(A) 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 enactment of the Welcoming Immigrants to a Secure Homeland Act of 2006; and

''(B) 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 criminals);

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

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

''(C) for conduct that occurred 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, or when such waiver is otherwise in the public interest.

''(2) CONSTRUCTION.—No provision in paragraph (1) shall be construed as affecting the authority of the Secretary 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 under subparagraph (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 as a nonimmigrant under section 101(a)(15)(W) shall establish that the alien is not inadmissible under section 212(a).

''(e) BACKGROUND CHECKS.—The Secretary of Homeland Security shall 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.

''(f) DURATION.—

''(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 an 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 admissibility under such section. Such application shall include evidence of the alien's employment with an employer that utilizes the Employment Management System described in section 218C.

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

''(3) REQUIREMENT TO RETURN HOME.—Unless an alien is granted a change of status pursuant to section 245 (as described in subsection (l)), an alien admitted as a nonimmigrant under section 101(a)(15)(W) shall, upon the expiration of a period of authorized admittance, leave the United States and be ineligible to reenter as an alien under section 101(a)(15)(W) or receive any other immigration relief or benefit under this Act or any other law, with the exception of section 208 or 241(b)(3) or the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, until the alien has resided continuously in the alien's home country for a period of not less than 3 years.

''(g) STANDARDS FOR DOCUMENTATION.—

''(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the documents issued to provide evidence of nonimmigrant status under section 101(a)(15)(W) are machine-readable and tamper-resistant, and allow for biometric authentication. The Secretary of Homeland Security is authorized to incorporate integrated-circuit technology into such documents.

''(2) CONSULTATION.—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 DOCUMENTATION.—The document may serve as a travel, entry, and work authorization document during the period that the document is valid.

''(h) FAILURE TO DEPART.—

''(1) INADMISSIBILITY FOR FAILURE TO DEPART.—Subject to paragraph (2), an alien admitted as a nonimmigrant under section 101(a)(15)(W) 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 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 under section 208 or 241(b)(3), or the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.

''(i) FAMILY MEMBERS.—

''(1) IN GENERAL.—The spouse or child of an alien admitted as a nonimmigrant under section 101(a)(15)(W) may be admitted to the United States—

''(A) as a nonimmigrant for the same amount of time, and on the same terms and conditions, as the alien admitted as a nonimmigrant under section 101(a)(15)(W); or

''(B) under any other provision of law, if such family member is otherwise eligible for admission.

''(2) APPLICATION FEE.—The spouse or child of an alien admitted as a nonimmigrant under section 101(a)(15)(W) who is seeking to be admitted pursuant to this subsection shall submit, in addition to any other fee authorized by law, an additional fee of $100.

''(j) 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)—

''(A) may travel outside of the United States; and

''(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).

''(k) EMPLOYMENT.—

''(1) 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.

''(2) CONTINUOUS EMPLOYMENT.—

''(A) REQUIREMENT FOR EMPLOYMENT.—An alien admitted under section 101(a)(15)(W) shall be employed while in the United States. An alien who fails to be employed for 30 consecutive days is ineligible for employment in the United States unless the alien departs the United States and thereafter provides evidence of an offer of employment with 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.

''(l) 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.

''(2) 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.

''(m) NUMERICAL LIMIT.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Homeland Security may not admit more than 500,000 aliens as nonimmigrants 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 businesses in the United States would benefit from such waiver.''.

(b) INITIAL RECEIPT OF APPLICATIONS.—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(1) of the Immigration and Nationality Act (8 U.S.C. 1258(1)) is amended by striking ''or (S)'' and inserting ''(S), or (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 218B of the Immigration and Nationality Act, as added by section 301, an exemption from numerical limitations under section 201(b)(1)(F) of the Immigration and Nationality Act, as added by section 602, or for an immigration benefit described in section 603, 604, or 605 until the date that 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—

(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 control illegal immigration from Mexico into the United States;

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

(A) the passport 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; and

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

(4) 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 a change of status under section 218B of the Immigration and Nationality Act, as added by section 301 of this Act, to ensure that such citizens and nationals are not exploited while working in the United States.

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

TITLE III—NONIMMIGRANT GUEST WORKER STATUS FOR UNAUTHORIZED ALIENS

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

(a) IN GENERAL.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after section 218A, as added by section 202, the following new section:

''SEC. 218B. CHANGE OF STATUS OF 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 Welcoming Immigrants to a Secure Homeland Act of 2006 in the Senate and was not legally present in the United States under any classification set forth in section 101(a)(15) 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 Act in the Senate, and has not been unemployed 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 that the Secretary determines is required to determine an alien's eligibility for 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 or card in the possession of the alien or relied upon by the alien; and

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

''(3) WAIVER OF RIGHTS.—

''(A) AUTHORITY TO REQUEST.—The Secretary may request that an alien include with the application a waiver of rights that states that the alien, in exchange for the discretionary benefit of obtaining a change of status under this section, agrees to waive any right—

''(i) to 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 on the basis of an application for asylum pursuant to the provisions contained in section 208 or 241(b)(3), or under the Convention Against Torture and Other Cruel, Inhuman or 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).

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

''(C) KNOWLEDGE.—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, statements, and terms of the 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 all true and correct, and that the applicant authorizes the release of any information contained in the application and any attached evidence for law enforcement purposes.

''(4) APPLICATION FEE AND FINES.—

''(A) REQUIREMENT TO PAY.—An alien applying for a change of status under this section shall pay—

''(i) a $250 visa issuance fee in addition to the cost of processing and adjudicating such application; and

''(ii) a fine of $1000.

''(B) CONSTRUCTION.—Nothing in this paragraph shall be construed to affect consular procedures for charging reciprocal fees.

''(d) ADMISSIBILITY.—

''(1) IN GENERAL.—In determining an alien's eligibility for a change of status under this section—

''(A) the alien shall establish that the alien—

''(i) except as provided as in subparagraph (B), is admissible to the United States; and

''(ii) has not assisted in the persecution of any person or persons on account of race, religion, nationality, membership in a particular social group, or political opinion;

''(B) paragraphs (5), (6)(A), and (7) of section 212(a) shall not apply to the admissibility of such alien;

''(C) the Secretary of Homeland Security may waive any other provision of section 212(a), or a ground of ineligibility under paragraph (4), in the case of individual aliens for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest.

''(2) WAIVER FEE.—An alien who is granted a waiver under subparagraph (C) shall pay a $100 fee upon approval of the alien's visa application.

''(e) INELIGIBLE.—An alien is ineligible for the change of status provided by this section if the alien—

''(1) is subject to a final order or removal under section 240;

''(2) failed to depart the United States during the period of a voluntary departure order under section 240B;

''(3) has been issued a Notice to Appear under section 239, unless the sole acts of conduct alleged to be in violation of the law are that the alien is removable under section 237(a)(1)(C) or is inadmissible under section 212(a)(6)(A);

''(4) fails to comply with any request for information made by the Secretary of Homeland Security;

''(5) commits an act that makes the alien removable from the United States.

''(f) IMPLEMENTATION AND APPLICATION TIME PERIODS.—

''(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the application process for an adjustment of status

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 all applications for a change of status 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 under this section need not depart the United States in order to apply for such a change of status.

''(g) FAILURE TO ACT.—An alien unlawfully in the United States who fails to apply 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 and may not apply for or receive any immigration relief or benefit under this Act or any other law, with the exception of section 208 or 241(b)(3) or the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.

''(h) SECURITY AND LAW ENFORCEMENT BACKGROUND CHECKS.—

''(1) BIOMETRIC DATA.—An alien may not be granted a change of status under this section unless the alien submits biometric data in accordance with procedures established by the Secretary of Homeland Security.

''(2) BACKGROUND CHECKS.—The Secretary of Homeland Security may not grant a change of status under this section until all appropriate background checks, including any that the Secretary, in the Secretary's discretion may require, are completed to the satisfaction of the Secretary of Homeland Security.

''(i) DURATION, EXTENSION, AND REENTRY.—

''(1) DURATION AND EXTENSION.—The period of authorized admission for an alien granted a change of status under this section shall be 3 years, and may be extended for 2 additional 3-year periods if the alien establishes that the alien has a job with an employer that utilizes the Employment Management System described in section 218C.

''(2) APPLICATION FOR EXTENSION.—

''(A) IN GENERAL.—An alien granted a change of status for a 3-year period under this section who is seeking an extension of such status shall submit an application for such extension no more than 90 days and no less than 45 days before the end of such 3-year period. The application shall provide evidence of employment with an employer that utilizes the Employment Management System described in section 218C.

''(B) FEE.—An alien who submits an application for an extension described in subparagraph (A), shall pay a $100 fee with such application.

''(3) REENTRY.—Unless an alien is granted a change of status or adjustment of status pursuant to subsection (n), an alien granted a change of status pursuant to this section shall, upon the expiration of the time period for authorized admission under this section, leave the United States and be ineligible to reenter the United States as a nonimmigrant under section 101(a)(15)(W), or receive any other immigration relief or benefit under this Act or any other law, with the exception of section 208 or 241(b)(3) or the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, until the alien has resided continuously in the alien's home country for a period of not less than 3 years.

''(j) STANDARDS FOR DOCUMENTATION.—

''(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the document issued to provide evidence of status under this section shall be machine-readable, tamper-resistant, and allow for biometric authentication. The Secretary of Homeland Security is authorized to incorporate integrated-circuit technology into the document.

''(2) CONSULTATION.—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.

''(k) FAILURE TO DEPART.—

''(1) INADMISSABILITY 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 under 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.

''(l) 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)—

''(A) 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.

''(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 under this section or for the spouse or child of such alien admitted under subsection (o).

''(m) EMPLOYMENT.—

''(1) IN GENERAL.—An alien granted a change of status under this section shall be employed by an employer that utilizes the Employment Management System described in section 218C not more than 3 months after the date the alien applies for a change of status under this section.

''(2) LIABILITY FOR PENALTIES OR FEES.—The employer of an alien granted a change of status under this section shall not be liable for any civil or criminal penalties or fees for hiring the alien prior to such change of status if the employer begins to utilize such Employment Management System pursuant to this subsection.

''(3) PORTABILITY.—An alien may be employed by any other United States employer who utilizes the Employment Management System established by section 218C.

''(4) CONTINUOUS EMPLOYMENT.—

''(A) REQUIREMENT FOR EMPLOYMENT.—An alien granted a change of status under this section who fails to be employed for 30 consecutive days is ineligible for reentry or employment in the United States unless the alien departs the United States and is admitted for reentry under a provision of this Act or any other provision of law.

''(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.

''(n) LIMITATION ON CHANGE OF STATUS OR ADJUSTMENT OF STATUS.—

''(1) IN GENERAL.—An alien described in paragraph (2) may apply for a visa, an adjustment of status, or other immigration benefit, other than for adjustment of status to lawful permanent resident, after the alien has resided lawfully in the United States pursuant to a change of status granted as described in this section for a period of not less than 5 years, but such application shall not be granted until the alien has returned to the alien's home country.

''(2) REQUIREMENTS TO APPLY.—An alien described in this paragraph is an alien who—

''(A) has been granted a change of status under this section; and

''(B) during the 5-year period ending on the date of the enactment of the Welcoming Immigrants to a Secure Homeland Act of 2006—

''(i) was physically present in the United States; and

''(ii) unemployed for no more than 30 consecutive days.

''(o) 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—

''(A) as a nonimmigrant for the same amount of time, and on the same terms and conditions, as the alien granted a change of status under this section; or

''(B) under any other provision of law, if such family member is otherwise eligible for admission.

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

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

''(q) PENALTIES FOR FALSE STATEMENTS.—

''(1) CRIMINAL PENALTY.—

''(A) VIOLATION.—It shall be unlawful for any person—

''(i) to file or assist in filing an application for a change of status under this section and knowingly or willfully falsify, misrepresent, conceal, or cover up a material fact or make any false, fictitious, or fraudulent statements or representations, or make or use any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry; or

''(ii) to create or supply a false writing or document for use in making such an application.

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

''(2) 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).''.

(b) INITIAL RECEIPT OF APPLICATIONS.—The Secretary of Homeland Security shall begin accepting applications for a change of status under section 218B of the Immigration and Nationality Act, as added by subsection (a), not later than 6 months after the date of the enactment of this Act.

SEC. 302. 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. 303. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be 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. 1101 et seq.) 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 granted a change of status under section 218B.

''(3) REQUIREMENTS.—The program required by this subsection shall—

''(A) enable an employer seeking to hire an alien described in section 218A or 218B to apply for authorization to employ such alien;

''(B) be interoperable with Social Security databases and shall provide a means of immediately verifying the identity and employment authorization of an alien described in section 218A or 218B;

''(C) require an employer to utilize readers, scanners, or other affordable technology at the location of employment or at a nearby Federal facility to transmit the biometric and biographic information contained in the alien's evidence of status to the Secretary of Homeland Security;

''(D) require an employer that employs an alien described in section 218A or 218B to notify the Secretary not more than 5 business days after the date of the termination of the alien's employment and prohibit such an employer from hiring another such alien for such employment until the employer provides such notice; and

''(E) collects sufficient information from employers to enable the Secretary of Homeland Security to identify—

''(i) whether an alien described in section 218A or 218B is employed;

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

''(iii) the number of aliens described in section 218A or 218B that are employed by an employer; and

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

''(b) APPLICATION TO EMPLOY ALIENS DESCRIBED IN SECTION 218A OR 218B.—

''(1) REQUIREMENT FOR APPLICATION.—An employer shall submit to the Secretary of Homeland Security an application to request an authorization to employ aliens described in section 218A or 218B. Such application shall—

''(A) establish that such aliens will be employed by a legitimate company;

''(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.

''(c) 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—

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

''(2) the employer has offered the position to any eligible United States worker who applies and is equally or better qualified for the vacancy for which such an 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 that describe the reason that a United States worker who applied for such vacancy was not hired;

''(3) the employer shall comply with the terms of the program required by subsection (a), including the terms of any temporary worker monitoring program established by the Secretary of Homeland Security; and

''(4) an alien hired for the vacancy shall be paid not less than the greater of—

''(A) the hourly wage prescribed under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)); or

''(B) the applicable State 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.

''(d) APPROVAL.—After determining that there are no United States workers 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 violates a term of this section, in which case the Secretary may, in the discretion of the Secretary, revoke the approval.

''(e) PENALTIES.—An employer who employs an alien described in section 218A or 218B without obtaining authorization from the Secretary of Homeland Security pursuant to this section is subject to—

''(1) the same penalties and provisions as an employer who violates paragraph (1)(A) or (2) of section 274(a); and

''(2) any penalties prescribed by the Secretary of Homeland Security by regulation, which may include monetary penalties and ineligibility to employ an alien described in section 218A or 218B.''.

SEC. 402. LABOR INVESTIGATIONS AND PENALTIES.

(a) IN GENERAL.—The Secretary of Homeland Security, in cooperation with the Secretary of Labor, shall conduct random audits of employers who employ aliens described under section 218A or 218B of the Immigration and Nationality Act, as added by section 202 and 301, respectively.

(b) PENALTIES.—The Secretary of Homeland Security shall establish penalties, which may include ineligibility to employ an alien described in section 218A or 218B of the Immigration and Nationality Act, as added by section 202 and 301, respectively, for employers who fail to comply with section 218C of such Act, as added by section 401 of this Act, and shall establish protections for aliens who report employers who fail to comply with such section 218C.

TITLE V—PROTECTION AGAINST IMMIGRATION FRAUD

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

(a) PURPOSE.—The purpose of this title is to provide grants to nonprofit entities, immigrant communities, and other interested entities to provide education and training to appropriate individuals regarding the changes to immigration law made by this Act, and the amendments made by this Act, and to provide support to such entities.

(b) AUTHORITY.—The head of the Office of Justice Programs of the Department of Justice is authorized to award grants to nonprofit entities, immigrant communities, and other interested entities for the purposes described in subsection (c).

(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 effected by the changes in immigration law made by this Act, and the amendments made by this Act, and to educate, train and support nonprofit organizations, immigrant communities, and other interested parties regarding such changes. Such grants shall be used for educating—

(1) immigrant communities and other interested entities on the individuals and organizations that can provide authorized legal representation in immigration matters under regulations prescribed by the Secretary of Homeland Security, and on the dangers of securing legal advice and assistance from a person who is not authorized to provide legal representation in immigration matters;

(2) interested entities on the requirements for obtaining nonprofit recognition and accreditation to represent immigrants under regulations prescribed by the Secretary of Homeland Security, and providing nonprofit agencies with training and technical assistance on the recognition and accreditation process; and

(3) nonprofit organizations, immigrant communities and other interested entities on the process for obtaining benefits under this Act, and the amendments made by this Act, and the availability of authorized legal representation for low-income persons who may qualify for benefits under this Act.

(d) IN GENERAL.—The head of the Office of Justice Programs shall ensure, to the extent possible, that the entities awarded grants under this section shall serve geographically diverse locations and ethnically diverse populations who may qualify for benefits under the Act or the amendments made by this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Office of Justice Programs at the Department of Justice $10,000,000 to carry out this section for each of fiscal years 2007 through 2011.

TITLE VI—HIGHLY EDUCATED AND SKILLED WORKERS

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

(a) IN GENERAL.—Section 214(g)(5)(C) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(5)(C)) is amended by striking '', until the number of aliens who are exempted from such numerical limitation during such year exceeds 20,000''.

(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. 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:

''(F) Aliens who have earned an advanced degree in science, technology, engineering, or math from an accredited university in the United States and have been working in a related field in the United States under a nonimmigrant 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 nonimmigrant 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 in the area 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 nonimmigrant 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), (J), or (M) of section 101(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 218C 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 101(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 TECHNOLOGIES.

(a) INCREASED EMPLOYEES.—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 100 the number of Homeland Security personnel dedicated to processing applications 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).

(b) IMPROVED PROCEDURES.—The Secretary of Homeland Security shall improve technology and automated procedures to enhance visa clearance procedures 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:

''(s) The Secretary of Homeland Security—

''(1) may not prohibit an nonimmigrant admitted under section 101(a)(15)(B) from traveling up to 100 miles from an international border of the United States; and

''(2) may permit such a nonimmigrant to travel further from such a border.''.

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. Mr. President, 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 technological 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 unused, 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 from a 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.

Using white spaces 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.

Providing a way 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 and 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 white 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 Nondiscrimination 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:

S. 2327

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Wireless Innovation Act of 2006'' or the ''Winn Act''.

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 its proceeding and issue a final order regarding white space in the matter of Unlicensed Operation in the TV Broadcast Bands, ET Docket No. 04–186.

(b) CONDITIONS.—In completing the requirement described in subsection (a), the Federal Communications Commission shall in such final order—

(1) permit unlicensed, non-exclusive use of unassigned, non-licensed television broadcast channels between 54 MHz and 698 MHz;

(2) establish technical guidelines and requirements for the offering of unlicensed service in such band to protect incumbent licensed services and licensees from harmful interference; and

(3) require unlicensed devices operating in such band to comply with existing certification processes.

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

S. 2331. 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.

Ms. SNOWE. Mr. President, I rise today to introduce a bill that will help struggling communities, like Aroostook County in my home State of Maine, take full advantage of the special tax incentives for creating economic growth and community revitalization in empowerment zones. The bill enables those economically depressed communities, already taking advantage of these incentives, to secure the full 15 years of targeted growth originally granted to the areas first designated as empowerment zones.

I believe all empowerment zone communities need 15 years to reverse the decades of decline that originally impacted their economies. I have long supported empowerment zone incentives, and I believe that these targeted tax incentives provide struggling communities the best chance for sustained, long lasting economic renewal. In Maine, I have seen first hand empowerment zones' ability to revitalize faltering communities, with new jobs, and the creation of the economic activity needed for vibrant and strong cities and towns.

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 rural areas in order to find better, more stable, employment opportunities. Since the 1960s, difficult economic circumstances have caused a continuous decline in Aroostook County's population. In 1994, Loring Air Force Base closed, the major employer in Aroostook County at the time, further decimating the area's already struggling economic base and population. The Pentagon wrote, in their assessment of closure at Loring that, ''closing Loring Air Force Base would result in a population loss of approximately 22,000 persons, (the) direct and indirect employment loss of nearly 9,900 jobs, and regional income loss of just over 92 million dollars.'' Today, over 11 years after the Air Force left Aroostook County, the population hovers near a sparse 73,000 people with 14 percent of these households still living in poverty.

In 1994, Congress designated the first empowerment zones setting 2009, a 15-year timeframe, as the date that these tax incentives would expire. The 2009 expiration date of empowerment zone status was held firm for Round II communities designated in 1997, and the Round III communities designated in 2002; granting communities like Aroostook County, which was designated in 2002, as little as 7 years to use tax incentives to reverse decades of decline and economic neglect.

Unfortunately, Aroostook's economic problems will not be fixed within the 7 short years this area qualifies for empowerment zone tax incentives. Instead a long-term and lasting commitment of at least 15 years is necessary to help Aroostook communities work their way to stronger economic prosperity. Many communities, like Aroostook County, that were unable to qualify for empowerment zone status until 2002 are in need of the long-term 15-year commitment in which to address their stubborn causes of poverty.

Businesses operating within empowerment zones receive a 20-percent wage credit for the first $15,000 they pay in wages to local residents. Other tax incentives encourage businesses, and industries, to further commit to these communities. Companies with businesses in empowerment zones are eligible for an additional $35,000 worth of 179 business expensing—making these long-term business obligations more attractive, affordable, and likely. Empowerment zones are also eligible for expanded tax exempt financing for building the infrastructure communities need to attract long-term developers and business partners.

To qualify for empowerment zone status, communities develop comprehensive strategic plans that depend on these tax incentives to help them transform their economies. Each community's plan focuses on establishing long-term partnerships between private businesses, nonprofits, State, local, and Federal Government agencies, to help develop the local economy. Together these parties use the community's strategic blueprint to implement interconnected projects that address the factors creating the area's economic sickness. These types of projects focus on building needed business and industrial infrastructure, developing an educated 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 empowerment zones designated because of population decline. The county formed the Aroostook Partnership for Progress to spearhead their empowerment 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 ability of empowerment 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 can not 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. Though 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'S SERVICE AS THE INSPECTOR GENERAL OF THE DEPARTMENT OF TRANSPORTATION

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

S. CON. 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 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, 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 Federal government'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.

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 Relation:

S. RES. 383

Whereas, the April 8, 2004, N'Djamena Ceasefire Agreement, calling 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 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 Kofi Annan has indicated that, ''People in many parts of Darfur continue to be killed, raped, and driven from their homes by the thousands.'';

Whereas 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, 3,000,000 people are dependant on international assistance to survive, and over 200,000 people are refugees in neighboring Chad due to the conflict in Darfur;

Whereas escalating tensions along the border between Chad and Sudan have increased instability in Darfur;

Whereas neither the mandate nor the troop strength of the African Union Mission in Sudan (AMIS) is adequate to protect civilians in Darfur;

Whereas the United States has demonstrated leadership on the Sudan issue by having United States Permanent Representative to the United Nations John Bolton, in his first action as President of the United Nations Security Council, request in February 2006 that Secretary-General Annan initiate contingency planning for a transition from AMIS to a United Nations peacekeeping operation;

Whereas, although the United Nations Security Council has concurred with this recommendation and taken steps toward establishing a United Nations peacekeeping mission for Darfur, it could take up to a year for such a mission to deploy fully;

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;

(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 peacekeeping force 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 by—

(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 chased 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? Hope for the best? 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 plan 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 a small number of fully 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 1299; 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. Ambos, 0000
Jason K. Appleberry, 0000
Segundo J. Argudo, 0000
Reginald I. 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. Dietsch, 0000
Brian J. Donahue, 0000
William R. Dunbar, 0000
Bryan L. Dunlap, 0000
Charles Engbring, 0000
Tom Engbring, 0000
Jay S. Fair, 0000
PaulA. Fawcett, 0000
Krystyon N. Finch, 0000
Jason F. Frank, 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

Thomas A. Jacobson, 0000
Weston R. James, 0000
Douglas A. Jannusch, 0000
John W. Kaser, 0000
Richard J. Kavanaugh, 0000
Tonya G. Kelley, 0000
Raymond S. Kingsley, 0000
Andrew C. Kirkpatrick, 0000
Shawn A. Lansing, 0000
Patrick J. Lee, 0000
Joseph J. Leonard, 0000
John R. Luff, 0000
Ezekiel J. Lyons, 0000
Richard A. Mach, 0000
Steven D. Mahany, 0000
Robert J. Manning, 0000
Charles Marino, 0000
Ronaydee M. Marquez, 0000
Timothy R. Martin, 0000
Stephen Matadobra, 0000
James J. Mazel, 0000
Brian K. McCaul, 0000
James M. Mclay, 0000
Kerri W. Merklin, 0000
Robert A. Moomaw, 0000
David J. Moore, 0000
Ferdinand Morales, 0000
Michael J. Munnerlyn, 0000
John R. Nims, 0000
Jessica E. Noel, 0000
Bryan K. Oditt, 0000
David M. Otani, 0000
Hector M. Pacheco, 0000
Charles N. Parham, 0000
Michaell. Parker, 0000
Jeffrey C. Peterson, 0000
Jose L. Ramirez, 0000
Christian P. Rigney, 0000
Justo E. Rivera, 0000
David J. Roberts, 0000
Richard D. Russell, 0000
Paul T. Sanger, 0000
Brent R. Schmadeke, 0000
William A. Schrade, 0000
John R. Scott, 0000
Heather D. Skowron, 0000
Samuel L. Slay, 0000
Bradley J. Smith, 0000
Jason S. Smith, 0000
Lawrence W. Sohl, 0000
Lane A. Solak, 0000
Gabriel J. Somma, 0000
Lane G. Steffenhagen, 0000
Thomas M. Stokes, 0000
John R. Strasburg, 0000
Roderick A. Stroud, 0000
Jonathan E. Sullivan, 0000
Carol M. Swinson, 0000
John K. Titchen, 0000
Terry R. Trelford, 0000
Shaun T. Vaccaro, 0000
Thomas C. Vaughn, 0000
Stephen E. West, 0000
Todd C. Wiggen, 0000
Charles Wojaczyk, 0000
Marcus P. Wong, 0000
Maurice S. York, 0000
Steven M. Youde, 0000
Jacob A. Zalewski, 0000
Peter J. Zauner, 0000
Peter E. Zohimsky, 0000

To be lieutenant junior grade

Regina E. Adams, 0000
Jereme M. Altendorf, 0000
Walner W. Alvarez, 0000
Jennifer J. Andrew, 0000
Edward S. Aponte, 0000
Michael P. Attanasio, 0000
Geoffrey M. Barela, 0000
Ellen P. Batt, 0000
James R. Bendle, 0000
Jeffrey S. Bogdanovich, 0000
Thomas R. Bolin, 0000
Jeffrey M. Bolling, 0000
Barnaby W. Bosanquet, 0000
Devon S. Brennan, 0000
Collin R. Bronson, 0000
Melanie A. Burnham, 0000
Matthew A. Calvert, 0000
Manuel B. Camargo, 0000
James J. Camp, 0000
Taylor J. Carlisle, 0000
Luis O. Carmona, 0000
Christopher L. Carter, 0000
Timothy S. Casares, 0000
Xochitl L. Castaneda, 0000
Eric W. Chang, 0000
David M. Coburn, 0000
Harlan J. Copeland, 0000
Trevor C. Cowan, 0000
Robert H. Creigh, 0000
Michael Crowe, 0000
Dorain M. Dailey, 0000
Willy J. Dasal, 0000
Ali W. Davis, 0000
Kelvin J. Davis, 0000
John F. Dewey, 0000
Adam H. Drews, 0000
Glen R. Enzfelder, 0000
Bryan M. Estell, 0000
Kerry A. Feltner, 0000
Alan J. Fitzgerald, 0000
Robert F. Fitzgerald, 0000
David L. Flanders, 0000
Angelique Flood, 0000
Jason S. Franz, 0000
Brett A. Freels, 0000
Tracy D. Funck, 0000
Matthew A. Gabbianelli, 0000
Oscar R. Galvez, 0000
Lisa L. Garcez, 0000
Joseph S. Giammanco, 0000
Erin K. Gilson, 0000
Christopher L. Grooms, 0000
Danielle R. Hartley, 0000
James R. Herrera, 0000
Jason D. Hetherington, 0000
Neal D. Hinkel, 0000
Crist M. Holveck, 0000
Jason A. Hopkins, 0000
Kenneth C. Jones, 0000
Thomas D. Jones, 0000
Luann J. Kehlenbach, 0000
Steven A. Koch, 0000
Matthew R. Kolodica, 0000
Duane W. Lemmon, 0000
Preston O. Logan, 0000
Jeffrey D. Lynch, 0000
Jonathan M. Mangum, 0000
Ezra L. Manuel, 0000
Arthur P. Martin, 0000
Matthew K. Matsuoka, 0000
Doreen McCarthy, 0000
Kevin J. McDonald, 0000
Stacy L. McNeer, 0000
John M. McWilliams, 0000
Nathan S. Menefee, 0000
Matthew J. Meskun, 0000
Anthony R. Migliorini, 0000
Douglas J. Miller, 0000
Robert S. Morris, 0000
Merridith R. Morrison, 0000
Ernesto Muniztirado, 0000
Walter L. Ouzts, 0000
John G. Peterson, 0000
Todd P. Porter, 0000
Beau G. Powers, 0000
Kevin J. Rapp, 0000
Joseph R. Raymond, 0000
Jeffrey H. Rubini, 0000
Michael K. Saffold, 0000
Tanya C. Saunders, 0000
Karey J. Sayre, 0000
Ray A. Slapkunas, 0000
Adam C. Spencer, 0000
Jon D. Stewart, 0000
Mary W. Stewart, 0000
Calvin Summers, 0000
Nicholas J. Tabori, 0000
Danny M. Tcheng, 0000
Miguel E. Torrez, 0000
Otis C. Travers, 0000
Douglas M. Trent, 0000
Kristofer A. Tsairis, 0000
Christopher B. Tuckey, 0000
Matthew D. Vanderbeck, 0000
Kou Vang, 0000
Kraig L. Washington, 0000
Matthew G. Weber, 0000
Justin L. Westmiller, 0000
Kevin S. Wilkinson, 0000
Shay R. Williams, 0000
Timothy J. Williams, 0000
Christopher Wolfer, 0000
John D. Wood, 0000
Brett R. Workman, 0000
Warren N. Wright, 0000
Ben Wroblewski, 0000
Damian N. Yemma, 0000
Christopher J. Young, 0000

DEPARTMENT OF STATE

Richard A. Boucher, of Maryland, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Assistant Secretary of State for South Asian Affairs.

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 of the Senate, the President tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by current action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. 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.

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

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

H. CON. RES. 345

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, February 16, 2006, on a motion offered pursuant to this concurrent resolution by its 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

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 stand recessed or adjourned until noon on Monday, February 27, 2006, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of 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 Minority 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 if, 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, SBA, notified my office that the SBA 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 to SBA 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 its Administrator Hector Barreto. SBA told us that it has known about this 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 KERRY, as well as myself and 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 attention. No one 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 their loans to be approved. 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.

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 was told until February 1. That is 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 slow the recovery 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 23,000 have been 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 and USA Today. 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 legislation 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

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 so that it could 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 has 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, and I hope 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 to President Bush and Majority Leader FRIST be printed in the RECORD.

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

U.S. SENATE, COMMITTEE ON SMALL BUSINESS & ENTREPRENEURSHIP,
Washington, DC, February 10, 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. Instead of waiting 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 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, Committee staff 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 shortsightedness of these budget cuts.

It is time to get the SBA's disaster loan program running smoothly and remove the red tape that is keeping so many homeowners and business owners from getting much-needed disaster assistance. As of yesterday, SBA's data showed that almost six months after Hurricane Katrina hit, 50 percent of the loans requested by homeowners are waiting to be processed, and 35 percent of the business owners are waiting for their loan applications to be processed.

I understand that the Administration's reprogramming request of $100 million approved yesterday by Congress will only provide enough funding to keep the program running for about 14 more days. To avoid a shutdown during Fiscal Year 2006, the SBA disaster loan program needs an estimated $1.3 billion. Currently, your Administration is planning to request $1 billion to be reallocated from the billions sitting idle at FEMA. Unfortunately this will only fund the disaster loan program through July, requiring an additional request for the remaining $300 million in supplemental appropriations to make it through the end of the fiscal year in September. Rather than continue this piecemeal approach to budgeting, I urge you to request the full amount to operate the program properly now and make sure the needs of the Gulf and future disaster victims are met.

Sincerely,

JOHN F. KERRY.

U.S. SENATE, COMMITTEE ON SMALL BUSINESS & ENTREPRENEURSHIP
Washington, DC, February 14, 2006.

Re Passing Legislation To Prevent Shutdown of SBA's Disaster Loan Program.

Hon. WILLIAM H. FRIST, M.D.,
U.S. Senate Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. MAJORITY LEADER: We are writing to ask your immediate attention in passing critical legislation to prevent the Small Business Administration's (SBA) Disaster Loan program from shutting down.

As you are aware, the SBA Disaster Loan program would have run out of money yesterday, February 13, 2006, if the Congress had not approved a last-minute request from the Administration to reprogram $100 million. The SBA has told the Committee that the reprogrammed funding will only keep the program running for about 12 more days and estimates it will need an additional $1.3 billion to avoid a shutdown in FY2006.

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 July, requiring an additional request for the remaining $300 million in supplemental appropriations to make it through the end of the fiscal year in September.

Rather than continue this piecemeal approach to budgeting, we believe the Congress should pass legislation with the entire estimated amount so that there is stability in the delivery of disaster relief to meet the needs of the Gulf victims, as well as any future disaster victims. We also believe that the 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 reallocate 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 PRYOR.
MARY LANDRIEU.
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 PRESIDING OFFICER. Without objection, it is so ordered.

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 PRESIDING OFFICER. 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.

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

Mr. STEVENS. Mr. President, I take this opportunity to commend Kenneth Mead's service as inspector general of the Department of Transportation. I am joined by Commerce Committee Cochairman 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 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 laid upon the table.

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

The resolution (S. Res. 382) was agreed to.

The preamble 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 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, 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 Federal government'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.

SEC. 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, 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. (lh) Craig O. McDonald, 0000

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, 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.

DEPARTMENT OF DEFENSE

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.

DEPARTMENT OF ENERGY

Thomas P. D'Agostino, of Maryland, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration.

FEDERAL RESERVE SYSTEM

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. 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.

EXECUTIVE OFFICE OF THE PRESIDENT

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

NOMINATION OF CAROL DINKINS

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 laws, regulations, and executive 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 longtime 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, Senator 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 completes its business today, it 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 Presidents 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, and 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 distinguished 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 Presiding Officer, 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, and a tractor drove me up 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 who 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 I. 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 the FAA Automatic Surface Detection 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, C4ISR, 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. program management, engineering and manufacturing. he brings a broad experience base of technology including international technology transfer, outsourcing, product development, multi-plant operations management, lean manufacturing implementation, demand flow technology programs, six sigma/black belt systems, information technology systems, purchasing, logistics, facilities, security, product support and total quality management.

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

Jim has achieved significant operational recognition and success through progressive, increasing management responsibilities at General Electric, Singer. Lear Siegler, 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 2001 to serve as 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 businessman 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, Science & 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 Deputy Administrator for Program Integration and leads the Office of Defense Programs at the Department of Energy's National Nuclear Security Administration, NNSA. Mr. 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,

Defense 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 assures the capability for maintaining the readiness to test and develop new warheads, if required.

In other previous assignments, Mr. D'Agostino served as the Deputy Director for the Nuclear Weapons Research, 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 startup of the Department's tritium production reactors and at the Naval Sea Systems Command as a program manager for the SEAWOLF submarine propulsion system.

Mr. D'Agostino is currently a Captain in 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 in developing concepts for new attack submarine propulsion systems. He also served with the Deputy Chief of Naval Operations for Plans, Policy, and Operations, N3/5, in 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 Reactor Inspector. In this position, he performed nuclear reactor and propulsion engineering inspections for over 65 submarines and 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, Navy Expeditionary 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 Alemany of Manchester, CT, and has two children. Mr. D'Agostino is a member of the Senior Executive Service.

Education: Naval War College, Newport, RI, MS National Security Studies, 1997 (Distinguished Graduate), Johns Hopkins University, Baltimore, MD, MS Business Finance, 1992, 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 I think my sixth or seventh trip to that region in the not-too-distant future, and I am hopeful that a number of Senators will find the opportunity to make similar trips because 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—than 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. They must pick individuals of unquestioned strength and integrity to run the Ministries—primarily the Ministry of Defense, the Ministry of the Homeland—the Interior.

I think we have given 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 supplementals 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, hopefully, on a constructive 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 areas—they have given some 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 engaging the enemy, the likelihood 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 means by which our Nation, 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, I say the years to come because the war on terrorism is going to go on long after I have departed this Earth, and it will be the responsibility of my children and my grandchildren, regrettably, for their lifetimes.

That 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 if we do not have it 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. No, 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. I felt 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 Government 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 looking 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, sound character and will on both sides of that issue.

People say: Well, let it be resolved by the courts. It may well come to pass.

But each day we let this uncertainty exist has the potential to further impair the intelligence system. Those of our citizens engaged in it and those partners we share intelligence with around the world are beginning to wonder if there is an uncertainty about the status and the authority of what we are doing out on the front lines gathering intelligence, as well as all the way through the chain back to those in positions of responsibility in Washington and elsewhere. You might not get the degree of intelligence that you need.

We have to remove that uncertainty, and move this Nation forward ever so strongly in its collection capabilities, and remove from those citizens—I am not one who follows the polls, and I am not one dictated to by the polls, but the reality is a lot of citizens of clear conscience believe the President may not be acting within the law. We have to remove that. We want every person in the United States to believe our President is acting within the law as we pursue this war on terrorism.

I am very pleased to support what the distinguished Chairman PAT ROBERTS said about the meeting yesterday, and that there will be, in a consultative process, an analysis made by the Congress and the administration in resolving this, and possibly we can seek legislation. It will be a challenge because of the question of the degree of knowledge that we have with regard to how collection is undertaken and how we translate that into law. That will be an unusual challenge facing this body, and we are going to have to reach down and search in our souls and put politics to one side and determine that we are acting in the present and long-term interests of this country—that we have to do it in such a way that when it is concluded we have across the board supported the American public to continue to move forward stronger.

I yield the floor.

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 KIRTLEY WATERS.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

RANDALL L. TOBIAS, OF INDIANA, TO BE ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE ANDREW S. NATSIOS, 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 SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

BRENT ROYAL BOHNE, OF MINNESOTA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS TWO, CONSULAR OFFICERS AND SECRETARIES 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 OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

KATHLEEN A. FITZGIBBON, OF VIRGINIA
TIMOTHY E. GERHARDSON, OF VIRGINIA
DEHAB GHEBREAB, OF VIRGINIA
WILLIAM ALEXANDER JAMES, OF THE DISTRICT OF COLUMBIA
MONA A. KUNTZ, OF FLORIDA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

JONATHAN A. ALAN, OF NORTH CAROLINA
SUMERA ASHRUF, OF MARYLAND
EVANGELINE LARSON BAKER, OF NEW YORK
DAVID H. BALL, OF FLORIDA
DEBRA ANNE BENAVIDEZ, OF VIRGINIA
SARAH MARIE BERAN, OF THE DISTRICT OF COLUMBIA
VALERIE K. BILGRI HOLM, OF WISCONSIN
MELISSA ANNE BROWN, OF NEW YORK
PHILIP S. CARGILE, OF VIRGINIA
NICOLE ANN CHULICK, OF NEVADA
JEFFREY S. COLLINS, OF FLORIDA
AARON DAVIET, OF TENNESSEE
RACHEL E. DAWLEY, OF TEXAS
MICHAEL LANIER DICKERSON, OF MARYLAND
MAYA HOWE DIETZ, OF WASHINGTON
BENJAMIN A. EAST, OF CONNECTICUT
EMILY SANFORD FISHER, OF NEW YORK
MARK LEWIS FLEMING, OF VIRGINIA
JOHN PETER GINKEL, OF MISSOURI
RYAN M. GLIHA, OF ARIZONA
HEATHER GRANT, OF FLORIDA
LAURA J. GRITZ, OF WASHINGTON
WILLIAM MICHAEL HAMMAKER, OF WASHINGTON
CHRISTINE M. HARBAUGH, OF MONTANA
JANICE D. HARRIMAN, OF FLORIDA
MAYA CATHERINE HARRIS, OF MARYLAND
RYAN L. HASS, OF WASHINGTON
PATRICK C. HORNE, OF TEXAS
ELIZABETH A. HUSE, OF VIRGINIA
JULIA I. JACOBY, OF NEW YORK
MELISSA A. JARRETT, OF MARYLAND
STEPHANIE R. KUCK, OF WASHINGTON
CHRISTINE MARIE LAWSON, OF SOUTH CAROLINA
ETIENNE S. LEBAILLY, OF WASHINGTON
VIRAJ M. LEBAILLY, OF WASHINGTON
JESSE S. LEVINSON, OF RHODE ISLAND
LYNN E. LEWIS, OF THE DISTRICT OF COLUMBIA
JENNIFER R. LITTLEJOHN, OF NEW YORK
BARON PHILEN LOBSTEIN, OF TEXAS
PETER W. LORD, OF FLORIDA
CHRISTIAN M. MARCHANT, OF KENTUCKY
BARBARA JO MASILKO, OF NEBRASKA
PATRICK T. MCEACHERN, OF VIRGINIA
PAMELA GAYLE MILLS, OF THE DISTRICT OF COLUMBIA
KENT MORRIS, OF CALIFORNIA
PETER D. NEWMAN, OF FLORIDA
ERINN PATRICK NICLEY, OF OHIO
STACY LYNN PEARCE, OF NEW MEXICO
TRISTRAM D. PERRY, OF MASSACHUSETTS
MARC R. PORTER, OF WEST VIRGINIA
J. STEVEN RAMIREZ, OF TEXAS
HILARY FULLER RENNER, OF VIRGINIA
PHILIP JOCELYN ANGOLD RICHARDS, OF NEW YORK
DAWN MICHELLE ROBERTS, OF CALIFORNIA
BRIAN R. RORAFF, OF ILLINOIS
TARA E. VERDONK ROUGLE, OF MONTANA
JUHA P. SALIN, OF WASHINGTON
JESSE LEON SANDERS, OF FLORIDA
RACHEL I. SCHNELLER, OF MONTANA
HARVEY WILLIAM SERNOVITZ, OF WISCONSIN
JENNIFER Y. SHALOFF, OF MARYLAND
GREGORY J. SHAW, OF WASHINGTON
DIANE LYN SOVEREIGN, OF NEVADA
SARAH SPODEK, OF VIRGINIA
MARY KATHERINE STANA, OF VIRGINIA
DONALD HALL STEELE, JR., OF WASHINGTON
JONAS DAMIEN STEWART, OF KANSAS
KURT H. STOPPKOTTE, OF FLORIDA
ANDREW DAVID STOWE, OF WASHINGTON
THOMAS W. TANNER II, OF VIRGINIA
ANDREA JOYCE TOMASZEWICZ, OF NEW JERSEY
ALEXANDER TRATENSEK, OF VIRGINIA
CHRISTINA D. TRIBBLE, OF CALIFORNIA
SCOTT C. WALKER, OF CALIFORNIA
RACHEL ANNE WALLACE, OF VIRGINIA
VALERIE JEAN WHEAT, OF VIRGINIA
MARK VINCENT ZIMMER, OF VIRGINIA

THE FOLLOWING-NAMED INDIVIDUAL TO BE A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF THE TREASURY

DAVID G. LOEVINGER, OF THE DISTRICT OF COLUMBIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AND FOR APPOINTMENT ASA CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE, AS INDICATED: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

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

REAR ADM. DAVID B. PETERMAN, 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

REAR ADM. CHARLES D. WURSTER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF STAFF OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50A:

To be vice admiral

REAR ADM. (LH) ROBERT J. PAPP, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE COMMANDANT OF THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 47:

To be vice admiral

VICE ADM. VIVIEN S. CREA, 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 12203:

To be colonel

THOMAS L. MCKNIGHT, 0000

THE FOLLOWING NAMED INDIVIDUALS IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

BARTLETT H. HAYES, 0000

To be major

ORLANDO L. COLONCONCEPCION, 0000
MIGUEL A. MEDINA, 0000
ZAIGA K. SEARS, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 624:

To be colonel

JACK L. KAPLAN, JR., 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER 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

MARIANNE E. WATSON, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS 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. HEYMEN, 0000
TIMOTHY J. WOJTECKI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be major

*DAVID ABDALLA, 0000
*LANNY J. ACOSTA, JR., 0000
*WILLIAM A. ALFORD III, 0000
KATHLEEN ALLRED, 0000
*ROBERT W. AYERS, 0000
*SCOTT T. AYERS, 0000
BRIAN C. BALDRATE, 0000
*MICHAEL D. BANKS, 0000
*JAMES A. BARKEI, 0000
THOMAS H. BARNARD, 0000
*ROBERT M. BLACKMON, 0000
*TONYA L. BLACKWELL, 0000

JENNIFER B. BOTTOMS, 0000
*DEREK D. BROWN, 0000
*KEVIN L. BROWN, 0000
*WILLIAM E. BROWN, 0000
*CHRISTOPHER B. BUCHANAN, 0000
*CHRISTOPHER B. BURGESS, 0000
MATTHEW A. CALARCO, 0000
*LAURA J. CALESE, 0000
*DOUG J. CHOI, 0000
*SEAN M. CONDRON, 0000
*REBECCA K. CONNALLY, 0000
JOSE A. CORA, 0000
*DAVID L. CROSWELL, 0000
*THOMAS F. CRUMLEY, 0000
*VERONICA DELAVEGA, 0000
*RICARDO J. DIAZ, 0000
*JENNIFER L. DONAHUE, 0000
*RYAN B. DOWDY, 0000
*DAVID H. DRAKE, 0000
*SCOTT E. DUNN, 0000
*BRETT T. EGUSA, 0000
*JACQUELINE L. EMANUEL, 0000
*TERRI J. ERISMAN, 0000
*JOSEPH M. FAIRFIELD, 0000
WADE N. FAULKNER, 0000
*ANITA J. FITCH, 0000
*SHAWN W. GORDON, 0000
EUGENE J. GREGORY, 0000
TOSHENE C. GRILLS, 0000
*LISA L. GUMBS, 0000
*CHRISTOPHER HAINES, 0000
*PETER G. HARTMAN, 0000
KELLY L. HUGHES, 0000
*THOMAS F. HURLEY, 0000
*JOSEPH J. JANKUNIS, 0000
*ELLEN S. JENNINGS, 0000
DEMARIS J. JOHANEK, 0000
*DANYELE M. JORDAN, 0000
*KATHLEEN KELLY, 0000
*CHRISTOPHER A. KENNEBECK, 0000
*FANSU KU, 0000
*TYESHA E. LOWERY, 0000
*ROB W. MACDONALD, 0000
*KATHY J. MARTIN, 0000
*CHRISTINALYNN E. MCCOY, 0000
*ERIN K. MCMAHON, 0000
*SEAN C. MCMAHON, 0000
*MATTHEW A. MILLER, 0000
*LARRY C. MINASIAN, 0000
*KESABII L. MOSELEY, 0000
*JEFFREY J. MULLINS, 0000
WALTER E. NARRAMORE, 0000
*ROBERT M. NEWELL, 0000
*MAY L. NICHOLSON, 0000
*TERRANCE J. ONEILL, JR., 0000
*JOSEPH N. ORENSTEIN, 0000
*MARCI J. PETTAY, 0000
PATRICK D. PFLAUM, 0000
*STEVEN M. RANIERI, 0000
*JOSEPH S. RATERMANN, 0000
*RUNO C. RICHARDSON, 0000
MARK A. RIES, 0000
*JAVIER E. RIVERAROSARIO, 0000
*JEREMY W. ROBINSON, 0000
*LESLIE A. ROWLEY, 0000
*WILLIAM J. SCHAEFER, 0000
*ALYSSA M. SCHWENK, 0000
DANIEL J. SENNOTT, 0000
*ROBERT L. SHUCK, 0000
*CARLA A. SIMMONS, 0000
*JULIE A. SIMONI, 0000
*ERIC K. STAFFORD, 0000
*DEREK C. STRATMAN, 0000
JOSHUA M. TOMAN, 0000
*ANGELA D. TUCKER, 0000
LANCE B. TURLINGTON, 0000
ROBERT A. VEDRA, 0000
*BRADLEY M. VOORHEES, 0000
*KAY K. WAKATAKE, 0000
*RANA D. WIGGINS, 0000
*AMBER J. WILLIAMS, 0000
*ROBURT C. YALE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

ANDRE B. ABADIE, 0000
*RACHID G. ABINADER, 0000
*GEORGE C. ABRAMS, JR., 0000
*JOHN J. ACEVEDO, 0000
DAVID W. ACKER, 0000
JASON D. ADAMS, 0000
*RYON F. ADAMS, 0000
*WILLIAM T. ADAMS, 0000
WINFIELD A. ADKINS, 0000
*WILLIAM A. ADLER, 0000
JASON P. AFFOLDER, 0000
JAMES R. ALBANO, 0000
ADAM A. ALBRICH, 0000
*ALEXANDER B. ALEJO, 0000
ANREE C. ALEXANDER, 0000
CLINTON D. ALEXANDER, 0000
*CHRISTOPHER S. ALFEIRI, 0000
RANDY G. ALFREDO, 0000
MARY O. ALFREDOCKIYA, 0000
*SCOTT ALLEN, 0000
*KATHY L. ALLISON, 0000
*DENNIS T. ALMADA, 0000
*PETER W. ALMEIDA, 0000
*MAURICE O. ALSING, 0000
EDWARD ALVARADO, JR., 0000
*LEITH A. AMES, 0000
MARK W. ANDERS, 0000
*BRANDON C. ANDERSON, 0000
*BRIAN E. ANDERSON, 0000
*DAVID K. ANDERSON, 0000
ERIC D. ANDERSON, 0000
*JIMMY L. ANDERSON, 0000
*LATONDRA M. ANDERSON, 0000
*MATTHEW A. ANDERSON, 0000
RONNIE D. ANDERSON, JR., 0000
*SCOTT A. ANDERSON, 0000
*WYETH S. ANDERSON, 0000
*TERRI L. ANDREONI, 0000
JOMICHAEL L. ANDREWS, 0000
*GEORGE T. ANTONIOU, 0000
DEANN R. APARICIO, 0000
*CHARLES R. APPLEBY III, 0000
SCOTT D. APPLEGATE, 0000
*JOHN V. ARBINO, 0000
*JOEL R. ARELLANO, 0000
JOHN L. ARGUE, 0000
*MATTHEW J. ARMSTRONG, 0000
ROBERT C. ARMSTRONG, 0000
*RICHARD S. ARNOLD, 0000
*JORGE A. ARREDONDO, 0000
*MATTHEW D. ARTHURS, 0000
ANTHONY J. ASBORNO, 0000
WILLIAM C. ASHMORE, 0000
KARL M. ASMUS, 0000
*MARVIN L. ATCHINSON II, 0000
*JOHN A. ATILANO II, 0000
*ADONTIS ATKINS, 0000
*CHERI L. ATKINS, 0000
*ANDREW G. ATTAR, JR., 0000
*JONATHAN P. AUNGER, 0000
EDWARD P. AUSTIN, 0000
*JULIAN E. AVENT, 0000
PACE R. AVERY, 0000
GWYN A. AYER, 0000
*CHRISTIAN C. AYERS, 0000
*NICHOLAS E. AYERS, 0000
*JEFFREY B. BACON, 0000
KEVIN S. BADGER, 0000
TIMOTHY M. BAER, 0000
*TOLEDO F. BAEZ, 0000
MICHAEL D. BAGULLY, 0000
*RUSSELL F. BAILES, 0000
*ANTHONY I. BAILEY, 0000
*MARK C. BAILEY, 0000
*MICHAEL J. BAIM, 0000
HEIDI A. BAIRD, 0000
*KEVIN M. BAIRD, 0000
*JAMES F. BAKER III, 0000
*JASON L. BAKER, 0000
*JAMES A. BALADAD, 0000
*RICHARD R. BALESTRI, 0000
EDWARD J. BALLANCO, 0000
FREDA V. BALLARD, 0000
*TODD M. BALLOU, 0000
*FRANKLIN F. BALTAZAR, 0000
BENJAMIN S. BANE, 0000
GRANT B. BANKO, 0000
*DANNY BANKS, 0000
RICHARD R. BANKS, 0000
*FREDDIE L. BARBER, 0000
FREDRICK L. BARBER, 0000
DANIEL T. BARD, 0000
*JOHN M. BAREFIELD, 0000
*CARRIE L. BARHORST, 0000
*CHRISTOPHER B. BARKER, 0000
*DEREK C. BARKER, 0000
*CHRISTOPHER E. BARKOCY, 0000
*DANIEL J. BARNARD, 0000
*WILBUR L. BARNES, JR., 0000
*ROBERT L. BARNEY, JR., 0000
*MARTIN A. BARR, JR., 0000
*JEREMY A. BARTEL, 0000
*DANIEL A. BARTLETT, 0000
*GABRIEL W. BARTON, 0000
*RICHARD M. BARTON, 0000
*FREDERICK D. BASKIN, 0000
ARCHIE L. BATES III, 0000
*KIMBERLY A. BATES, 0000
CARY A. BATHRICK, 0000
*TAMMY L. BAUGH, 0000
MATTHEW H. BAUSCH, 0000
*AARON A. BAZIN, 0000
*RONALD BEADENKOPF, 0000
*KEVIN S. BEAGLE, 0000
*ERIC D. BEATY, 0000
*JOSEPH D. BECKER, 0000
*ANTHONY J. BEHRENS, 0000
*GEORGE W. BEITZEL, JR., 0000
JAMES P. BEKURS, 0000
*KEVIN A. BELDEN, 0000
*JESSE W. BELL III, 0000
JULIA BELL, 0000
MYRON L. BELL, 0000
*HEATHER O. BELLUSCI, 0000
MICHAEL R. BELTON, 0000
*ANDREW D. BENDER, 0000
*CLAUDE A. BENNETT, JR., 0000
*MICHAEL P. BENTLEY, 0000
CORY N. BERG, 0000
JEFFREY S. BERGMANN, 0000
*VALENT P. BERNAT III, 0000
*JOSEPH B. BETHEL, 0000
*ROBERT A. BEVILLE, 0000
JEFFREY BIGGANS, 0000
*BRADLEY S. BIGGS, 0000
*JOHN R. BILLMYER, 0000
*MICHAEL R. BINETTI, 0000
*DANIEL S. BISHOP, 0000
*DUSTIN D. BISHOP, 0000
*BENJAMIN L. BLACKMAN, 0000
LYNYETTA C. BLACKSHEAR, 0000
*MARC C. BLAIR, 0000
*WILLIAM R. BLAIR IV, 0000
MICHAEL J. BLANKARTZ, 0000
*JAMES F. BLANTON, 0000
MICHAEL A. BLISS, 0000
*LORRAINE H. BLOOD, 0000
KEVIN D. BOATES, 0000
*W. M. BOCHAT, 0000
*THOMAS J. BOCZAR, 0000
*CHARLES R. BOLES, 0000
*KEVIN G. BOLKE, 0000
HECTOR M. BONETGUTIERREZ, 0000
*ANTHONY J. BONIFACE, JR., 0000
PETER C. BONIN, 0000
*PHILLIP J. BORDERS, 0000
*JASON BORG, 0000
ROBERT G. BORN, 0000
STEPHANIE L. BOUNDS, 0000
HESTON F. BOWER, 0000
*BRADLEY L. BOYD, 0000
*KENNETH C. BRADFORD, 0000
KENDRICK E. BRADLEY, 0000
*BERNARD N. BRADY, 0000
*BRIAN J. BRANDT, 0000
RICHARD M. BRATT, 0000
MICHAEL A. BRAULT, 0000
ANDREW S. BRAZEE, 0000
THOMAS K. BREDE, 0000
SEAN P. BRESLIN, 0000
JOHN R. BRETTHORST, 0000
GARLAND L. BRIAN, JR., 0000
*DEANNA L. BRIDENBACK, 0000
*ANGEL M. BRITO, 0000
*JOHN B. BROAM, 0000
*STEPHEN H. BROCK, JR., 0000
*ALBERTINA BROCKINGTON, 0000
*WILLIAM P. BRODANY, 0000
*MARK L. BRODHAGE, 0000
*VERA A. BROOKER, 0000
*DEXTER M. BROOKINS, 0000
*DEMETRIUS D. BROOKS, 0000
*GREGORY L. BROWN, 0000
HALBERT BROWN, 0000
JASON P. BROWN, 0000
JOSEPH D. BROWN, 0000
KATHY M. BROWN, 0000
*KERMIT W. BROWN, 0000
*KOREY E. BROWN, 0000
LELAND B. BROWN, JR., 0000
*MICHAEL W. BROWN, 0000
*ROBERT L. BROWN, JR., 0000
*TIMOTHY T. BRUCE, 0000
*DAN R. BRUE II, 0000
*STEVEN U. BRUNER, 0000
*JAY A. BRUNS, 0000
*REGINALD E. BRYANT, 0000
*HAROLD L. BUCHANAN, 0000
MICHAEL D. BUCHHEIT, 0000
MICHAEL P. BUCHKOSKI, 0000
*JUSTIN W. BUDD, 0000
DAVID L. BUFFALOE, 0000
GEOFFREY R. BULL, 0000
WILLIAM W. BURCH, 0000
MICHAEL D. BURCHAM, 0000
JAMES T. BURGESS, 0000
*KENNETH J. BURGESS, 0000
ANDRE L. BURKS, 0000
PHILLIP G. BURNS, 0000
THOMAS F. BURRELL IV, 0000
*VIDA T. BURRELL, 0000
BRADFORD M. BURRIS, 0000
DAVID P. BURRIS, 0000
EDGAR C. BURSTION, 0000
DEREK F. BURT, 0000
JON A. BUSHMAN, 0000
*JOHN R. BUSSOLARI, 0000
*TERRY A. BUTCHER, 0000
*TERRY L. BUTLER, 0000
CHRISTOPHER M. BYRD, 0000
JASON A. BYRD, 0000
LAURA I. BYRD, 0000
CHRISTOPHER O. CADIGAN, 0000
CYRUS T. CADY, 0000
*MYLES B. CAGGINS III, 0000
JOSEPH R. CALDWELL, 0000
*JAMES M. CALLIS II, 0000
JONATHAN A. CAMPBELL, 0000
*RICHARD CAMPBELL II, 0000
VICTORIA J. CAMPBELL, 0000
WHITNEY A. CAMPBELL, 0000
*EDWARD R. CARACCILO, 0000
*CAREN L. CARBONE, 0000
*SHAWN B. CARDEN, 0000
*CRAIG B. CARDON, 0000
*GILBERT M. CARDONA, 0000
*TOMMY L. CARDONE, JR., 0000
*THOMAS J. CAREY, 0000
*KEVIN B. CARLSON, 0000
SCOTT W. CARPENTER, 0000
*NICKOLAS R. CARPER, 0000
BRADLEY M. CARR, 0000
*RAY A. CARR, 0000
*JOHN F. CARSON, JR., 0000
JOHN G. CARVAN, 0000
*DEAN J. CASE II, 0000
ELIZABETH A. CASELY, 0000
*RAYMOND C. CASHER, 0000
BRAD C. CASSISE, 0000
JOHN H. CATHELL, 0000
SHANE D. CELEEN, 0000
JUAN C. CERVANTES, 0000
STEPHEN D. CHADWICK, 0000
*JOHN H. CHAFFIN IV, 0000
MATTHEW G. CHAMBERS, 0000
JAMES K. CHAMP, 0000
*JUANITA A. CHANG, 0000
PATRICIA A. CHARLES, 0000
TEDROSE H. CHARLES, 0000
JAMES F. CHASTAIN, JR., 0000
JOHN C. CHECCO, 0000

*JOHN R. CHERRY, 0000
*DOUGLAS P. CHIMENTI, 0000
GABRIEL A. CHINCHILLA, 0000
*VERONICA A. CHINN, 0000
*KEITH A. CHISOLM, 0000
*ALICIA M. CHIVERS, 0000
*BRYAN J. CHIVERS, 0000
SUNG H. CHON, 0000
*JAMES Y. CHONG, 0000
*JAMES E. CHRISTMAN, 0000
JONG H. CHUNG, 0000
MICHAEL V. CIARAMELLA, 0000
*JOSEPH P. CIMATO, 0000
TERRY L. CLARK, 0000
*TODD J. CLARK, 0000
*THEOTIS CLEMONS, 0000
*ANDREW C. CLINE, 0000
*JENNIFER R. CLINE, 0000
GLEN E. CLUBB, 0000
*ADAM M. COBB, 0000
*MATTHEW D. COBURN, 0000
*JOHN H. COCHRAN, 0000
*TIMOTHY L. COCHRAN, 0000
*JAMES L. COE II, 0000
*JAMES B. COGBILL, 0000
*JOSEPH M. COLACICCO, 0000
FRANK S. COLASANTO, 0000
*ANTHONY L. COLE, 0000
*CECILIO R. COLEMAN, 0000
*EDWARD J. COLEMAN, 0000
LISA D. COLEMAN, 0000
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TONYA L. COLLINS, 0000
JOHN S. COMBS, 0000
RICHARD L. COMITZ, 0000
CHRISTOPHER H. CONWAY, 0000
*MICHAEL P. CONWAY, 0000
*BUFORD COOK III, 0000
*JARED A. COOK, 0000
PAUL A. COOK, 0000
*SEAN S. COOK, 0000
*JOHN M. COOPER, 0000
REX A. COPELAND, 0000
JORGE O. CORDEIRO, 0000
MALCOLM S. CORNISH V, 0000
*EDWIN R. CORONA, 0000
*PATRICK O. CORR, 0000
*PATRICK M. COSTELLO, 0000
*ANTHONY J. COVERT, 0000
*JACK D. CRABTREE III, 0000
*CHERYL A. CRANFORD, 0000
RICHARD T. CRANFORD, 0000
*WILLIAM A. CRAWFORD, 0000
*JOHN E. CREWS, 0000
*MIRKO L. CRNKOVICH, 0000
ROBERT E. CROFT, 0000
GREGORY C. CROMWELL, 0000
MICHAEL C. CROSSLEY, 0000
*JUSTIN C. CRUPPER, 0000
*WILLIAM T. CUNDY, 0000
*MCKINLEY B. CUNNINGHAM, 0000
*NATHANIEL A. CURRY, 0000
PATRICK E. CURRY, 0000
KEVIN R. CUTRIGHT, 0000
*FLOYD D. CUZICK, JR., 0000
*JARED K. CZAP, 0000
*MATTHEW F. DABKOWSKI, 0000
PATRICK J. DAGON, 0000
*JEFFREY S. DAHLGREN, 0000
*CHRISTOPHER R. DANBECK, 0000
ANTHONY E. DANIELS, 0000
MARK R. DANNER, 0000
JULIE A. DANNUNZIO, 0000
PATRICK S. DAULTON, 0000
*ROBERT S. DAVIDSON, 0000
BOBBY H. DAVIS, 0000
*RONNIE J. DAVIS, 0000
*SOPHIA L. DAVIS, 0000
*WILLIAM C. DAVIS, 0000
EUGENE R. DAY, 0000
*ATLEY D. DE, 0000
*MICHAEL E. DEBOER, 0000
V. J. DEBOER, 0000
*MARTY R. DECKARD, 0000
*DAVID M. DEFELICE, JR., 0000
*AIMEE S. DEJARNETTE, 0000
*HENRY E. DELACRUZ, 0000
*DANIEL E. DELANY, 0000
*BRIAN V. DELEON, 0000
*DOROTHY L. DELEON, 0000
*OSCAR DELGADO, 0000
JOSHUA J. DELMANZO, 0000
*DAVID A. DEMARTELAERE, 0000
RICHARD K. DEMBOWSKI, 0000
*AARON DEMMING, 0000
TROY M. DENOMY, 0000
MATTHEW C. DENSMORE, 0000
*SHANE A. DENTINGER, 0000
ANDREW T. DEPONAI, 0000
*BRIAN P. DESANTIS, 0000
DALE C. DESTEFANO, 0000
*JOHN M. DEVENY, 0000
*DARYL G. DEVERAWADEN, 0000
*JOSEPH A. DEWEY, 0000
*BRANDON L. DEWIND, 0000
DAVID P. DIAMOND, 0000
*BETH C. DIAZ, 0000
JEFFREY W. DICKEY, 0000
BRIAN S. DIETZMAN, 0000
*CLIFFORD A. DIFFENDAFFER, 0000
ALAN H. DINERMAN, 0000
*MITZI L. DIX, 0000
FRED I. DIXON, 0000
HANSJORG W. DOCHTERMANN, 0000
*JAMES R. DOEMEL, 0000
*ROBERT P. DOHR, 0000
*MICHELLE K. DONAHUE, 0000
*STEPHEN P. DONDERO, 0000
*SAMUEL T. DONNELLY, 0000
*BRIAN M. DONOVAN, 0000
MARC C. DORRER, 0000
STEPHEN D. DORRIS, 0000
GREGORY A. DORSEY, 0000
*MARION A. DORTCH, JR., 0000
*SEAN C. DOUGLAS, 0000
SHAVOKA D. DOUGLAS, 0000
*KEISHA R. DOUGLASS, 0000
*LORI A. DOWGIELEWICZ, 0000
JON A. DRAKE, 0000
RODNEY E. DRAYTON, 0000
*WILLIAM D. DRIVER, 0000
*TIMOTHY E. DRUELL, 0000
*ANTHONY R. DUBAY, 0000
*MELANIE A. DUGAR, 0000
*MIGUEL J. DUMASROSA, 0000
SEAN D. DUNCAN, 0000
*SKYE D. DUNCAN, 0000
*SEAN C. DUNKLE, 0000
*WILLIAM M. DUNN, 0000
*MICHAEL E. DUNNE, 0000
*BRADFORD T. DUPLESSIS, 0000
*ANDREW S. DURBIN, 0000
*ERIC S. DURHAM, 0000
J. K. DURKIN, 0000
*BETH A. DUYNSLAGER, 0000
*CHRISTOPHER L. DYKES, 0000
*JAMES P. DYKES, 0000
*SHAWN L. EAST, 0000
DAVID S. EATON, 0000
*TODD A. ECKSTEIN, 0000
*WILLIAM P. ECKSTEIN, 0000
*WILLIAM R. EDMONDS, 0000
JASON T. EDWARDS, 0000
NATHANIEL M. EDWARDS, 0000
*RONALD L. EGGELSTON, 0000
*BRIAN A. ELI, 0000
*DANIEL L. ELLIOTT, 0000
*KEITH D. ELLIOTT, 0000
*ANTHONY R. ELY, 0000
*BURLIN L. EMERY, 0000
AMANDA M. EMMENSROSSI, 0000
*L. S. ENGRAV, 0000
*CHRISTINE V. ENRIQUEZ, 0000
STEVEN A. ERICKSON, 0000
JEFFREY G. ERTS, 0000
*EDWIN H. ESCOBAR, 0000
*GREGORIO R. ESPINOSA, 0000
PAUL F. EVANGELISTA, 0000
*ERIC J. EVERTS, 0000
*JOSEPH M. EWERS, 0000
*STEVEN C. FAHLENKAMP, 0000
*EDIE M. FAIRBANK, 0000
*NILDA T. FAJARDO, 0000
ROBERT FALCON, 0000
*JOHN C. FARELLI, 0000
*STEVEN R. FARRELL, 0000
*STUART L. FARRIS, 0000
*KONE C. FAULKNER, 0000
*GRANT S. FAWCETT, 0000
DONALD A. FAWTHROP, 0000
MICHAEL J. FEELEY, 0000
*ALBERTO R. FELICIANO, 0000
*BRAD D. FENSKE, 0000
*DONALD R. FERGUSON, JR., 0000
*TERESA M. FERRIS, 0000
*DAVID E. FIELDER, JR., 0000
*JAY D. FINE, 0000
*BRUCE D. FINKLEA, 0000
*CALVIS R. FINNEY, 0000
*JOEL D. FISCHER, 0000
*GRAHAM M. FISHBURN, 0000
BRADLEY M. FISHER, 0000
*WARREN C. FISHER, 0000
*SHAWN P. FITZGERALD, 0000
*JOHN A. FIVIAN, 0000
*JONATHAN E. FLANAGAN, 0000
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*SHIRLE Y. FLEMING, 0000
AMANDA H. FLINT, 0000
RICHARD J. FONYI, 0000
*BRADLEY C. FOOSE, 0000
*MARVIN H. FORD, JR., 0000
*MARCEL D. FORTIER, 0000
*SARAH V. FORYSIAK, 0000
DAMIEN E. FOSMOE, 0000
*KNUD E. FOSS, 0000
LAWRENCE D. FOSS, 0000
*MATTHEW J. FOULK, 0000
CHRISTOPHER D. FOUST, 0000
DAVID A. FOWLES, 0000
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STEPHEN M. FRANK, 0000
TODD V. FRANKEN, 0000
*JOEL D. FRANKLIN, 0000
*TIMOTHY B. FRANKLIN, 0000
*TOY R. FRASIER, JR., 0000
WILLIAM E. FREEMAN, 0000
JASON R. FREIDT, 0000
*GREGORY FREY, 0000
*KENNETH J. FREY, 0000
JOHN A. FRICK, 0000
*JEROME P. FROSTMAN, 0000
*CLINTON N. FULLER, 0000
*GLENN A. FULLER, 0000
*JOSHUA J. FULMER, 0000
JAMES C. GABELER, 0000
*DANIEL M. GADE, 0000
*ALEXANDER GALLEGOS, 0000
THOMAS L. GALLI, 0000
*ANDREW P. GAMBLIN, 0000
RICHARD J. GANSZ, 0000
JAMES K. GANT, 0000
ROGELIO J. GARCIA, 0000
BENJAMIN A. GARDNER, 0000
WHITNEY B. GARDNER, 0000
BENJAMIN C. GARNER, JR., 0000
RONALD A. GARST, 0000
RICHARD J. GASH, 0000
*CHARLES V. GATES II, 0000
*GREGORY S. GATRELL, 0000
*PETE A. GBORTOE, 0000
*REGINALD A. GEANS, 0000
*LARRY V. GEDDINGS, JR., 0000
*KERRY L. GEORGE, 0000
*RICHARD L. GEREN, 0000
*CHRISTOPHER J. GHIZ, 0000
CHAD A. GIACOMOZZI, 0000
*GREGORY K. GIBBONS, 0000
*HISE O. GIBSON, 0000
STEPHEN M. GILBERTSON, 0000
*BRYAN E. GILBRECH, 0000
FRANCIS K. GILDEA, 0000
*DEREREICK D. GILES, 0000
*DAVID W. GILL, 0000
*FREDERICK A. GILLIAND, 0000
*ANDREW L. GILMAN, 0000
*MARK A. GILMORE, 0000
*ISSAC G. GIPSON, 0000
*TROY S. GLASSMAN, 0000
*ANTHONY G. GLAUDE, 0000
ROBERT A. GLECKLER, 0000
KENNETH A. GLIDEWELL, 0000
*RICHARD B. GLISSON, 0000
BURTON C. GLOVER, 0000
*SAMUEL B. GLOVER, JR., 0000
*BRET A. GLOWTH, 0000
LISA N. GNIADY, 0000
BRIAN L. GODBEY, 0000
ADELAIDO GODINEZ III, 0000
*JOSEPH C. GOETZ II, 0000
KEVIN R. GOLINGHORST, 0000
*LUCIANO GONZALEZ, 0000
TRINIDAD GONZALEZ, JR., 0000
*GLEMA A. GORDON, 0000
MICHAEL A. GORRECK, 0000
AMY L. GOUGE, 0000
*EDWIN E. GOULD III, 0000
*SCOTT D. GOULD, 0000
*RONALD D. GOUVAIA II, 0000
*CHAD D. GOYETTE, 0000
*MATTHEW R. GRAGG, 0000
*CAREY R. GRAHAM, 0000
*BRIAN S. GRASS, 0000
*BARBARA I. GRAY, 0000
*DONALD L. GREEN, 0000
*PAUL GREEN, 0000
SCOTT C. GREENBLATT, 0000
*JAMES I. GREENLEE II, 0000
*JAMES D. GREER, 0000
*KENNETH W. GREER, 0000
LADD O. GREGERSON, 0000
*MARTIN A. GRIFFITH, 0000
*MICHELLE L. GRIFFITH, 0000
*ANTOINETTE B. GRIMES, 0000
MICHAEL T. GRISSOM, 0000
ALAN R. GRONEWOLD, 0000
JERALD S. GROSS, 0000
*JOHN M. GUERRERO, 0000
*MONIQUE G. GUERRERO, 0000
*GUILLERMO GUILLEN, 0000
ROBERT K. GUNTHER, 0000
NIKOLAUS F. GURAN, 0000
*DAVID W. GURSKY, 0000
CHARLES M. GUTOWSKI, 0000
RAYMOND GUZMANCORREA, 0000
*CHAD K. HACKLEY, 0000
*DUANE L. HADDOCK, 0000
RICHARD HADNAGY, 0000
*ROBBIN A. HAFEN, 0000
ALLEN G. HAHN, 0000
*DAVID M. HALE, 0000
*WAYNE A. HALE, 0000
*GREGG M. HALEY, 0000
*JAY W. HALEY, 0000
*ETHAN L. HALL, 0000
*LEMAR R. HALL, 0000
*SAMUEL HALL, 0000
JASON D. HALLOCK, 0000
JAMES M. HALLORAN, 0000
*STEWART S. HAMBLEN, 0000
*KIMBERLY K. HAMILTON, 0000
TIMOTHY D. HAMILTON, 0000
*BRIGITTE R. HAMPTON, 0000
*SANG D. HAN, 0000
*JAMES J. HANDURA, 0000
*JOHN W. HANKINS, 0000
KENNETH S. HANLEN, 0000
*KEVIN F. HANRAHAN, 0000
*JAY A. HANSEN, 0000
*GREGORY P. HARDY, 0000
*BERNARD J. HARRINGTON, 0000
*BRIAN C. HARRINGTON, 0000
*JEFFERY D. HARRIS, 0000
REGINALD M. HARRIS, 0000
*JAMES H. HARROWER, 0000
*JULIA A. HARVEY, 0000
*MICHAEL J. HARVEY, 0000
DAVID P. HARVIE, 0000
*JOSEPH J. HASPER, JR., 0000
*JONATHAN P. HASTINGS, 0000
*KARL HATALA, 0000
*ROBERT D. HATHAWAY, 0000
MARK R. HAUSER, 0000
*PAUL R. HAVERSTICK, JR., 0000
DOUGLAS J. HAYES, 0000
*DAWN D. HAYMAN, 0000
*GEORGIA E. HAYNES, 0000

*RONALD L. HAYWARD, JR., 0000
*REBECCA D. HAZELETT, 0000
KYLE D. HEAD, 0000
*GORDON A. HEAP, 0000
KENNETH G. HECKEL, 0000
*DANIEL K. HEDMAN, 0000
JACQUELYN K. HELLMEIER, 0000
*SHAWN M. HELM, 0000
*JOSH W. HELMS, 0000
*THERESA K. HELUS, 0000
*COREY P. HEMINGWAY, 0000
*ERIC T. HENDRICKSON, 0000
MARTIN J. HENDRIX III, 0000
*CHRISTOPHER M. HENNIGAN, 0000
*SCOTT K. HENRY, 0000
*TWYLLA W. HENRY, 0000
*BART G. HENSLER, 0000
BRADLEY R. HERD, 0000
ARMANDO HERNANDEZ, 0000
*PATRICK W. HERRIFORD, 0000
JOHN J. HERRMAN, 0000
*EDWARD R. HERRMANN, 0000
JOHN C. HERRON, 0000
JASON L. HESTER, 0000
DAVIEN L. HEYWARD, 0000
*JAMES N. HICKMAN III, 0000
PAUL D. HICKS, 0000
*PAUL J. HILASKI, 0000
ERIK E. HILBERG, 0000
*ADAM W. HILBURGH, 0000
*MATTHEW B. HILL, 0000
*ROBERT A. HILLIARD, 0000
SCOTT B. HILLMER, 0000
DAVID T. HILLS, 0000
GERALD E. HIMES, JR., 0000
*ERIK O. HINCKLEY, 0000
*JAMISON R. HINES, 0000
*YOLANDA M. HINES, 0000
*JADE E. HINMAN, 0000
CHARLES L. HITER, 0000
RANDALL W. HOBERECHT, 0000
TIMOTHY D. HOCH, 0000
*JEREMY C. HOFFMAN, 0000
KRISTA M. HOFFMAN, 0000
*RUSSELL G. HOGAN, JR., 0000
DERIC J. HOLBROOK, 0000
DANIEL A. HOLLAND, 0000
*JONATHAN R. HOLLAND, 0000
*SCOTT L. HOLLAND, JR., 0000
*THOMAS J. HOLLAND III, 0000
*WILLIAM W. HOLLAR, 0000
*ANDREW M. HOLMES, 0000
ROBERT E. HOLMES, 0000
SHAWN R. HOLZHAUSER, 0000
*RICHARD A. HOOVER, 0000
MARK H. HOOVESTOL, 0000
*KRISTOPHER D. HOPKINS, 0000
*BRONSON L. HORAN, 0000
RYKER E. HORN, 0000
*WILLIAM W. HORN V, 0000
HARRY A. HORNBUCKLE, 0000
*CAROLINE K. HORTON, 0000
*ALBERT S. HORVATH III, 0000
CHRISTOPHER G. HOSSFELD, 0000
*THOMAS M. HOUGH, 0000
*TREVOR W. HOUGH, 0000
*JOEL L. HOUK, 0000
JASON R. HOUSE, 0000
*MARTIEN G. HOUTKOOPER, 0000
THOMAS H. HOWARTH, 0000
*TAMMY L. HOWELL, 0000
CHRISTOPHER L. HOWSDEN, 0000
*DANIEL R. HUBBARD, 0000
*EDWARD C. HUDSON III, 0000
*JAMES W. HUFFMAN III, 0000
*EMANUEL HUGGINS, 0000
RICHARD J. HUGHBANK, 0000
*CARLA C. HUGHES, 0000
FRED L. HUH, 0000
MARK E. HUHTANEN, 0000
*DANIEL W. HULL, 0000
*SHANNON S. HUME, 0000
MICHAEL L. HUMMEL, 0000
TIMOTHY D. HUMMEL, 0000
*ROBERT W. HUMPHREYS, 0000
*BRYAN W. HUNT, 0000
*ARLO G. HURST, 0000
*JOHNATHAN M. HURWITZ, 0000
DALLAS H. HUTCHISON, 0000
KENNETH F. HUTCHISON, 0000
*DENNIS P. IFURUNG, 0000
JULIO E. ILLAS, 0000
*CHRISTOPHER A. INGELS, 0000
KIRK A. INGOLD, 0000
*MATTHEW L. INGRAHAM, 0000
*KEVIN D. INGRAM, 0000
JAMES E. INGUAGIATO, 0000
*VINCENT P. INTINI, 0000
*IAN J. IRMISCHER, 0000
*COUNTESS D. IRVIN, 0000
*FRANCIS W. IRWIN III, 0000
MATTHEW L. ISAACSON, 0000
MICHAEL R. IVY, 0000
*BRETT G. JACKSON, 0000
*CHRISTOPHER A. JACKSON, 0000
*KEVIN L. JACKSON, 0000
*MARCUS W. JACKSON, 0000
*DAVID A. JAILLITE, 0000
*NATALIE A. JAMES, 0000
STUART M. JAMES, 0000
*ERIC M. JAMISON, JR., 0000
*KARL D. JANSEN, 0000
*ANTHONY M. JARRETT, 0000
ROBERT S. JARZYNA, 0000
JOSEPH D. JASPER, 0000
JASON K. JEFFERIS, 0000
*KEVIN E. JEFFERSON, 0000
JEREMY J. JEFFERY, 0000
*JOHN JEFFERY, 0000
JEREMY E. JELLY, 0000
*JAMES E. JENKINS II, 0000
JEREMIAH J. JETTE, 0000
*KATHLEEN L. JEZERCAK, 0000
*GREGORY J. JOHANEK, 0000
BARTON L. JOHNKE, 0000
*ANTHONY N. JOHNSON, 0000
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HERMAN L. JOHNSON, JR., 0000
JENNIFER R. JOHNSON, 0000
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PETER H. JOHNSON, 0000
RYAN W. JOHNSON, 0000
*THEODORE A. JOHNSON, 0000
*TIMMY E. JOHNSON, 0000
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*DIKILA L. JONES, 0000
GARRETT P. JONES, 0000
*HUMBERTO I. JONES, 0000
JUAN S. JONES, 0000
*KEITH JONES, JR., 0000
*LOLITA C. JONES, 0000
*SAMANTHA M. JONES, 0000
*STEVEN J. JONES, 0000
TONY L. JONES, 0000
*DEXTER A. JORDAN, 0000
KIMBERLY D. JORDAN, 0000
*TAYLOR M. JORDAN, 0000
CARLA T. JOYNER, 0000
*DOUGLAS C. JUDICE, 0000
*GBENGA B. KAFFO, 0000
*SHAWN K. KAHLER, 0000
WILLIAM A. KAHMANN, 0000
*JEFFREY A. KALIL, 0000
*JAMES A. KARCANES, 0000
*DAVID V. KARSON, 0000
*GARY L. KASAVICHA, 0000
JEFFREY L. KEATING, 0000
*CHRISTOPHER J. KEESAL, JR., 0000
KEVIN D. KELLER, 0000
*JOSEPH D. KELLY, 0000
JASON E. KERR, 0000
TODD K. KICKBUSCH, 0000
MICHAEL W. KIELPINSKI, 0000
*JOHN P. KILBRIDE, 0000
*JONG H. KIM, 0000
*TINA KIM, 0000
*MICHAEL J. KIMBALL, 0000
MINDY A. KIMBALL, 0000
DARYL KIMBROUGH, 0000
MATTHEW J. KIME, 0000
CLETIS R. KING, JR., 0000
LOUIS L. KING, 0000
IOANNIS E. KIRIAZIS, 0000
MALEE KIRK, 0000
DAVID M. KIRKLAND, 0000
TODD R. KISHPAUGH, 0000
*ERIC T. KISS, 0000
*RANDALL L. KLINGENSMITH, 0000
BRANDON C. KLINK, 0000
*DAVID C. KNAPP, 0000
*SETH A. KNAZOVICH, 0000
GREGORY E. KNIGHT, 0000
SCOTT P. KNIGHT, JR., 0000
*LUKE E. KOERSCHNER, 0000
AARON T. KOHLER, 0000
MICHAEL J. KOLINSKI, 0000
*MARK D. KOLVA, 0000
JACK L. KOONS III, 0000
*MICHAEL J. KOPACKO, 0000
*PAUL A. KOPELEN, 0000
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*DONALD A. KORPI, 0000
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*PAUL T. KRATTIGER, 0000
*JAMES C. KRAUS, 0000
*MICHELLE A. KRAWCZYK, 0000
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*CHARLES E. KRIEGER, JR., 0000
*JASON K. KRISTOLAITIS, 0000
*KEITH R. KRUELSKI, 0000
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*NORMAN S. LAWRENCE, 0000
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*BROOK G. LEE, 0000
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ROSS F. LIGHTSEY, 0000
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*MARY L. MAGSINO, 0000
*FREDRICK W. MAHLER III, 0000
*OSCAR MALAVE, 0000
*MARTY MALDONADO, 0000
JOSEPH J. MALIZIA, JR., 0000
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*SAMUEL MARTIROSIAN, 0000
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RYAN D. MATULKA, 0000

*COLLIS D. MAYFIELD, 0000
*NEIL A. MAZURANIC, 0000
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SIM J. MCARTHUR, 0000
THOMAS J. MCCARRON III, 0000
JOSHUA MCCAW, SR., 0000
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*DAVID M. MCNEILL, 0000
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*MARC M. MEEKER, 0000
*ROBERT E. MEINE, 0000
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*GLENN O. MELLOR, 0000
*GABRIEL M. MENCHACA, 0000
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*BRANDON G. MENO, 0000
*JAIME MERA, 0000
*ROBERTO J. MERCADOROMERO, 0000
JEFFREY P. MERSIOWSKY, 0000
*CHASE G. METCALF, 0000
EDWARD MEYERS, 0000
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*ANDREW E. MONTOYA, 0000
*FERNANDO MONTOYA, 0000
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*CHARLOTTE H. MOODY, 0000
*JERRY A. MOON, 0000
BUCKY L. MOORE, 0000
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*FRANK A. MOORE, 0000
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RAYMOND H. MORGAN III, 0000
EILEEN MORITZ, 0000
*KEALII T. MORRIS, 0000
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*JOHN M. MOTSZKO, 0000
*DENNIS R. MOULDER, 0000
*MICHAEL G. MOURITSEN, 0000
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*KENNETH L. NAPIER, 0000
KIMBERLY D. NASH, 0000
*WALID R. NASR, 0000
*STEVEN M. NATOLE, 0000
JUAN P. NAVA, 0000
*OCTAVIO NAVEDOCORTES, 0000
JASON F. NAYLOR, 0000
*ALEXIS A. NEAL, 0000
JOHN J. NEAL, 0000
*BYRON C. NEEDUM, 0000
CHAD B. NEIDIG, 0000
JAMES H. NELSON, 0000
ROSS F. NELSON, 0000
*DON A. NESTOR, JR., 0000
*KATHLEEN P. NEUMANN, 0000
*PAMELA A. NEWBERN, 0000
*ROBERT S. NEWELL, 0000
JOEL D. NEWSOM, 0000
*LOI M. NGUYEN, 0000
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*KURT R. NIELSON, 0000
MICHAEL C. NIENHAUS, 0000
*WAYNE O. NITZSCHNER, 0000
DELTON NIX, JR., 0000
*REGINA R. NIXON, 0000
*MICHAEL J. NOBLE, 0000
*CHRISTOPHER D. NOE, 0000
ERIC M. NOE, 0000
*EDWIN W. NORDAN, JR., 0000
BRIAN C. NORTH, 0000
RONALD G. NOVAK, JR., 0000
*ANDREW J. NOVITSKE, 0000
BRIAN J. NOVOSELICH, 0000
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JACK W. NOYES, 0000
*DORIS NUNEZ, 0000
DEXTER C. NUNNALLY, 0000
*CHRISTOPHER M. NYLAND, 0000
*LUIS G. OAKLEY, JR., 0000
MICHAEL A. OBADAL, 0000
CHRISTOPHER M. OBRIEN, 0000
JAMES M. OBRIEN II, 0000
JOHN W. OCANA, 0000
BUCKLEY E. ODAY III, 0000
ERIC A. OGBORN, 0000
MARK A. OLSEN, 0000
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*BRIAN R. OMARA, 0000
*JASON B. ORLICH, 0000
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*OSVALDO N. ORTIZ, 0000
SANTIAGO J. OTEROORTIZ, 0000
*RALPH W. OVERLAND, 0000
CHRISTOPHER E. OXENDINE, 0000
*TYLER J. OXLEY, 0000
ROBERT J. OZANICH, 0000
JEFFREY O. PAINE, 0000
*JOSEPH B. PALAORO, 0000
MATTHEW S. PALMER, 0000
*DANIEL R. PALMETER, 0000
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*MICHAEL G. PANTON, 0000
JASON M. PAPE, 0000
DAVID R. PARAVECCHIA, 0000
ANDREW Y. PARK, 0000
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*JOHN C. PASTELLA, 0000
*JERRY M. PATAK, 0000
*DANIEL S. PATE, 0000
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*DUANE M. PATIN, 0000
*EARLINE B. PATRICK, 0000
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PAUL E. PATTERSON, 0000
REBECCA D. PATTERSON, 0000
*MICHAEL K. PAVEK, 0000
*TIMOTHY P. PAYMENT, 0000
*SCOTT A. PEACHEY, 0000
*SCOT D. PEARS, 0000
JAMES R. PECKHAM, JR., 0000
*MICHAEL L. PEELER, 0000
JUSTIN M. PELKEY, 0000
THEODORE J. PELZEL, 0000
JASPER E. PENNINGTON, 0000
*FELIX A. PEREZ, 0000
*NOEL PEREZ, 0000
*ELI M. PEREZRIVERA, 0000
*JOHN M. PERRINE, 0000
*BRENDA F. PERRY, 0000
PHILIPPE R. PERSAUD, 0000
*JUSTIN C. PERUSEK, 0000
*BRIAN L. PETERSON, 0000
*DONALD PETERSON, JR., 0000
JACOB A. PETERSON, 0000
*RODNEY V. PFALZER, 0000
*KARL R. PFUETZE, 0000
MATTHEW A. PHELPS, 0000
*FREDERICK R. PHILIPP, 0000
*JESSE A. PHILLIPS, 0000
*MICHAEL B. PHILLIPS, 0000
ERIC J. PIAZZA, 0000
*JAMES W. PIERCE, 0000
SHARLENE M. PIGG, 0000
*KENNETH D. PINDELL, JR., 0000
*MARK D. PINKERTON, 0000
*JOHN P. PIPPO, 0000
*SEAN R. PIRONE, 0000
CHRISTOPHER L. PITMAN, 0000
*RODGER PITT, 0000
CYNTHIA L. PITTMAN, 0000
WILLIAM D. PITTMAN, 0000
STEPHEN J. PLATT, 0000
*DAVID M. POLIZZOTTI, JR., 0000
*GREGORY T. POLLARD, 0000
CARL A. POPPE, 0000
*GREGORY B. PORTER, 0000
*JAMICA J. POWELL, 0000
DANIEL R. POWERS, 0000
GISELLE POZZERLE, 0000
CHRISTOPHER D. PRATT, 0000
*COREY S. PRESSLEY, 0000
*SCOTT S. PRESTON, 0000
*SCOTT L. PREUSSER, 0000
*STEVEN E. PRICE, 0000
*JOHN E. PRIOR, 0000
WILLIAM H. PRIVETTE, 0000
P. PROZIK, JR., 0000
TOBY W. PRUDHOMME, 0000
*STANLEY O. PULLEY III, 0000
*BRUCE R. PULVER, 0000
*TERRENCE C. PURNELL, 0000
JOSEPH A. PUSKAS II, 0000
SEAN P. PUTNAM, 0000
*JOHN H. QUINONES, 0000
*RICHARD J. RACHOW, 0000
FRANZ L. RADEMACHER, 0000
*MICHAEL J. RADKE, 0000
*JOSHE E. RAETZ, 0000
*KELLY A. RAFTERY, 0000
*TAGE J. RAINSFORD, 0000
TIMOTHY P. RAKER, 0000
*BRYAN G. RAMEY II, 0000
ROBEL RAMIREZBERRIOS, 0000
*RAMON L. RAMOS, 0000
*SHARON M. RAMP, 0000
*ROBERT C. RAMSEY, 0000
*WILLARD L. RAMSEY, 0000
ZARA R. RAMSEY, 0000
*DARREN A. RAPAPORT, 0000
DAVID J. RAPONE, 0000
MARK G. RASMUSSEN, 0000
ROBERT W. RATCLIFFE, 0000
*JAMES S. RAWLINSON, 0000
MARK D. RAY, 0000
*OWEN G. RAY, 0000
SHELLEY A. RAYMOND, 0000
JOSEPH D. REAP, 0000
*MICHAEL A. REARDON, 0000
*NATHANIEL S. REDDEN, 0000
ALAN A. REILEIN, 0000
MICHAEL C. REMBOLD, 0000
KIMBERLY H. RETCHLESS, 0000
*GARY J. RETZLAFF, JR., 0000
*HATTIE L. RICHARDSON, 0000
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*JOSEPH C. RICHEY, 0000
DAVID M. RICHKOWSKI, 0000
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HELMUT E. RIEPL, 0000
*MATT F. RIESENBERG, 0000
*WILLIAM RILEY, 0000
BENJAMIN A. RING, 0000
KIRK M. RINGBLOOM, 0000
*STUART C. RINKLEFF, 0000
*NED C. RITZMANN, 0000
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*MICHAEL E. RIVERA, 0000
*ARMANDO RIVERON, 0000
*LAWONDA D. ROBERTS, 0000
*MARIO F. ROBERTS, 0000
*NICOLE Y. ROBERTS, 0000
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*KEVIN B. ROBINSON, 0000
*TERRY D. ROBINSON, 0000
*CHRISTOPHER L. ROBISHAW, 0000
*WILLIAM A. ROCKEFELLER III, 0000
ISMAEL R. RODRIGUEZ, 0000
*MICHAEL J. RODRIGUEZ, 0000
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*BLAIR T. ROGENESS, 0000
*SAMUEL E. ROGERS III, 0000
JONATHAN W. ROGINSKI, 0000
*ANGEL D. ROJAS, 0000
*MICHAEL S. ROLIN, 0000
JAE C. ROOD, 0000
STEPHEN E. ROOKARD, JR., 0000
PHILIP J. ROOT, 0000
JORGE E. ROSAS, 0000
*RYAN K. ROSEBERRY, 0000
*GREGORY S. ROSS, 0000
*JASON L. ROSS, 0000
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*EDWARD D. ROUSE, 0000
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*MARK W. ROWELL, 0000
*DAVID M. ROZELLE, 0000
*TIMOTHY L. RUCKMAN, 0000
*ANTHONY J. RUDD, 0000
*ARTURO RUIZ, 0000
*STEPHEN P. RUMBLEY, 0000
*ROBERT J. RUSKIEVICZ, 0000
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*PETER S. RUSSO, 0000
*RENEE D. RUSSO, 0000
*JONATHAN P. RUTGERS, 0000
ERIC P. RUUD, 0000
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*JOHN W. SABALA, 0000
MICHAEL A. SABB, 0000
BOBBY L. SADLER, JR., 0000
*IVAN SALGADO, 0000
*JOSE D. SALINAS, 0000
*IKE L. SALLEE, 0000

*AMADO SANCHEZ IV, 0000
*SANDRA J. SANCHEZ, 0000
*JACK W. SANDER III, 0000
*LLOYD N. SANDERS, 0000
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ADAM R. SANDERSON, 0000
*PAMELA E. SANTIAGO, 0000
JEFFREY SARGENT, 0000
STEVEN M. SATTINGER, 0000
MATTHEW M. SAVOIE, 0000
*BLAIR J. SAWYER, 0000
*ERIC G. SAYER, 0000
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TROY A. SCHNACK, 0000
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*TODD A. SCHOEBERL, 0000
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*JENNIFER L. SCHULKE, 0000
*JEFFREY L. SCHULTZ, 0000
*STEVEN P. SCHULTZ, 0000
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*ERIC C. SELF, 0000
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*DAVID S. SENTELL, 0000
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*JOHN T. SHERWOOD, 0000
*JACK E. SHIELDS III, 0000
STANLEY J. SHIN, 0000
*THEODORE K. SHINN, 0000
*ANDREW J. SHORT, 0000
BILLY D. SIEKMAN, 0000
AJAY V. SIHRA, 0000
*DEBORAH D. SILER, 0000
*JONATHAN K. SIMMONS, 0000
*CRISTIAN J. SIMON, 0000
*LAWRENCE E. SKELLY III, 0000
APRIL D. SKOU, 0000
ANNA M. SLEMP, 0000
*JAMES R. SLEMP, 0000
TIMOTHY A. SLEMP, 0000
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*JAMES L. SMALLWOOD, 0000
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DIRK H. SMITH, JR., 0000
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*SEAN M. SMITH, 0000
*STEVE M. SMITH, 0000
TAUSHA E. SMITH, 0000
JAMES L. SNYDER, 0000
MATTHEW C. SOBER, 0000
*JOSEPH A. SOKOLOSKI, 0000
*MICHAEL P. SOLOVEY, 0000
*ROBERT J. SOLTIS, 0000
*BRYAN B. SOPKO, 0000
*MICHAEL J. SOWA, 0000
*WALTER J. SOWDEN, 0000
*MARK A. SPEAR, 0000
*JAMES R. SPIES, 0000
WARREN E. SPONSLER, JR., 0000
*BRYANT D. SPRINGER, 0000
*SAIPRASAD SRINIVASAN, 0000
*CHRISTOPHER M. STALLINGS, 0000
*GREGORY D. STALLINGS, 0000
*PATRICK A. STAMM, 0000
*DAVID R. STANLEY, 0000
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*THOMAS V. STOCKS, 0000
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MARK W. STOUFFER, 0000
ROBERT S. STREATOR, 0000
*CHARLES S. STRICKLER, 0000
*ERIC S. STRONG, 0000
*JAMES F. STRUNA II, 0000
*JONATHAN L. STUDER, 0000
*ROBERT STURDIVANT, 0000
*MARCOS J. SUAREZMORALES, 0000
*JOE J. SUDDITH, JR., 0000
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TREVOR N. SULLINS, 0000
*MICHAEL G. SUMMERS, 0000
*STEPHEN M. SUSANN, 0000
LEVI J. SUTTON, 0000
WILLIAM W. SUTTON, 0000
TODD T. SVACINA, 0000
*STEVEN S. SWANSON, 0000
JOSEPH T. SWIECKI, 0000
*STEVEN J. SWINGLE, 0000
MICHEAL C. SWINSON, 0000
*THOMAS E. SWITAJEWSKI, JR., 0000
*JOHN P. SWOOPES, 0000
*THOMAS R. SYERS, 0000
RICHMOND L. SYLVESTER, JR., 0000
*JOHN A. SYLVESTRI, 0000
*GARCIA D. SYPNIEWSKA, 0000
*ALBERT TABAREZ, JR., 0000
*STEVEN L. TABAT, 0000
*JOHN D. TABB, 0000
JASON C. TALIAFERRO, 0000
*BRADLEY C. TANDE, JR., 0000
ANDREW K. TAPSCOTT, 0000
JOHN T. TATOM, 0000
*DAVID S. TAYLOR, 0000
*JACK S. TAYLOR, 0000
*MICHAEL R. TAYLOR, JR., 0000
WILLIAM B. TAYLOR, 0000
MICHAEL F. TEASTER, JR., 0000
BRET A. TECKLENBURG, 0000
NADINE A. TERESE, 0000
JOSE R. TERRONES, 0000
JONATHAN D. TESSMANN, 0000
*NAVIN S. THAKUR, 0000
*SIRIANOSAC THEPSOUMANE, 0000
DARRIN E. THERIAULT, 0000
*CELESTER THOMAS, 0000
CHEVELLE THOMAS, 0000
*JARRETT A. THOMAS II, 0000
*JEFFREY L. THOMAS, 0000
*SCOTT THOMAS, 0000
GERALD S. THOMPSON, 0000
KENNETH D. THOMPSON, 0000
*LANNY T. THOMPSON, 0000
*MICHAEL S. THORNTON, 0000
*ROBERT L. THORNTON, JR., 0000
*EDWARD W. THREAT, 0000
*JEFFREY A. TIEGS, 0000
*LARRY E. TINDELL, 0000
PATRICK G. TOBEY, 0000
*JEFFREY P. TOCZYLOWSKI, 0000
*JASON P. TOEPFER, 0000
*CHRISTOPHER L. TOMLINSON, 0000
*DAVID E. TOMPKINS, JR., 0000
EMMA L. TOOPS, 0000
*JOSEPH M. TORRAIN, 0000
FREDERICK J. TOTI, 0000
BRUCE L. TOWNLEY, 0000
PHILIP S. TOWNSEND, 0000
*PON V. TRAN, 0000
*TIMOTHY G. TRIMBERGER, 0000
*VERN L. TUBBS, JR., 0000
JOHN C. TUCKER, 0000
JOHN T. TUCKER III, 0000
*ANDREW P. TURNER, 0000
*JAMES E. TURNER II, 0000
JAMES L. TURNER V, 0000
JOHN T. TURNER, JR., 0000
*KATHLEEN T. TURNER, 0000
*MICKEY A. TURNER, 0000
*STEPHEN D. TURNER, 0000
JASON B. TUSSEY, 0000
*MARSHALL P. TWAY, 0000
*PETER J. TWEDELL, 0000
*DONALD R. TWISS, 0000
*DOUGLAS M. TWITTY, 0000
*MANUEL A. UGARTE, 0000
*CHADWICK L. UHL, 0000
*SIEGFRIED J. ULLRICH, 0000
THADDEUS L. UNDERWOOD, 0000
*SHANE M. UPTON, 0000
*TRENT D. UPTON, 0000
*HEIDI A. URBEN, 0000
*TIMOTHY R. VAIL, 0000
*TIMOTHY VALADEZ, 0000
*DINO C. VALVERO, 0000
*MARK W. VANDERSTEEN, 0000
*RYAN L. VANGEL, 0000
*KRAIG S. VANVLECK, 0000
LANCE K. VANZANDT, 0000
MICHAEL W. VARGO, 0000
DAMON S. VARNADO, 0000
*ENRIQUE T. VASQUEZ, JR., 0000
*BRIAN D. VAUGHAN, 0000
*ANIBAL VAZQUEZCARRASQUILLO, 0000
*JAMES P. VELESKY, 0000
WILLIAM R. VENABLE, 0000
CLINTON D. VERGE, 0000
CRAIG W. VIETH, 0000
*JAIME N. VILLAMIZAR, 0000
DANIEL J. VOGEL, 0000
*JOSHUA S. VOGEL, 0000
BRIAN D. VOGT, 0000
*TOBIAS O. VOGT, 0000
ERIC C. VOIGT, 0000
*MICHAEL J. VOLPE, 0000
TODD R. VYDARENY, 0000
ROBERT D. WAGNER, 0000
*DAVID L. WAKEFIELD, 0000
THOMAS J. WALDRON, 0000
DAMIEN E. WALKE, 0000
ALLEN D. WALKER, 0000
*DARRELL E. WALKER, 0000
*MARVIN L. WALKER, 0000
*MERLE T. WALKER, 0000
*YOULANDA M. WALKER, 0000
MICHAEL W. WALL, 0000
AMY E. WALLACE, 0000
JAMIE L. WALLACE, 0000
KELVIN T. WALLACE, 0000
BENJAMIN M. WALLEN, 0000
JAMES N. WALSER, 0000
GEORGE WALTER, 0000
*BENJAMIN J. WALTERS, 0000
*KEITH R. WALTERS, 0000
LAWRENCE R. WALTON, 0000
*JAMES R. WANNER, 0000
*KATHLEEN WANNER, 0000
CHARLES W. WARD, 0000
DAVID A. WARE, 0000
JASON E. WARNER, 0000
*YULONDA D. WASHINGTON, 0000
DAVID R. WATERS, 0000
*ANDREW J. WATSON, 0000
*MILES A. WATSON, SR., 0000
SCOTT T. WATSON, 0000
*WILLIAM K. WATSON, 0000
KRISTA L. WATTS, 0000
WALLACE E. WEAKLEY, JR., 0000
*CHRISTOPHER M. WEATHERS, 0000
WILLIAM D. WEAVER, 0000
*BRYAN T. WEBINGER, 0000
*LISA L. WEEMS, 0000
*KELLY F. WEINBERG, 0000
*MATTHEW J. WEINRICH, 0000
*STEPHEN T. WELLEIN, 0000
*CHRISTOPHER B. WELLS, 0000
PATRICK J. WELLS, JR., 0000
JOHN J. WERNAU, 0000
*JOHN T. WHELAHAN, JR., 0000
*JOHN R. WHERRY, JR., 0000
*LATHESSA A. WHITAKER, 0000
*GILBERT W. WHITE, 0000
*JEFFREY R. WHITE, 0000
*JOHN C. WHITE, JR., 0000
*ROBERT M. WHITE, 0000
*WILLIAM WHITE, 0000
*HARRY F. WHITING, 0000
*MICHAEL A. WHITLEY, JR., 0000
CHRISTOPHER W. WHITMARK, 0000
GLEN P. WHITNER, 0000
ERIN A. WHITNEY, 0000
*STEPHEN A. WICKERSHAM, 0000
*ROBERT D. WIGGINS, 0000
PAUL J. WILCOX, 0000
JONATHAN M. WILEY, 0000
*RUSE M. WILEY, 0000
WILLIAM H. WILKINS III, 0000
CATHERINE T. WILKINSON, 0000
KENNETH J. WILKINSON, 0000
WILLIAM T. WILLEY, 0000
*ALFLOYD WILLIAMS, JR., 0000
BLAIR S. WILLIAMS, 0000
COLIN L. WILLIAMS, 0000
*FREDRICK O. WILLIAMS, 0000
*ISAAC A. WILLIAMS, 0000
*IVY J. WILLIAMS, 0000
*JOSEPH E. WILLIAMS, 0000
*JOSEPH WILLIAMS, JR., 0000
*KEVIN D. WILLIAMS, 0000
*KEVIN J. WILLIAMS, 0000
*ROBERT M. WILLIAMS, 0000
JEREMY R. WILLINGHAM, 0000
*MICHAEL S. WILLIS, 0000
CHRISTOPHER W. WILLS, 0000
*BAHAIZ A. WILSON, 0000
*EDWARD S. WILSON, 0000
*JAMES T. WILSON, 0000
*LUCINDA R. WILSON, 0000
*THOMAS G. WILSON, JR., 0000
JONATHAN C. WINCHESTER, 0000
*ARMIN K. WINDMUELLER, 0000
*STEVEN M. WINKLEMAN, 0000
*ERIC J. WINTERROWD, 0000
*MALCOLM L. WISE, 0000
*YOLANDA K. WISE, 0000
MICHAEL L. WISER, 0000
THADDEUS A. WOJTUSIK, 0000
*RICHARD G. WOLF, 0000
*CHRISTOPHER R. WOLFE, 0000
*CHERYL A. WOMACK, 0000
SUNG H. WON, 0000
*ANDERSON T. WONG, 0000
*CHRISTOPHER L. WONG, 0000
*MANUEL S. WONG, 0000
*DAVID C. WOOD, 0000
*MICHAEL J. WOOD, 0000
*ROBYN D. WOOD, 0000
*DAVID C. WOODRUFF, JR., 0000
*MATTHEW S. WOODRUFF, 0000
*SOLOMON WOODS, 0000
*STEPHEN N. WOODSIDE, 0000
STACY B. WOODSON, 0000
*ROBIN S. WOODY, 0000
*BRET T. WOOLCOCK, 0000
TROY W. WORCH, 0000
*GREGORY R. WORLEY, 0000
J. B. WORLEY III, 0000
*MATTHEW W. WORRELL, 0000
JOSEPH W. WORTHAM II, 0000
*RYAN L. WORTHAN, 0000
*ERIC M. WRIGHT, 0000
GEOFFREY W. WRIGHT, 0000
*JOHN A. WRIGHT, 0000
*KRISTIN L. WRIGHT, 0000
VICKIE V. WYATTNETTLES, 0000
WILLIAM B. WYLES, 0000
THOMAS A. YAROCH, 0000
*GUY YELVERTON III, 0000
ABEL E. YOUNG, 0000
DILLARD W. YOUNG, 0000
JAMES E. YOUNG, 0000

*MARK E. YOUNG, 0000
DAVID G. YOUNGBLOOD, 0000
*MATTHEW M. ZAIS, 0000
*KEVIN C. ZAMMERT, 0000
RICHARD L. ZANARDI, 0000
*ROBERT C. ZANCA, 0000
JEFFREY S. ZANELOTTI, 0000
*NOEL E. ZARZA, 0000
JONATHON L. ZAVORKA, 0000
*ALEXANDER R. ZEHNDER, 0000
*JOSEPH J. ZELAZNY, 0000
DAVID M. ZELKOWITZ, 0000
*JAMES S. ZIRKLE, 0000
JAMES E. ZOPELIS, 0000
*TODD S. ZWOLENSKY, 0000
STEVEN P. ZYNDA, 0000
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DEPARTMENT OF JUSTICE

DAVID F. KUSTOFF, OF TENNESSEE, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS, VICE TERRELL LEE HARRIS, RESIGNED.

JOHN CHARLES RICHTER, OF OKLAHOMA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS, VICE ROBERT GARNER MCCAMPBELL, RESIGNED.

AMUL R. THAPAR, OF KENTUCKY, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS, VICE GREGORY F. VAN TATENHOVE, RESIGNED.

CONFIRMATIONS

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

DEPARTMENT OF DEFENSE

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.

DEPARTMENT OF ENERGY

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

FEDERAL RESERVE SYSTEM

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. 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.

EXECUTIVE OFFICE OF THE PRESIDENT

EDWARD P. LAZEAR, 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 DULY 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

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.

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.

EXTENSIONS OF REMARKS

TRIBUTE TO RUTH COLE DUSENBURY

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 1993, 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 delgate 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 promised by our Constitution. 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:

Coaches: Greg Thomas, Todd Lipe, Lee Nicholson, Walt Pollard, Stephen Walters, Ronald Pugh, Ron Jones, Nick Anderson, Ty Nelson, Brent Jamison, Phoenix Evans, Will Wiberg, Robert Grant, Bill Grimm.

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

Carter Gagnon, McGiver Nicholson, Akeem Thomas, E J Gilbert, Eborn Rawl, Matt Board, Drew Batts, Gabe McCuller, Byron Tyson, Javan Burney, Beau Corey, Danny Jones, Joe James, Billy Cates, Beau Benfield, Jonathan Little, Mike Royston, Bryan Deans, Jameson Bryant, Taylor Ward.

Ian Baro, Tyrone Spinks, Larry Chamblis, Charlie Craigle, Brentley Richardson, William Batts, Malcolm Rook, Jimmie Booth, William Brewington, Demarus Williams, John Phillips, Jake Ovitt, Clay Douglas, Garrett Oakley, Morgan Randall, Max Joyner, Louis Muldrow, Sammy Becirovic, Trey Coleman, Anthony Williams.

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 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 community at large would be able to attend a public hearing where the fate of their community treasure 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.

Electing to close down a community college, which is what 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.

CONGRATULATING MIKE POTTER FOR WINNING THE CELLFLIX 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 Ithaca 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 grandparent'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.

HONORING THE CONTRIBUTIONS OF CATHOLIC SCHOOLS

SPEECH OF

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 2006

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to support H. Res. 657, a resolution honoring the contributions of Catholic schools to our Nation.

I rise today in support of this resolution and in recognition of the teachers, parents, and schools administrations who dedicate themselves to the difficult task of creating a strong learning environment for students in Catholic schools everywhere.

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 preschool programs.

It is 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.

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 continues 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. Make no mistake, his actions inspired many others and ultimately, Mr. Moore helped achieve pay parity among teachers of color and their White counterparts.

In 1941, he organized the Florida State Conference of the NAACP and worked as an executive secretary without compensation. His platform also broadened as he began to add his voice to issues such as Black voting disenfranchisement, segregated education, and later in 1943, lynchings and police brutality. He began to organize protests, and write and circulate letters voicing his concerns about the issues.

He also organized the Progressive Voter's League and with his persistence and diligence, in 1948, 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 1949, 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 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 permission, without acknowledgement, 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—the voting, the teacher salaries all of the lynchings that he investigated. That's a very important part of history."

Mr. Speaker, Harry T. Moore's story is one of such importance as 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 all he wants is for every man
To have his rightful place.

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

SUPPORTING THE GOALS AND IDEALS OF NATIONAL MENTORING MONTH

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 Laredo 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 even scores more homeless and 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 prisoners in the world and young Black men 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 also 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 jailed and deported 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 left most victimized by the misplaced political zeal for power—the poor, the enslaved, and the tortured.

I join Rev. Nolan in all her concerns and her wish for a more just America free of unseen tsunamis, floods and earthquakes. Witness for Justice #248, Dec. 26, 2005.

TSUNAMIS, FLOODS AND EARTHQUAKES: SEEN AND UNSEEN

(By Sala W.J. Nolan)

As 2005 draws to a close, we have much suffering to address. The tsunami of last December 26 still reverberates throughout the world. The worst hurricane season in U.S. history has damaged the Gulf Coast in ways that will extend to generations. And an earthquake has devastated Kashmir, where relief is terribly complicated by Indian and Pakistani political claims.

The events were life shattering and will leave enduring legacies. They are especially notable because of the human suffering that was unmasked. We saw aging and Africa-American citizens in the wake of Katrina, without food and water or medical care, left abandoned on bridges and in nursing homes and sports arenas. The visible poverty among so many citizens of the richest country in the world—and their utter abandonment by the institutions obligated to serve them—shocked the planet.

Every day there are unseen tsunamis, floods and earthquakes. They take place in U.S. prisons, which house one-fourth of all

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 in the housing projects of France. They occur among the farmers of Vieques and fishers of the Marshal Islands whose livelihoods and health have been damaged by years of bomb testing and with 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 58, 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 were subpoenaed 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 younger brother and sister. When his turn came, there were no appropriate toys in the can for him. 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, will grow 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 secrets that keep 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 tsunamis of out 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 for their outstanding 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; second place 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 ladies 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 GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. GALLEGLY. 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 National Football League champion Pittsburgh Steelers for winning Super Bowl XL, rollcall vote 5; on the motion to suspend the rules and agree to H. Res. 657, honoring the contribution of Catholic schools, rollcall vote 6; and on 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 motions 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. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. GONZALEZ. Mr. Speaker, I rise today to honor a dear friend who left us far too soon. On January 27, 2006, Bonnie Terry lost her long struggle with breast cancer despite drawing on the same determination she had used to change the lives of many others. I miss her laugh and her belief that any problem was solvable so long as we worked together. Bonnie Terry was a community activist, a pillar of faith for the United Methodist Church, and a shining example of the power of people to make the world a better place.

This is a loss not only for her family, friends, and colleagues but also for San Antonio. We lost a relentless yet optimistic advocate for a range of causes. The causes she fought for reads like a master list of different organizations to help the disadvantaged. Bonnie worked with Habitat for Humanity, United Way, American Red Cross and Network Power/Texas, which promotes women's issues. During and after the 1998 floods, Bonnie served as executive director of the San Antonio Interfaith Flood Recovery Alliance. Our community is now poorer for her absence.

So relentless was her drive, not even illness stopped Bonnie from working. While fighting breast cancer, she visited my office during the Alamo Breast Cancer Foundation's annual visit last May. She told her story to me and to other lawmakers. Like so many other Americans, she had fallen into the widening fissures of our health care system and found herself in need of the type of help she had spent her life providing to others. Bonnie testified for the need for insurance support for cancer treatment at a National Breast Cancer Coalition meeting in Washington seeking legislative policy for access for quality care. Moreover, Bonnie made a point of attending the coalition's meeting with Senator HILLARY CLINTON.

Like many in our city, Bonnie hailed from elsewhere, but there should be no doubt that she made San Antonio her home. Born in Germany, Bonnie was the child of a military family that eventually settled in San Antonio. She graduated from Jefferson High School, San Antonio College, and the University of Texas at San Antonio. However, even while working on her bachelor's degree, it was apparent that Bonnie would match her education to her faith in making 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.

Born in Denver, CO, to school 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

the Burlington Elementary School PTA in Longmont.

Mrs. Fox also dedicated much of her life as a local grassroots activist. She served as secretary for House District 52, as well as secretary for Colorado Representative Ron Strahle. Mrs. Fox also served as a Precinct Committee person since 1979 and has been a delegate to Fourth Congressional District and State assemblies.

In addition to her grassroots involvement and volunteerism, Mrs. Fox currently manages the Oak Ridge Federal Government Office Building in Fort Collins. She has also worked as mall manager at The Square and as manager of maintenance at the Market Place, both in Fort Collins.

Beyond her community involvement, it is her love and devotion to her family that is most impressive. April 2006 will mark Sally's 43rd wedding anniversary to her husband, Charles. She is the proud mother of a son and daughter, and a grandmother of three. Mrs. Fox has a special appreciation for family heirlooms. She is especially proud of an African violet given to her by her mother. It has bloomed continuously since her mother's death in 1991.

Mr. Speaker, the grassroots involvement and love of family by women like Mrs. Sally Fox is what makes our country great. I urge my colleagues to join me in recognizing Mrs. Fox and her tremendous contributions to her community.

CONGRATULATIONS TO PAUL R. BEANE

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. NEUGEBAUER. Mr. Speaker, on February 17, 2006, a legend in Lubbock radio will celebrate 50 years in the broadcasting business. Mr. Paul R. Beane currently serves as general manager and morning radio program host at KRBL, 105.7 FM.

Mr. Beane's long career began in 1956 at KGVL in Greenville, TX, and he has worked in all aspects of radio since that time. Over the years, he has worked at 18 radio and television stations in Texas and Louisiana, spending the majority of time in and around my hometown of Lubbock. He is a familiar face and voice to the people of west Texas and we appreciate his efforts to bring us news, information and entertainment.

Many Lubbock residents have fond memories of Paul's broadcasts. I particularly remember his ''News Flash'' announcements before giving the news update.

In this day and age of weblogs, podcasts and e-mail updates, it is refreshing to turn on the radio, hear Paul's voice and get the news from a genuine reporter and trusted member of the community.

Mr. Speaker, I would like to congratulate Paul Beane on his 50th anniversary in broadcasting.

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 boy's 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 Craven 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 at Hargrave Military Academy won the Military League Championship.

I close by once again congratulating the coach and players of the 2005 Farmville Central High School varsity baseball team for their hard work, 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 MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Ms. MILLENDER-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.

HONORING ROBIN BOHANNAN AND HER LEADERSHIP AT BOULDER COUNTY AIDS PROJECT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. UDALL of Colorado. Mr. Speaker, I rise today to recognize and honor Ms. Robin Bohannan, the outgoing executive director of the Boulder County AIDS Project. Ms. Bohannan's career at BCAP is a remarkable example of compassion, public service, and personal dedication.

Ms. Bohannan began her career at the Boulder County AIDS Project in an important and appreciated voluntary role. Still a small organization at this time, BCAP built its foundation on the strength of volunteers just like her. As she spent more time volunteering, Ms. Bohannan became an indispensable part of BCAP and was able to take a full-time paid position as a case manager in 1991.

In the early 1980s and even into the 1990s HIV/AIDS was not only a burgeoning health crisis, it was a defining issue of social conscience. Workplace and housing discrimination, severe social stigma, and public ignorance merged with a terrible and often baffling array of medical challenges to create terrible

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 endeavors 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. LORETTA 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 out of the 47 years he has been a member of the Teamsters Union.

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 Susan 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 he 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 Morrison's Negro 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 bathroom attendant, 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 turning her back on the roles, she worked against the stereotype from within the system.

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 would 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 subservient yet stem 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 ceremony 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 condemnatory. 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 playing 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 they took 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 overturned 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 the 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 first census 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, there were 37 schools in the county. By the 1940s the school districts had begun to consolidate. The total number of persons over the age of 25 who had completed 4 years of high school rose from 1,300 in

1950 to 2,083 in 1960. In addition, the number of residents with some college rose from 395 in 1950 to 473 in 1960. By the year 2000, when the census counted 38,628 people living in Atascosa County, over 65 percent of residents age 25 and older had 4 years of high school. Agriculture, government services, and some light manufacturing are key elements of the area's economy. The largest communities in the county are Jourdanton, the county seat, and Pleasanton, the county's largest town. Other communities include Campbelton, Poteet, Lytle, Charlotte, Christine, Leming, McCoy, and Peggy. Some of the county's wonderful attractions include the Poteet Strawberry Festival, the Jourdanton Days Celebration, and the Cowboy Homecoming and Rodeo in Pleasanton. As we look back on the last 150 years with pride, we also look forward to a promising future for Atascosa.

Mr. Speaker, I am proud to honor Atascosa County on their 150th anniversary and all of their accomplishments.

IN RECOGNITION OF THE LAUNCHING OF THE CARIBBEAN SINGLE MARKET ECONOMY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. RANGEL. 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 without restrictions. The implications of the CSME are sweeping, with plans advancing to replace national travel documents with a regional passport and the possibility of a common currency to be used by participating countries and a consolidation of economic policies.

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 undisputedly 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' bean nations for forging ahead with the CSME and wishing them well in their next steps.

CARIBBEAN SINGLE MARKET: SEALED, SIGNED AND DELIVERED

''Sealed,'' stated one front-page newspaper headline in the Caribbean 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 ''delivered.''

In effect, the Caribbean Single Market, the long awaited important step towards deep economic and social integration had moved closer to completion when several 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 by the members of the Organization of Eastern Caribbean States to push back the deadline for their implementation of the CSM. 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 CSM, are Barbados, Belize, Guyana, Jamaica, Suriname and Trinidad and Tobago. Antigua, Dominica, Grenda, 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 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. No one should under-estimate the complexity and the challenges the region faces as it moves forward.

Jamaica's Prime Minister, P.J. Patterson, underscored that point when he cautioned the leaders and others at the signing ceremony ''formidable challenges still exist as we move boldly forward in the pursuit of closer regional collaboration within a global economy that is admittedly hostile to the interest of small island developing nations.''

The problem for small states is that global competitiveness can undermine economic growth, slowdown social development and diminish competitiveness. As if those weren't bad enough, the mountains of red tape and the foot-dragging by some countries can reduce the CSM's effectiveness and appeal.

But there is little reason to despair.

When Caribbean Free Trade Agreement, CARIFTA, the forerunner of CARICOM and CSME, it started with three countries—Antigua, Barbados and Guyana. The list grew in later years. That's likely to happen with the CSME.

Secondly, the Caribbean Court of Justice is now a functioning judicial body. Yes, it's true that only Barbados and Guyana have so far accepted the CCJ as their court of last resort, relinquishing the necessity to turn to the Privy Council in London as the final arbiter. Again, foot-dragging is standing in the way of a broader court. Political considerations in Jamaica and Trinidad and Tobago have turned out to be roadblocks for expansion but that's not the case in the OECS.

A word about the OECS and its reasons for not signing the final acceptance on Monday. The members are pushing for the creation of a Caribbean Development Fund, which would help bridge the gap in finance, which the elimination of tariffs would create. That's a realistic situation, one that the larger economies have recognized and are trying to solve. The Fund must be established, no ifs, ands or buts.

Interestingly, Edwin Carrington, CARICOM's long-serving Secretary-General, in his speech on Monday borrowed from the lyrics of one of Bob Marley's most popular songs, ''One Love,'' and invoked the memory of that great Caribbean icon when he insisted ''Let's get together and feel alright, I say let's stay together and be all right.''

We may be some distance away from 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 K–12 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 for libraries with replacement projects, retrospective collection development projects, or routine collection building needs.

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

The library will be contributing the prize money to the—''Sit! 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 that allowed 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, 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, and cost the U.S. poultry industry many 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 rid animal fighting from communities that do not want it.

TRIBUTE TO THE PAISANO 25TH ANNIVERSARY

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. GONZALEZ. Mr. Speaker, I rise today to recognize the 25th anniversary of the Paisano, the student newspaper at the University of Texas at San Antonio, UTSA. The Paisano is the oldest independent student newspaper in the State of Texas. In January 1981, the first issues of the Paisano were distributed to the UTSA community. A quarter of a century later, the Paisano often publishes 7,000 to 10,000 issues a week for the downtown and 1604 campuses.

Because UTSA is a young school, student enterprises like the Paisano were important in creating a sense of community. Other schools have longer histories but few have more school pride. Students know that the Paisano is their forum to celebrate their college years and examine their community and world.

Put simply, students run the paper. They write the stories, sell the advertising, and create budgets for the paper. But they receive neither college credit nor compensation from the university for their efforts. Yet, the invaluable experience of running a business has compensated them far more than a paycheck ever could.

Through the Paisano Educational Trust, dedicated students, faculty, and staff publish the Paisano. All overhead for the paper's publication, including rent, equipment, utilities, and printing costs are funded through advertising revenues. Countless hours of student work have kept this paper operating.

Many of the former student staff now serve San Antonio and south Texas in numerous capacities. They are school teachers, writers, journalists, editors, accountants, lawyers, website creators, hotel managers, and environmental researchers. Over these last 25 years, they have helped transform San Antonio into the vibrant city poised for greater things on the verge of the 21st century.

The Founders knew that a free press was essential to democracy as a medium for free expression. The Paisano allows students to voice their concerns and to articulate their disparate experiences. This newspaper has provided a forum for students to participate in the give-and-take exchange of ideas vital to an academic institution and our society.

As UTSA continues its transformation into a flagship university, I expect that the Paisano will continue to reflect the richness and diversity of the student body and South Texas. Today, I celebrate their first 25 years and wish them many more.

TRIBUTE TO MR. JIM BEATTY

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mrs. MUSGRAVE. 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 Fisher & 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 committee person and successfully motivated 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 very effective legislator. He served 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 commemoration 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. LORETTA 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 as he joined 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

OF NEW YORK

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 build-up 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. At the moment, this issue is 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 coach 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 notching 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.

NATIONAL FLOOD INSURANCE PROGRAM ENHANCED BORROWING AUTHORITY ACT OF 2006

SPEECH 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.

Federally 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 premature to require Congress to approve more ''reforms'' before honest, premium paying 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 geographic factors beyond their control. Reforms of the NFIP should focus instead new development 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 undergo 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. Although 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 the same ballast water exchange laws, even though they still have ballast tanks. Invasive species often survive 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 provides an unregulated pathway for the introduction of new invasive species when the ballast water is released.

In other words, the contamination begins.

We must not leave 90 percent of ships entering the Great Lakes untreated. This bipartisan legislation requires all ships with ballast tanks, including NOBOBs, to undergo ballast water exchange. In addition, the bill commissions a study of the effectiveness and environmental 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 legislation 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 continue to increase in America's youth, it is important to encourage children to participate in physical activity.

To help spread this message, today I am introducing 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 childhood obesity along with the negative consequences 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 documenting that regular physical activity is associated with improved health-related quality of life. It resolves the sense of the House of Representatives regarding ''National Physical Education and Sports Week'' and ''National Physical Fitness and Sports Month.''

Research shows that sound physical education 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 encourage our children to adopt healthier lifestyles because America's children are experiencing 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 exercise 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 successful cottonseed oil mill in the country, George Dunklin, Sr. knows how to run a successful 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 Cotton Advisory Committee to the Secretary of Agriculture, President of the Mississippi Valley Oilseed Processors Association, 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, Arkansas for 57 years and is the father of two children, 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 USO 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 "The Wall." In 1971, his song "Easy Lovin" went to number one on the charts, won two Grammys, and was named "Song of the Year" for 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 Schlopy; 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 six 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 Rollcall votes #10 and #11. Had I been present, I would have voted "yea" on Rollcall vote #10 and "yea" on Rollcall vote #11.

SENSE OF CONGRESS REGARDING PALESTINIAN AUTHORITY

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. WAXMAN. Mr. Speaker, this resolution is an important first step to cut off direct aid to the Palestinian Authority now that Hamas will be in power. However, it is only one component of the dramatic overhaul that needs to take place as we redefine our relationship with the new Palestinian government.

Responsible for attacks that have murdered hundreds and injured thousands, Hamas is first and foremost a terrorist organization. Its fund raising and training operations run through the same shadowy networks as Al-Qaeda and Hezbollah. Its philosophy and practice are grounded in the spread of extremist hatred, anti-Semitism and violence.

The United States must set a strong example and be firm in urging the international community to join us in cutting off all funding and diplomatic contacts with the Palestinian Authority once Hamas takes control.

The Palestinian election may have been conducted in a free and fair manner, but it does not make the Hamas victory any more legitimate. Until it disarms, renounces violence, and recognizes Israel's right to exist, the group should continue to be dealt with as a rogue entity.

There is no room for ambiguity. Governments that wage the global war on terrorism should not be propping up a terrorist regime. International organizations that believe in the peace process should not be financing a Palestinian leadership bent on Israel's destruction. Nations that disavow anti-Semitism should not be providing assistance that would give an even greater pulpit for Hamas to spew its hatred.

It is alarming that despite these realities President Putin and others have made overtures to Hamas leaders. There should be no distinction between terrorists in Chechnya who target Russian school children and those from the West Bank and Gaza who blow up Israeli pizza stores and public buses. Equivocation only emboldens their use of such heinous tactics.

If there is hope of pressuring Hamas to change, the world must unite behind a clear message: We will not support a terrorist-state, but stand ready to assist when and if a Palestinian government emerges that is ready, willing and able to embrace a peaceful future.

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 a bold statement that military action is a viable possibility. 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 residents 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 dedicated to preventing crime and protecting their community for many years, and have worked to encourage and spread citizen activism through their efforts.

On September 30, 2005, Mr. and Mrs. Matos were recognized for their dedication as recipients of the Citizens Crime Watch of Miami-Dade County's top award, the "Miami-Dade County Citizens' Crime Watch Chairperson of the Year." Their hard work through this organization has protected the community by allowing them to work closely with law 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 father, David Price of Indianapolis, Ind.; a brother, John R. Hunsell of Woodlawn; two sisters, Krystal Martin and husband Eric of St. Louis and Rachel 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 Oregonian, 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 ally. 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 the 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 mart. 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 savvy 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 scandals and wrongdoings within the city government. During these tumultuous times, Rick recognized the need for stability and consistent leadership, which encouraged 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 and controversy head on. He was a visionary for growth, led the charge for expansion, and has been a champion for economic development in the region. Under his leadership, the city acquired industrial land near the airport while making significant 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 the local 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.

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 his career with General Motors Chevrolet 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 Representative-International Appointment, Quality Network Representative-International Appointment, served on Person to 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 Baptist Church, former Vice-President and life 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 Athletic Alumni 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 Regional 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 health 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 commercial aimed to widen 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 Bih, Stella Bowles, Nicolle Bowman, Antoinette Burke, Tracy Carrella, Kara Curtin, Lauren Dash, Meryl Dickstein, Vicky Eberle, Emma Hood, Alexis Jacobsen, Emily Jacobson, Enrica Maccarone, Julia Marsh, Mykela Martinez, Carlie Mendoza, Christina Mendoza Emily Mervosh, Carly Mignone, Allison Monastero, Marrianne Monastero, Michelle Monastero, Tatiana Montano, Rosalita Morante, Casey Murphy, Laurie Murray, Melanie Pavlidis, Rachel Ruggiero, Katy Schwartz, Samantha Simon, Erin Stark, Megan Stark, Kristen Talbot, Gina Vollaro, Samantha Watterson, Angelica Weber, Amelia Weck, Brenda Weck, Jr., Elizabeth Woods, Courtney Wright, Crystalyn 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 introducing 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 the 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 MILLERof 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 dislocated 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. Year after year, the center has led the way to highlight problems in 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 Nation to the retirement 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 older Americans, through the internet and telephone, a network of actuarial and legal volunteers, and the publication of resource materials. The U.S. Administration on Aging's Pensions Counseling and Information Program relies on the Pension Rights Center to provide technical assistance and training to its six regional pension counseling projects that provide free assistance to individuals in 17 States.

With the baby-boom generation reaching retirement age and a growing number of companies terminating or freezing their pension plans, it is increasingly likely that coming generations will not have the retirement security that their parents enjoyed. That's why the center has spearheaded the Conversation on Coverage, bringing together a diverse and bipartisan range of experts—from business, unions, financial institutions, and retiree, women's and consumer organizations—to find common-ground approaches to improving pension coverage. The Conversation on Coverage's Working Groups currently are finalizing recommendations that hold the promise of expanding pensions and retirement savings for millions of Americans. I look forward to their final recommendations, and hope that the Conversation's work will help turn the tide of employers leaving the traditional pension system and encourage everyone to pull together for the sake of our long-term retirement security.

For three decades, the center has been at the forefront of protecting retirement income security. Today, its work is more important than ever. We wish the Pension Rights Center, its founder Karen Ferguson, Karen Friedman, John Hotz, Kathy Reusing, Victoria Kanios, Nancy Hwa, Raelene LaPlante, Joellen Leavelle, Kathryn Jantz, Kyle Garrett, Ted Stein, Rebecca Carr and the rest of the dedicated staff a very happy 30th anniversary. Their work shines, not just because of their wisdom and talent, but because of their strong conviction and dedication to promoting a secure retirement for every American.

TRIBUTE TO DANIEL ''ED'' BARROW

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. MOORE of Kansas. Mr. Speaker, I rise today to pay tribute to a pioneer in the air traffic control field, Daniel ''Ed'' Barrow, who will celebrate his 90th birthday later this year.

Born in Boone, IA, and raised in Unionville, IN, Ed Barrow attended Indiana Central College in Indianapolis, IN. After teaching school in Elwood, IN, Barrow began working for the Indiana State Employment Office, where he saw a job posting for an air controller trainee. As the holder of a student pilot's license, he met the primary qualification. As his daughter, Marilyn Smith, related to me, ''He decided to try for the position. A trucker stopped at his Marathon station. The driver was going to Pittsburgh, so Dad hitched a ride with him. When he got to Pittsburgh, he took the bus to New York City. While in New York, Dad stayed in the YMCA. The training was very hard, so he asked Mother to keep checking with the Employment Office to see if he could come back if he 'washed out'.''

This led to a lengthy career for Ed Barrow with the Civil Aeronautics Administration, the predecessor agency of the Federal Aviation Administration, FAA. As a result, the Barrow family was posted at various locations around the United States, including Roeland Park and Overland Park, KS, both of which are located in the Third Congressional District.

During the outset of his career as an air traffic controller, Ed Barrow and his colleagues received their information on the telephone and then plotted the information on paper maps. In the mid-1950s, Ed was the chief of the Washington National Airport control tower; he later went to work in the Washington, DC, headquarters of the Civil Aeronautics Administration. Among other projects, he worked on Operation Northern Tier, which resulted in the long range radar system's installation nationwide in the FAA's Air Route Traffic Control Centers.

In the mid-20th century, air traffic control was revolutionized by the introduction of radar, a system the British initially developed for air defense prior to World War II. After the war, the Civil Aeronautics Administration began applying this technology to the problem of keeping civilian flights safely separated. In 1946, the agency used a system developed for the

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 modem "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, instilling 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 and other users 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 emergency war plans."

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 to ICBA members. 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 vitality of Country 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 strategic vision that 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 Consumer 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 bricks 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 youths—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 undetectable 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 offline 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 charted 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 jurisdictional 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 gambling business from accepting certain forms of non-cash payment, including credit cards and electronic transfers, for the transmission of illegal bets and wagers. This provision provides an enforcement mechanism to address the situation where the gambling business is located offshore but the gambling business used bank accounts in the United States. The bill also provides an additional tool to fight illegal gambling by giving Federal, State, local and tribal law enforcement new injunctive authority to prevent and restrain violations of the law.

The legislation I am introducing will return control to the States by protecting the right of citizens in each State to decide through their State legislatures if they want to allow gambling within their borders and not have that right taken away by offshore, fly-by-night operators. The regulation of intrastate gambling is within the jurisdiction of the States, so the bill leaves the regulation of wholly intrastate betting or wagering to the States with tight controls to be sure that such betting or wagering does not extend beyond their borders or to minors.

Internet gambling is a serious problem that must be stopped. The Internet Gambling Prohibition Act will help eliminate this harmful activity before it spreads further. I urge my colleagues to support this very important legislation.

STATEMENT ON THE PRESIDENT'S FY 2007 BUDGET

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. LANGEVIN. Mr. Speaker, today I rise in opposition to President Bush's proposed budget for fiscal year 2007. Once again, the President claims he can have it both ways by making permanent tax cuts while halving the deficit by 2009. However, the numbers tell a different story. This year's budget proposal, if enacted by Congress, would result in a budget deficit of $423 billion, the largest in our Nation's history, and this amount would increase dramatically once the tax cuts take effect in 2011. Every American family knows that you cannot continue to spend more money than you take in, and the President must acknowledge this fact before it is too late.

To reduce this record deficit, we must make difficult choices, and both spending and taxes need to be on the table. The President has not made these difficult choices, and should Congress follow this budget, working families will be left on their own as the Government again favors only the wealthiest Americans.

In order to partially pay for the irresponsible tax policies, the President attempts to cut spending in several areas, notably health care and education. Medicare would be reduced by $36 billion over 5 years by reducing already low payments to health care providers, who would be less willing to accept Medicare patients. The National Institutes of Health, which researches life-saving cures for numerous diseases such as cancer and Parkinson's Disease, would in effect receive a cut outside of funds earmarked for biodefense. While I support measures to increase our preparedness for outbreaks such as a potential pandemic flu, these funds should not come at the expense of research to cure ailments like heart disease.

In December, I distributed surveys to every school and district in my congressional district to determine the level of emergency preparedness. Most respondents indicated they had not properly rehearsed their emergency plans, and nearly a quarter of the schools and districts did not even know whom to ask for help. Fortunately, the Department of Education's Safe and Drug-free Schools and Communities program provides grants to help schools develop and implement emergency plans. However, President Bush proposes eliminating this program that has helped so many schools across our country. There are countless examples of these misguided priorities in the budget.

In 2004, Congress nearly unanimously passed the Individuals with Disabilities Education Improvement Act to put the program on track to full funding, but this budget includes only $10.7 million for State grants. This means that once again, the Federal Government will only provide less than half of the amount promised to States to educate children with special needs. The budget also zeros out the TRIO programs—Gear Up, Talent Search and Upward Bound—which encourage economically disadvantaged Rhode Island students to seek higher education.

Even though energy independence was a major theme of the President's State of the Union Address, he is not funding his own proposals. After announcing America is ''addicted to oil,'' the President has increased Energy Efficiency and Renewable Energy programs by a paltry 0.2 percent. In addition, programs to increase energy efficiency and research hydropower and geothermal energy are cut. We need real leadership on this issue. The brightest minds in America put a man on the moon, and we need a similar effort to develop clean and renewable energy sources. A 0.2 percent increase will not accomplish that goal.

If the President truly wanted to make our country more competitive, he would not have avoided funding the Small Business 7(a) loan guarantee program and reduced Trade Adjustment Assistance, which retrains workers who lose their jobs because of foreign trade.

If the President wanted to enrich our communities, he would not have reduced funding for the community development block grants, COPS program, or Weatherization Assistance for energy efficient homes.

If the President wanted to make health care more accessible, he would not have increased fees for groups such as military retirees and Medicare beneficiaries. On top of all these cuts and fee increases, we still have the highest deficit in history as a result of the irresponsible tax policies the President seeks to continue. This is not the direction America should be moving.

The President had a tremendous opportunity to reflect the values and priorities of the American people. He could have asked for shared sacrifice and inspired us to achieve new heights. Instead, he has given us more of the same: tax cuts for the wealthiest, program cuts for the most vulnerable, and the middle class is left on their own. America deserves better.

TRIBUTE TO CYNTHIA MATHEWS

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 agency's first 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 revenues. 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 worked with 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 the women she has mentored take up the torch and encourage a new generations of voters to honor their 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 craftspeople 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, which includes two full-time construction professionals who provide on the jobsite 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. I would like to recognize February 21–February 28 as Construction Safety Week in St. Louis County.

97TH ANNIVERSARY OF THE NAACP, FEBRUARY 12, 2006

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Ms. MCCOLLUM of Minnesota. Mr. 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, Saint Paul NAACP is instilling hope through its establishment of the Help a Child to Read Project, where volunteers are connected with students to develop their reading ability.

A key component of the success of 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.

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.

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.

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. I also was reminded 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 Karabilah to the opening of a medical clinic in Kikuk 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 exemplary individuals from Idaho who are returning home from Iraq. Their courage, dedication, and patriotism truly mark them as America's newest generation of heroes. They deserve our utmost respect and heartfelt thanks.

HONORING PROFESSOR NELLIE McKAY

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

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 NEWSTALK RADIO 1370 WCOA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

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 her 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 Parker, Jim Roberts, and Bryan Newkirk, 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. Soon thereafter and ever since, 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 1991 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

Thursday, February 16, 2006

Mr. SODREL. Mr. Speaker, today, I am introducing legislation to address a problem in Indiana that threatens to spread across 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 ministers invited to deliver invocations before 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 assault by the 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 and judicial 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 unelected and unaccountable judges serving for life, I am introducing a bill to do the following: remove the review of content of speech 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

Thursday, February 16, 2006

Mr. POE. Mr. Speaker, the USS *Houston*, a 9050-ton Northampton class light cruiser, was built in Newport News, Virginia. Named for the great city of Houston, she was commissioned in June 1930 and reclassified as a heavy cruiser a year later. She played a crucial role in World Was II and became a flagship of the U.S. Fleet.

For 10 years, she served around the world on various missions and even transported President Roosevelt on certain occasions. But, in November 1940, as WWII deepened she returned to the Philippines for her second deployment as Asiatic Fleet flagship. A year later, she was sent south to Australian and Netherlands East Indies waters. As the heaviest unit of the Allied naval force in that area, she was actively employed in the desperate struggle against the Japanese East Indies' offensive.

The USS *Houston* was ordered to leave the area on February 28, 1942. Along with the Australian light cruiser *Perth*, the USS *Houston* encountered a strong Japanese navy force supporting an amphibious landing on western Java. On March 1, 1942, in a courageous night battle against all odds, *Houston* and *Perth* were sunk by enemy gunfire and torpedoes.

Six hundred and ninety two U.S. Soldiers and Marines, ⅔ of the crew, including the Captain, perished that evening. The remaining 368 surviving crewmen were captured by the Japanese Imperial Army. They became known as the ''Lost Battalion.''

Houston's fate was not known by the world for almost 9 months, and the full story of her brave plight was not fully told until after the war was over and her survivors were liberated from prison camps.

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

Houston Memorial in Sam Houston Park for a memorial service to honor the warship and her courageous crew.

The members of the Greatest Generation that were aboard the USS *Houston* were true American heroes. They represent the finest the Nation has ever produced. We honor the brave sailors, Marines and their crew who served on the USS *Houston* and we thank them for the sacrifices they made for freedom. We also pay tribute to the families of those who lost their lives in doing so. The heroic freedom fighters aboard the USS *Houston* will never be forgotten. They have made Texas proud. That's just the way it is.

RECOGNIZING CITY OF RIO RANCHO'S 25TH ANNIVERSARY

HON. 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.

HONORING 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 successful workplaces. Even 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 Parliamentary seats advocate for the destruction of the state of Israel. In the past years, the United States has given aid to the Palestinian Authority in the hopes of meeting the humanitarian needs of the Palestinian people. It is my hope that we will be able to provide for Palestinians who are in need of our help, but it is imperative that our assistance contribute to peace in the region.

As a nation committed to peace, assisting a Palestinian Authority with a political party holding a majority of the seats that actively calls for the destruction of the state of Israel is a step backwards on the path to peace. The internationally backed Roadmap requires that the Palestinian Authority launch ''sustained, targeted, and effective operations aimed at confronting all those engaged in terror.'' The Palestinian Authority cannot call for the destruction of Israel if it is to be a serious partner for peace. The members of the Palestinian Authority must assure us that they are interested in a better future for the Palestinian people and to do so, they must take steps to recognize Israel and its right to exist.

It is up to the United States and the international community to ensure that we do not directly aid the Palestinian Authority should the majority party maintain a position calling for the destruction of Israel. This resolution clarifies our 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 ON 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, D.C.

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 Titular Bishop of Garriana and Auxiliary to the Archbishop of Cincinnati. At the Archdiocese of Cincinnati, he directed the Archdiocesan Departments of Community Services and Pastoral Services.

It was not until November 11, 1992 that Marquette, MI was blessed with the wisdom and guidance of James H. Garland when he was installed as the eleventh Bishop of the Diocese 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 Committee 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 endowment campaign. To accomplish 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 confirmations.

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 tireless 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.

A driven leader during his time with the Fairfax County Board, Jack was the guiding force in setting the firm foundation for a growing and developing Fairfax County. His leadership brought us the Fairfax County Parkway, Interstate 66 inside the Beltway and the Dulles Access Road. The Virginia General Assembly aptly named the Fairfax County Parkway in his honor in 1995.

After attending Georgetown University as an undergraduate and as a law student, Jack formed Jack Herrity and Associates, a pension planning and insurance business. But public service was Jack's forte. He quickly became engaged in northern Virginia politics, serving on the Fairfax County Board of Supervisors from 1971 to 1987. He was elected chairman of the board in 1975 and served three terms. He recognized the potential of Fairfax County to become the largest jurisdiction in the Washington area and helped develop the once sleepy rural crossroads, Tysons Corner, into the thriving commercial district it is today.

Jack Herrity carved a place which is now and will forever be unmatched in Fairfax County history. We honor and remember Jack for his countless accomplishments and unwavering dedication to the people of Fairfax County. We insert for the RECORD a Washington Post obituary from February 2. Jack will be deeply missed by the people of Fairfax County, and at home by his family.

[From the Washington Post, Feb. 2, 2006]

(By Lisa Rein and Peter Baker)

John F. "Jack" Herrity, the former chairman of the Fairfax Board of Supervisors who ushered in a development boom that transformed the county from sleepy bedroom community to suburban colossus, died yesterday of heart failure. He was 74.

Herrity, whose scrappy battle with a weak heart first endeared him to Fairfax voters in the 1970s, succumbed to an aortic aneurysm at Inova Fairfax Hospital, where he was admitted two weeks ago with chest pain. He had a heart transplant 12 years ago.

In his heyday, Herrity dominated Northern Virginia politics as few others have, commanding attention with his pugnacious style and unabashedly pro-growth policies. His was a classic rise-and-fall political story—from his landslide victories as the Fairfax economy soared to unprecedented heights to his crushing defeat in 1987 when the onslaught of new cars finally overwhelmed county roads and voter patience.

Herrity was engaged in county affairs until the end. From his hospital bed last week, he was asking former aides to help run his likely campaign for board chairman next year, a race he lost in 2003 in a Republican primary. He was busy fighting plans to extend Metrorail to Dulles International Airport, saying the expense could not be justified. And, in an about-face some local politicians saw as cynical, he had joined in recent months with grass-roots activists—and the woman who defeated him, slow-growth Democrat Audrey Moore—to fight dense development planned for the county's last slivers of open space. He was at meetings almost every night.

"To Jack's credit, if he had a difference of opinion [with the county's leadership], he never sat on his hands," Eric Lundberg, the Fairfax GOP chairman, said. "He was willing to engage in the battle."

Herrity could be seen most mornings in a floppy wide-brimmed hat walking his black Labrador retriever, Raven, on the W & OD trail near his Vienna home, where he lived with his wife, JoAnn Spevacek-Herrity. They married in November.

"He's a piece of our history," said Board Chairman Gerald E. Connolly (D), who ordered county flags flown at half-staff yesterday. "He was a political adversary, but he would do it more often than not with a certain twinkle in his eye. It was more the love of the fight than the substance of the moment."

Herrity was the fourth person to serve as countywide chairman but the first to hold the job for a full term, let alone three. He defined the role as a quasi-mayoral position even though it has no real executive power.

He played a major role in building what was commonly referred to as the economic engine of Virginia. By fostering a superheated business environment, he helped lure Fortune 500 companies such as what was then known as the Mobil Corp. to Fairfax and convert a suburban crossroads called Tysons Corner into a commercial center larger than downtown Miami.

"Instead of jobs going out of the county," Herrity wanted jobs to stay in the county, Northern Virginia developer John T. "Til" Hazel said.

During this period of growth under Herrity, more than 1,000 people moved into Fairfax every month. The county grew into the largest jurisdiction in the Washington area. From Herrity's first election as chairman in 1975 to his ouster in 1987, the county's population jumped by more than a third, from 554,500 to 746,600—surpassing most U.S. cities and even several states. Today, more than 1 million people live in Fairfax.

He was an advocate for improving the county's road network and pushed to widen Interstate 66 inside the Capital Beltway. He first opposed, then campaigned hard for a major new road cutting through the county's midsection.

The General Assembly named the Fairfax County Parkway in his honor in 1995.

It was his quick-witted, never-say-die brand of politics that earned him a loyal following during a crucial transition period in Fairfax history.

With his burly build, balding pate and ever-present U.S. flag lapel pin, Herrity became a familiar figure in political and civic circles. Known simply as Jack, he crisscrossed the 399-square-mile county almost every day in search of any gathering of two or more people, often driving so fast that he collected a glove compartment full of speeding tickets that became legendary.

Throughout his tenure, Herrity was notorious for his penchant for the outrageous, shoot-from-the-hip statements.

When county officials were thinking about building a major government center, he suggested that they instead "build a circus tent and put the bureaucrats in it." He called Metro, which opened while he was in office, a "Mighty Expensive Transportation Rip Off."

His tart tongue extended to his rivals as well. In 1987, he derided Moore as a gadfly with so little support on the board that, if she made the motion, she "couldn't get a second to go to the bathroom." Four years later, he dismissed Rep. Thomas M. Davis III (R-Fairfax) as a "left-wing liberal" whose support from a taxpayers group was "like the chicken endorsing the fox." His relationships with both had softened in recent years.

Herrity saw no reason to apologize for his close alliance with the region's powerful developers, who he said had helped create a quality of life envied across the country—high-paying jobs, good schools, low crime.

But his ties to the real estate industry became his political undoing.

His 1986 conviction on a misdemeanor conflict-of-interest charge for failing to disclose a relationship with a builder only cemented Herrity's public image as a handmaiden of developers. By then, voter support for the breakneck pace of construction had dissolved amid maddening traffic gridlock. He

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 chairman 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, Herrity also failed at bids 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 Frances 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, where 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 homeowners 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.

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 Research Engineer. While stationed 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 eight Northeast States, the Commonwealth of Puerto Rico, 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 Stewards that brings together 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 Turnpike 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 professional commitment of 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.

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 Seth.

Luke was born November 7, 1978. He graduated from Simpson College in Indianola, IA. He and his wife Kara, who live in Waukee, IA, 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 2004. 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. She served as an advisor, friend, and pillar of support to people of all ages. She was loved for her kind spirit, her strong sense of patriotism, and her ability to clearly live her life based on the principles of respect and dignity for others. Marci worked side-by-side with Brian to build one of the most successful wrestling programs in the state of Iowa. She worked hand-in-hand with Ogden parents and athletes to promote the true spirit of athletics and helped shape many young athletes into responsible American citizens.

Education held a high priority in her life and she encouraged many young men and women to further their education and make a difference in the world. A scholarship has been established in her honor for one young woman each year through the Board of Directors at City State Bank. Marci was an active member of Zion Lutheran Church in Ogden, IA, where she taught Sunday school and served on numerous church committees throughout her life. Her faith in God was remarkable and she demonstrated a life example for all those she touched.

Mr. Speaker, as one of two boys, I always considered Marci the little sister I never had, and regarded her as a member of my own family.

HONORING ARMY SPEC. SERGIO ANTONIO MERCEDES SAEZ

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 2006

Mr. RANGEL. Mr. Speaker, I rise today to honor Army Spec. Sergio Antonio Mercedes Saez, a 23 year old soldier who lost his life on Sunday, February 5th in Iraq. He leaves behind a grieving family and a legacy of service and sacrifice of which our community is proud.

Mr. Mercedes, born in Puerto Rico, split his childhood between New York's Washington Heights and his parents' native Dominican Republic before enlisting in the military three years ago. He was serving his second tour of duty, assigned to the 2nd Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team, 101st Airborne Division, when the vehicle that he was riding accidentally rolled over in a canal.

Like so many of our young people, Mr. Mercedes was full of hopes and dreams, not only

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.

Daily Digest

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. **Page S1461**

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. **Pages S1475–76**

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. **Pages S1476–77**

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. **Pages S1477–78**

Washington's Farewell Address: Senator Salazar was recognized to deliver Washington's Farewell Address. **Page S1456**

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. **Page S1475**

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. **Page S1479**

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 resume consideration of S. 2271, to clarify that individuals who receive FISA orders can challenge nondisclosure 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. **Page S1479**

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

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.) **Page S1487**

Nominations Received: Senate received the following nominations:

Linda Avery Strachan, of Virginia, to be an Assistant Secretary of Agriculture.

Randall L. Tobias, of Indiana, to be Administrator of the United States Agency for International Development.

David F. Kustoff, of Tennessee, to be United States Attorney for the Western District of Tennessee for the term of four years.

John Charles Richter, of Oklahoma, to be United States Attorney for the Western District of Oklahoma for the term of four years.

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. **Pages S1481–87**

Measures Placed on Calendar: **Pages S1461, S1474**

Enrolled Bills Presented: **Page S1461**

Additional Cosponsors: **Pages S1461–62**

Statements on Introduced Bills/Resolutions: **Pages S1462–74**

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.

Next Meeting of the SENATE

2 p.m., Monday, February 27

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 3 p.m.), Senate will resume consideration of S. 2271, USA PATRIOT Act Additional Reauthorizing Amendments Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, February 28

House Chamber

Program for Tuesday: To be announced.

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Congressional Record

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