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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable WAYNE ALLARD, a Senator from the State of Colorado.

### PRAYER

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

Let us pray.

Loving King of the universe, thank You that nothing can separate us from Your love. Remind us that we are surrounded by Your unconditional, positive regard, regardless of our faults and failures. Help us to see that our anxieties and fears, our doubts and disappointments cannot diminish Your affection for us.

Today, bless the Members of this legislative body. Give them wisdom to see what needs to be done and the courage to do it. Help them to persevere in doing Your will, knowing that a productive harvest is certain.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 9, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WAYNE ALLARD, a

Senator from the State of Colorado, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Mr. ALLARD thereupon assumed the chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

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

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business, with Senators permitted to speak up to 10 minutes each.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. FRIST. Mr. President, today we will be in for a period of morning business. We do not expect a lengthy session over the course of this morning for today.

Last night, we reached an agreement to begin consideration of the Department of Defense authorization bill on Monday at 3 o'clock. Chairman WARNER and Senator LEVIN will be in the Senate inviting Members to deliver their opening remarks. We expect amendments to be offered later in the day on Monday. There will be no roll-call votes on Monday. I anticipate debating amendments and setting votes to occur on Tuesday morning. Therefore, we expect at least one vote to occur Tuesday prior to the policy meetings.

As a reminder to our colleagues, we will have the official photograph taken

in the Senate Chamber at 2:15 on Tuesday. Senators should be seated at their desk promptly at 2:15 to avoid missing that photograph.

Following that, we have a debate period set aside prior to a cloture vote on a mine safety and health nomination reported out of the HELP committee back in March.

Early next week, we will be considering the supplemental appropriations conference report when it arrives from the House. We hope to dispose of that conference report in a reasonable amount of time in order to return to the Defense authorization bill.

Clearly, there is much to do next week. We will need everyone's assistance as we schedule these items.

We currently have a lot of things going on in addition to what is going on in the Senate Chamber. The supplemental conference bill, as most people have heard, is coming along and has come along very well. We will be doing that next week. There is a pensions bill in conference. There is real progress being made on that particular bill as well.

### ALLIGATOR ALLEY CAR ACCIDENT

Mr. FRIST. Mr. President, I take a few moments to share an account of an event that occurred nearly 3½ years ago. The story I tell is a very tragic story. At the time, it received a lot of media coverage, but because of a recent fortuitous occurrence, it has again become relevant.

Each year around Christmas, some time before, usually afterwards, my family, Karyn and our three boys, and my extended family, have a tradition of going to Fort Lauderdale, FL, a tradition that began well over 40 years ago by my parents and my own brothers and sisters—I have two brothers and two sisters—and their children, and usually, almost always, several friends from a number of those individuals spend time together enjoying 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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occasion, being together as a family, reliving old memories and, along the way, creating new ones.

On New Year's Day in 2003, I had taken my sons, Jonathan and Bryan, two of my three sons, on a trip to the Everglades. It was to spend the day in the Everglades, showing them the beauty of that wonderful area and the rich tradition that is reflected by the beauty there and by nature. We had a wonderful day.

On the way back—and this is west of Fort Lauderdale—on the way back in, we were heading down what is Interstate 75 west in that part of Florida. It runs directly east back to Fort Lauderdale. That whole track is known as Alligator Alley. It was an ordinary day. We had a wonderful day together as a family. It was a great start to a new year—again, it was New Year's Day—an opportunity to share with family the beauty of that environment, the gorgeous, wonderful, magnificent part of this country.

As we were talking about events of the day as we were driving, suddenly traffic came to a halt. Just ahead, I saw red lights flashing. We pulled onto the median. I came out of the car because something clearly had happened, and it had just happened several moments earlier.

Walking down the median, I approached a horrific scene. It was a little bit in the distance, 100 yards away. There was a crumpled red car on its side, an SUV. There were men, women, and children who clearly had been thrown, hurled from that vehicle, a distance of 25, 50, even 75 yards. I remember looking out—again, it was a beautiful day, a sunny day—and as with any event such as this that occurs so quickly, so unexpectedly, we saw the streaming smoke coming from an overturned vehicle with an open door. We saw a crushed car. We did not see another car near it. Clearly, the car had flipped. Then we saw these bodies that were hurled, thrown, from this vehicle a great distance in this beautiful green median. It was a surreal environment.

It was not immediately clear to me how many people had been injured, but the fact you could tell there were several people around the car, and there were at least four people in the median over this distance, I knew that what I was witnessing was clearly devastating. It was serious.

At that time, there were no other health personnel on the scene. As a doctor, and as one who has spent days and years in emergency rooms and in operating rooms, in terms of the immediate response, it comes pretty natural in terms of evaluation, triage, and resuscitation. The real challenge was being out there, and you saw over a distance of 75 yards four people who had such a traumatic accident. Two adults had climbed out of the vehicle itself. There were four individuals—four, what appeared to be lifeless, motionless bodies, women and children, two children and two adults—who lay in the median.

Lara Spalding, whom I did not know at the time—I will come back to Lara in just a little bit—then was a nursing student at Nashville—this is the irony of it—Nashville's Belmont University, and actually worked in the emergency room there with some of my colleagues back at Vanderbilt, where I worked for 10 years as a cardio surgeon, heart surgeon, trauma surgeon.

She later described the scene that day:

It was awful. It looked like someone had dropped six people from a 5-story building.

At that point in time when I was there—and I didn't know Lara at the time—she was there either at the same time or a few seconds afterwards, there were no other doctors on the scene. Alligator Alley being so far out at that time—although it has changed, thank goodness—the emergency personnel had to come from within Fort Lauderdale to come out along one stretch of highway. It was probably 25, 30 miles, so health personnel were not yet on the scene.

When that sort of thing happens, you know your immediate responsibility needs to be to assess the situation, triage their care, and to initiate resuscitation appropriately, but the problem is people were scattered over a 75-yard distance.

I did what I could; that was, rapidly assess the ABCs in terms of resuscitation, in getting airways, and when the medical personnel started to arrive, both by helicopter, trauma teams, relief teams and ambulances started coming in, help them triage and direct them to the people who needed the care the most. And then for individuals conducting the appropriate resuscitation, of establishing an airway, making sure they were breathing and receiving CPR.

In that sort of event, it is important to get someone on the telephone to coordinate overall, so I spent a lot of time talking to 911 and the hospitals that coordinated the personnel, and as the paramedics arrived by helicopter, was able to say: You are on the ground now. Don't waste your time here; that is taken care of. And they were able to go to another patient.

I mentioned all that because I do think it is important for people to participate. Lara, at the time, was with one of the patients, cradling them, giving appropriate encouragement and instruction to personnel who were arriving who very much appreciate her heroism in stopping along the side of the road and assisting.

In addition to Ms. Spalding, there was an off-duty paramedic and five others who also stopped to help. Ms. Spalding, Lara Spalding—I will come back to her again shortly—at that time was a nursing student but before had been an Army medic who had worked at Vanderbilt University Trauma Center. She was of huge assistance in terms of the triage, assisting the paramedics.

I remember her going over to one boy who had a mangled leg. She cradled his

head and tried to keep him comfortable. She later said:

You're prepared for this when you're in a trauma center . . . but not when you're driving down the road.

I also want to comment on the men and women of the Broward County Sheriff's Office Division of Fire Rescue, particularly Incident Commander Chris Koski and his firefighters who also came on the scene and were so professional, so experienced. They deserve tremendous credit.

As far as the rescue operators, the first responders out there do not get enough credit. They are out there 24 hours a day responding to these incidents. They responded in such a quiet, humble, and heroic way. They all deserve our gratitude. They are heroes, not just for this particular day but for the work they do every day. That is what they do every single day and night.

I do remember the people whom we could not help: Felicie Kali, a beautiful 11-year-old girl whom we were unable to resuscitate, died at the scene. Her 14-year-old brother, Felix Kali, unfortunately, died later that day. Shadia Rene, a 20-year-old half-sister of the two, we were able to resuscitate but died 3 days later at the hospital. The two parents lived. A family friend who was in the automobile also lived.

After the tragic events of that day, I went back to see them the next day at the hospital, to console and to comfort them as much as one can in that time of tragedy.

There is little anyone can say directly to a family or to people involved to address such grief, but I do pray for their family to this day.

I clearly wish there was more that could have been done in response, despite the heroic actions of so many of the paramedical personnel, first responders, and Lara Spalding. I keep mentioning Lara Spalding because it was 2 years ago that my staff ran into her and talked to her. She was at that time working as a nurse at the Johns Hopkins University Hospital. In May, she took a new job. Today, she works here in the Nation's Capitol. I didn't know this until just a few days ago. She works in the Office of the Attending Physician. I was unaware of that and then had the opportunity to learn about that last week. I am delighted that she is here in the Nation's Capitol. I know she will be of great service to the U.S. Congress and to our Nation. While I would have gladly recommended her based specifically on her actions that day, I clearly had no role in her actually being hired but do appreciate her service.

#### SUPPLEMENTAL SPENDING

Mr. FRIST. Mr. President, I rise to discuss the issue of spending in Washington, DC. None of us, as elected representatives, Democrat or Republican, in the House or the Senate, can go home without people saying: Washington seems to be spending too much.

I mention that only because we are going to be addressing the supplemental bill.

As many people saw on the news last night, agreement was reached on the limit and content of the supplemental spending bill which we have been working on for well over 2 months. What we will talk about next week but what was demonstrated and what was released by the conference last night is that we are on the right track today. The level and the substance of that bill does adhere to our calls for a conference report that limited its total amount to the President's request for true emergency spending—no fat, no excessive spending. Those criteria have been met. It focuses resources on important priorities, priorities such as funding border security, which we spent well over a month on this floor talking about, on conducting the war on terror, and aiding hurricane recovery—all while exercising tight fiscal restraint and responsibility.

Also of note, the bill contains a fiscally prudent spending level for this year's regular appropriations bills. This bill sets a discretionary spending level at the President's request of \$873 billion—another very important point of maintaining fiscal discipline.

I applaud the leadership of Senator COCHRAN and Congressman LEWIS in the House to control Federal spending and to ensure effective and appropriate Government use of taxpayer dollars so that our deficit can continue to decline and our economy can continue to grow and prosper.

This adherence to keeping spending low, coupled with our Republican tax policy, has ushered in record economic growth: 5.3 million jobs have been created over the last 3 years; unemployment is down to 4.6, 4.7 percent, lower than the average of the 1990s, lower than the average of the 1970s—again, a huge success.

There is a lot more we have to do, but this supplemental bill is an important step, following through on Republican principles of fiscal restraint.

I yield the floor.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Montana is recognized.

#### IMMIGRATION

Mr. BURNS. Mr. President, I rise to comment on the events of the past week. We have received word that the leading terrorist in Iraq, Abu Musab al-Zarqawi, who was the mastermind of countless brutal attacks and taking lives of members of the U.S. Armed Forces and thousands of innocent Iraqis, was killed. This has been a long time coming. I commend those who worked tirelessly over the past year to finally see the fruits of their labors. Their dedication has saved countless lives. But that does not mean the war on terror is over. We still have a lot of work to do. We know the terrorists never give up. The greatest weapon they have is, of course, fear.

Last weekend, we also heard of a terrorist plot uncovered in Canada. Fortunately, those behind that plot were arrested before they could carry out their plans to murder the Canadian Prime Minister.

We are getting better at our intelligence. We are stopping these attacks. Of course, this will continue to be our mission, and for the people who are in the business of short-circuiting these plots, their job may never end. Terrorists will stop at nothing to incite fear in the minds and hearts of Americans and free-loving people all over the world.

We will fight as long as it takes to defeat them. Part of that fight is ensuring our security at home. My State of Montana borders Canada. In our part of the country, I like to say there is a lot of dirt between light bulbs. That makes it difficult to effectively patrol the border between my State and our friends to the north. Next time, will terrorists enter somewhere along that 550-mile border that my State shares with Canada? What makes it even more difficult is we are used to going back and forth between my State and Canada. We have farmers who farm on both sides of the border. They own farms in Canada, and they also own farms in Montana. Of course, we like the freedom of that movement.

The arrests last weekend have proven that illegal activity happens on our northern border, just like the problems we have on our southern border. I have said many times during the discussion of the immigration bill that we must know who is coming in this country and what for, and we also cannot have any credibility with the American people until we secure the border.

The Senate recently passed a massive immigration bill. There were a number of border security measures in the legislation—recommendations for a security fence, using the National Guard as backup and technical support, and other features. There were also provisions to enhance the security of our northern border, although I think even those could be stronger.

Most notably, however, this legislation did something else with which the American people do not agree: this legislation gave a pathway to citizenship for millions of illegal aliens. For this reason, I simply could not support the bill. Not only is it bad policy, but it sends the message that entering this country illegally is somehow OK.

Folks in my State have said: No amnesty for illegal aliens. They have been saying that until they are blue in the face. They feel strongly about it, so strongly that I received bricks in the mail with big letters on them: Secure the border and build the wall. I am not a big fan of walls. They have never had a history of success. But nonetheless, it sends a strong message on the things we should be doing.

It is a plain fact that illegal activity happens every day on our borders. We are in a great project in the State of

Montana called the Montana Meth Project. We are finding out that meth houses have been shut down. Law enforcement has done their job in our State. What we are finding now is meth coming in from outside our borders. Crystal meth is one of the worst fights we have in our State. Other criminal activities pose a threat to the safety of local communities and to our national security as a whole. I know folks in my State have seen this happen firsthand.

Up on the hi-line, border agents in Havre, MT, have arrested illegal immigrants from as many as 35 different countries. Many of these illegal immigrants are found hiding on trains as they pass through Havre and several other towns on the hi-line of Montana. In February, a fugitive thought to be armed and dangerous led the Montana Highway Patrol on two high-speed chases near Kalispell, MT, before being apprehended. He was trying to escape to Canada. Last October, Border Patrol agents spotted a man driving in a stolen pickup toward the Canadian border outside of Cut Bank, MT. After a standoff, the man was shot by officers acting in self-defense.

I know my colleagues from States that share international borders, northern and southern, have stories like this. They can go on forever. We have illegal aliens still flooding into this country through our southern border every day and, yes, some through the northern border. It is not too much to ask for our law enforcement agencies to find, detain, and deport those who have broken the law. It is overwhelming.

It is amazing to me that we can so diligently pursue terrorists as dangerous and as murderous as al-Zarqawi in Iraq and be successful, yet we do not meet with the same success here in this country. When it comes to our own borders, our own immigration policies, mistakes continue to be made both on the ground and here in this Congress.

More importantly, when we allow illegal aliens to stay, what kind of a message does that send to the rest of the world about our immigration policy? If you come here illegally, just wait it out. That is the message we are sending now. We will give you amnesty eventually. It seems that 20 years from now, it will be amnesty once again for even more of those who would enter this country illegally. The 1986 immigration reform act didn't work. Basically, the bill that recently passed the Senate—not with my support—almost mirrors the 1986 act. What good is history if we don't learn the lesson?

As the House and Senate come together to conference on this legislation, I advise taking into account what the American people are telling us. They are telling us what they want, and they are very clear with the message. Just as we continue our efforts in Iraq and our fight in this war on terrorism abroad, we must also ensure a secure border and sound immigration policy at home. There is no way we can

skirt the issue. It burns in the hearts of everybody in my State. They are very clear about the message. You do first things first and second things second.

The first thing we have to do to gain any credibility with the American people is to secure the border, knowing what the cost will be and knowing the job that is ahead of us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

#### WAR ON TERROR

Mr. ALLARD. Mr. President, I rise to discuss recent events that are positive steps in the war on terror for the United States and our allies abroad. The first is the announcement that the United States and foreign counterterrorism officials have worked together to make a series of arrests that appear to be linked to a web of Islamic extremists in Canada, the United States, and Europe. The recent death of Iraqi insurgent leader and al-Qaida member Abu Mus'ab al-Zarqawi is another. These are significant victories against those who wish our country harm.

Last week, Canadian officials arrested 17 people for allegedly plotting to carry out a campaign of bombings, kidnappings and other terrorist acts in Ottawa and Toronto. The arrests were made possible by the monitoring of Internet chat rooms and e-mail accounts tied to suspected Islamic extremists. The arrests came after three tons of ammonium nitrate—common garden fertilizer that is easily transformed into an explosive—was allegedly purchased from undercover officers. Two of 17 suspected terrorists were caught trying to smuggle guns and ammunition from the United States into Canada via the Peace Bridge last summer.

These individuals were allegedly using the Internet to communicate with terrorist facilitators abroad, such as a 22-year-old Web site operator with direct links to al-Qaida who was arrested by British police last October on charges of financing and supporting terrorist activities. Authorities believe the Web site operator was in contact with the individuals in the Canadian arrests, as well as two men in the U.S., sharing surveillance videos and other information for potential terrorist attacks. Included in the surveillance videos were many Washington, DC, landmarks.

Also, just last Tuesday British police arrested an American student in London as he prepared to board a flight to Pakistan. He was wanted in New York for allegedly providing military equipment to people who took it to members of Osama bin Laden's terrorist organization in Pakistan. Authorities have not ruled out a connection to the Canadian arrests.

Here in the U.S., the New York and Atlanta joint terrorism task forces recently arrested two men in connection with an alleged terrorist plot. The plot

included discussions about blowing up oil refineries and disabling navigational aids on airplanes. The investigation began when California police arrested two men for a gas station robbery. A subsequent search of their home turned up documents listing the addresses of U.S. military recruiting stations, the Israeli Consulate, and synagogues in the Los Angeles area. The investigation eventually revealed the existence of a terrorist cell that had been spawned by a small radical group operating in Folsom Prison who considered themselves the "al-Qaida of California."

American counterterrorism officials are joining forces with their colleagues around the world to unravel intricate webs of terrorist organizations that would do us great harm if not for the efforts of these counterterror experts. I commend them for their efforts to discover terrorist plots and bring them to a stop before they are carried out.

Much further from home, but still close to our hearts are the brave men and women of our Armed Forces deployed in the Middle East and Afghanistan.

I thank our servicemen and service-women in the U.S. Armed Forces for their on-going service to their country, their commitment to American ideals, and their determination to win the global war on terror. We need to continually express our gratitude to the families of the U.S. military personnel, especially those families who have lost loved ones during our most recent deployments to Iraq and Afghanistan.

Most important, our Armed Forces continue to seek out terrorists to disrupt their plans both in the Middle East and abroad. They also continue to provide support and guidance to the Iraqi and Afghani people in their newborn democracies. With their steadfast courage, our citizens in uniform have taken the battle to the enemy and achieved success.

Their most recent victory was the elimination of insurgent leader and al-Qaida member Abu Musab al-Zarqawi. His death is an enormous blow to those who continue to terrorize the Iraqi people. Zarqawi, whom Osama Bin Laden has heaped praise upon, has led a horrific campaign against our troops in Iraq and against the Iraqi people. I am thankful to say that this mass murderer will no longer be able to carry on attempts at undermining the Iraqi national government and the coalition.

Of note in his demise is the international cooperation that spearheaded the operation. After receiving tips and intelligence of his location from Jordanian sources, Coalition forces killed Zarqawi and many of his lieutenants yesterday in an airstrike. It was this exchange of intelligence information between the United States and Jordan that helped to permanently end Zarqawi's operations. I should also note that the Iraqi police were first on the scene after the air strike to help identify our success.

Also, perhaps lost among this news yesterday was another announcement made by Prime Minister Al-Maliki of Iraq that candidates have been named for important cabinet posts in the Iraqi government. After much negotiation, consensus picks were made to fill the defense and interior ministries—both key to a more secure and stable Iraq. Much of our success depends on the men and women forming the Iraqi government, and these are important steps to meeting the security challenges.

The recent announcements in Iraq and our international counterterrorism efforts, while significant, are only small victories in the overall global war on terror. There are more extremists who will line up to preach against democracy and freedom. There are still those that will attack the free people of this world and want to do us much harm.

After news of Zarqawi's death, the forces of al-Qaida in Iraq vowed publicly to continue their so-called "holy war" on innocent civilians. They have stated:

The death of our leaders is life for us. It will only increase our persistence in continuing holy war so that the word of God will be supreme.

In fact, only two hours after the Zarqawi announcement a bomb blew up in Baghdad killing at least nineteen people. It is clear that our success in Iraq against this enemy depends greatly on our continual cooperation with the Iraqi government and the new ministers in charge of security there.

The global war on terror has been a great challenge for our Nation. Yet while the cost has been high, the cost of doing nothing would be even greater. And we cannot do this alone. Only with help of our neighbors, countrymen, and allies throughout the world can we assure that our democratic ideals defeat those of the terrorist extremists. I thank all of them for a job well done.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, I ask unanimous consent to speak for up to 20 minutes in morning business.

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

Mr. CORNYN. I thank the Chair.

#### FIGHTING TERRORISM

Mr. CORNYN. Mr. President, there are two things on my mind today that I wanted to share with our colleagues.

First of all, I wanted to come to the floor to take issue with something that I view as a disturbing trend that I have seen develop over the last few days

when it comes to our ongoing efforts to liberate the Iraqi people and to fight the global war on terror.

Yesterday, during a 9 a.m. press conference with MG Bill Caldwell, the military spokesman in Baghdad, regarding the mission that killed terrorist Abu Mus'ab al-Zarqawi, one reporter asked:

Were you going for Zarqawi? We've heard that you have been going for some other people and then there was some luck involved.

To which Major General Caldwell replied:

We knew exactly who was there. We knew it was Zarqawi. And that was the deliberate target that we went to get.

An AP story yesterday said:

What may have changed the Americans' luck was U.S. Ambassador Zalmay Khalilzad's efforts to mend relations with Iraq's minority Sunni Arabs, alienated by the U.S. invasion and the new Shiite-dominated government.

And a story yesterday in Time Magazine entitled "How They Got Zarqawi; the Manhunt That Snared Him."

In part I quote that story:

The fact that intelligence agencies were able to close in on a man who had eluded capture for three years, during which his terror operations left thousands of Iraqis dead, suggests that some of those close enough to know Zarqawi's whereabouts and connections may have been ready to shop him to his enemies. Not necessarily, of course.

The story goes on to say:

The intel services could have simply gotten a lucky break through the slow but steady gathering of information, or Zarqawi could have made a mistake. Either way, a key agent in the chaos gripping Iraq has now been taken out of the equation.

Also, as we know, recently there were arrests of 12 men and 5 youths in Canada last weekend, foiling a major terrorist plot to attack targets in southern Ontario. The assistant director of operations of the Canadian Security Intelligence Service said the men arrested are followers of a "violent ideology inspired by al-Qaida."

In reporting on this story, CBS News also had this to say with regard to recent terror arrests:

Police in Toledo, Ohio busted another cell in February. This one consisted of three men training to attack U.S. forces overseas. Once again, luck played a role.

So, Mr. President, I got to thinking about this word, this four-letter word "luck." It is certainly a loaded term, and in the context of yesterday's operation, I think it is a pretty dismissive term as well.

Instead of luck, I would suggest that the elimination of Abu Mus'ab al-Zarqawi was a combination of professionalism, patience, persistence, and precision munitions, not luck. Professionalism, patience, persistence, and precision munitions, not luck.

To me, attributing all of this somehow to luck devalues the preparation of our men and women in uniform as well as our intelligence services and our coalition forces. It doesn't give adequate credit to the heightened awareness that we have exercised since

September 11, 2001, and it certainly doesn't do justice to patient, relentless execution of the war on terror by our fighting forces and allies. So I think it is time we get a little perspective.

Was it luck when officials were conducting an investigation that foiled a plot the impact of which had the potential to rival the bombing of the Oklahoma City Federal Building? Was it luck that motivated the Iraqis to tip U.S. forces to Zarqawi's whereabouts? Was it luck that trained our forces to execute that critical mission? And while we are on the subject, was it luck that our men and women in uniform executed the invasion and liberation of Iraq successfully and in a miraculously short period of time? Was it luck that Saddam Hussein was removed from his position as head of a terrible, tortuous regime and found cowering in a spider hole and brought to justice? Was it luck when CIA forces joined with Pakistani authorities to capture top al-Qaida operative Khalid Shaikh Mohammed?

I can't help but find it interesting that, as the old adage goes, the harder our military and intelligence forces work, the luckier they seem to get. Or it could be more apt to say it this way, in the words of the old adage, luck is when preparation meets opportunity.

All of these achievements were hard won, and all of the victories in this global war are bought with a dear price—and we should never forget that or try to dismiss that hard work and those efforts, the determination and sacrifice as merely luck.

It is not luck that is bringing the fight to the terrorists' doorstep. It is not luck that our country and our allies are hunting down those who would threaten our freedom and perhaps even our very way of life. September 11, 2001, was a dark day in our Nation's history. But let's not forget the meaning of our actions as we fight and win the war on terror is inextricably linked to the events on that day, the day the world mourned with us, the day our friends said, "Today we are all Americans."

Since that day we have worked to bring terrorists to justice, and we are succeeding. We are succeeding because of commitment, dedication, hard work, patience, and sacrifice. We are going to continue doing all that we can and all that we must to defend the cause of freedom.

I caution those who would dismiss these efforts in a world that in this context has little meaning. Let's recognize these accomplishments for what they are and be thankful for the protection provided by our men and women in uniform, our intelligence communities, our friends, and our allies.

#### IMMIGRATION

Mr. CORNYN. Mr. President, I note that today the Department of Homeland Security is announcing the publication of a regulation that addresses a

deficiency in the work verification process to make sure that only people who can legally work in the United States are capable of doing so. Of course, this is long overdue.

The Senate and the House have both passed immigration bills that would overhaul employment verification laws. Restricting the employment of undocumented workers as a means of reducing illegal immigration is not a new concept. For decades, policymakers have recognized that eliminating the magnet of illegal employment is the key, some might even say the linchpin, to controlling illegal immigration.

In 1981, the bipartisan Select Commission on Immigration and Refugee Policy recommended legislation making it illegal to hire undocumented workers. In 1997, the bipartisan U.S. Commission on Immigration Reform stated that eliminating the employment magnet is the linchpin of a comprehensive strategy to deter unlawful immigration.

The U.S. Commission on Immigration Reform went on to conclude that "the most promising option for verifying work authorization is a computerized registry based on the Social Security number."

Despite 25 years of consensus, current employment verification laws are unworkable and unenforceable. An employer must review some combination of up to 29 different documents to determine whether a new worker is legal. Document fraud and identity theft have contributed to the problem, making it easier for unscrupulous employers to look the other way and hire unauthorized workers. The employer sanctions provisions that were passed in 1986, which were supposed to be the tradeoff for the amnesty provided to 3 million people—those employer sanctions have been completely ineffective. So while the amnesty was a success in the sense that 3 million people got a pass, the enforcement necessary to avoid another buildup of illegal aliens was never delivered.

As I said at the outset, the Department of Homeland Security is issuing the publication of a regulation today that addresses this deficiency. It is proposing a rule that will help responsible employers ensure that they are not employing individuals who cannot legally work in the United States. When hired, employees in the United States must present documents to their employers to show that they can work here legally. Many people use their Social Security card as one of those documents.

When unauthorized aliens try to defraud their employers by presenting fraudulent identification or Social Security cards, the employers will often receive a "no match" letter from the Social Security administration. This "no match" letter informs the employer that the name associated with the Social Security number does not match.

Until now, many employers have not known what steps to take upon receiving such a mismatch notice. Many mistakenly believe that they must immediately fire the employee. The absence of clear guidance has frustrated employers and, all too often, legal employees end up losing their jobs because of this confusion. The proposed rule outlines clear steps that employers can take in reaction to receiving "no match" letters.

The proposed rule contains a safe harbor for employers. If businesses follow these procedures in good faith, they can be assured they will not be subject to sanctions.

While the vast majority of employers seek to comply with the law, too many employers turn a blind eye to obvious violations of the law. In fact, a small percentage of employers are responsible for a large percentage of "no match" letters. The General Accounting Office reported that between 1985 and the year 2000, only 8,900 employers were responsible for 30 percent of "no match" reports.

Some of the other statistics in the General Accounting Office report are even more troubling. Several employers used one Social Security number for more than 100 different employees—the same Social Security number for more than 100 different employees. One employer used a single Social Security number for 2,580 different wage reports. Mr. President, 8.9 million wage reports had all zeros for the Social Security number. In other words, there was no attempt made whatsoever to come up with the correct and accurate number, so zeros were offered as a Social Security number in 8.9 million wage reports.

Mr. President, 43 different employers used the same Social Security number for more than one employee—for 16 years in a row.

The Department of Homeland Security recently conducted the largest worksite enforcement raid to date against a company known as IFCO Systems, arresting more than 1,000 illegal aliens and charging several managers with criminal violations.

Approximately 53.4 percent of the Social Security numbers for IFCO systems were invalid—half—and Social Security had notified the company more than 13 times regarding these discrepancies before it finally acted.

This regulation will therefore provide guidance to employers who seek to comply with the law and will allow the Government to prosecute those who turn a blind eye. But this action by the Department of Homeland Security is only a Band-Aid for the underlying problem. Employers do not have a reliable method to ascertain whether employees are eligible to work in the United States. A paper-based system such as we have now, where you can use up to 29 different documents, will always be vulnerable to fraud and abuse.

Electronic verification is the way. It has been tested for more than 10 years,

and an independent review of the program, the so-called basic pilot program, found that 96 percent of participating employers believe the electronic verification system is an effective tool for employment verification. The Senate immigration bill improves upon the current paper-based system and requires an expansion of the electronic verification system. But the Department of Homeland Security Secretary Chertoff told me personally that he has problems with some of the provisions in the Senate bill and that, as drafted, he considers it unworkable.

In my capacity as chairman of the Immigration, Border Security and Citizenship Subcommittee of the Senate Judiciary Committee, I intend to hold a hearing in the coming weeks on this critical issue of employment verification to make sure we get it right.

Twenty years ago Congress sold Americans a bill of goods. They said if you will accept the amnesty, then we will have workable worksite verifications and sanctions against employers who cheat. Yet today, here we are wrestling with the problem, not of 3 million undocumented workers but 12 million. Obviously, the amnesty without worksite verification and employer sanctions is merely a magnet for future illegal immigration.

I believe Americans are a forgiving people. If someone makes a mistake and repents, asks forgiveness and says; I'll try better next time, they are pretty forgiving. But if we are viewed as merely repeating the same mistakes and attempting to trick the American people into accepting another amnesty without actually trying to solve the problem, the consequences for our society and for our national security and for our economy will be too great.

I will, therefore, continue to work with my colleagues diligently during the conference with the House to develop an employment verification system, along with a temporary worker program, that reduces employer burdens and protects workers' rights, but which will allow us finally, once and for all, to come to grips with our broken immigration system.

#### RECOGNITION FOR LINK PIAZZO

Mr. REID. Mr. President, I rise today to honor one of Nevada's true patriots, Lincoln Piazza: a Reno native, veteran, businessman, and philanthropist.

Link Piazza is the son of proud Italian immigrants who came to Reno in the early 1900s. Link was born in Reno on December 11, 1918. His father was committed to realizing the good life in America and passed this motivation on to his children. Link inherited his father's great commitment to honesty, vision, helping friends, and the belief that there is no country like the United States of America.

Link attended Mary S. Doten Elementary School, Northside Junior High School, and Reno High School. During

World War II, he served as a pilot in the U.S. Army Air Corps and flew B-25 bombers on 67 combat missions. He is an honored war veteran and a recipient of the Distinguished Flying Cross for significant war efforts and achievements.

Community involvement has always been a major part of Link Piazza's life. He has spent a significant time giving to others and contributing to his community. He has donated his energy and resources to a number of civic and fraternal organizations and is a well-respected citizen of the community. Link volunteered his services as official scorer and timer for high school zone and State basketball tournaments for 33 years. He was a sports broadcaster for the University of Nevada games from 1945 to 1950 and was co-organizer of the first Reno Little League. He is cofounder of the Reno Junior Ski Program that still continues to benefit local junior skiers.

As a northern Nevada community leader, Link has been a member of many civic and social organizations. He has served on the Reno YMCA Board, the Reno Rodeo Association Executive Committee, Sierra Nevada Sportswriters and Broadcasters Association, National Sporting Goods Association, the Local United Way Chapter Board, the Board for Hidden Valley Properties, the Reno Rodeo Association Executive Committee, and the Reno Rotary Club. Link has been honored by the National Sporting Goods Association—National Sporting Goods Hall of Fame, and the Washoe County School District's Outstanding Graduate Award for Outstanding Community Service.

Link has also played a significant role in his community's development. In 1938, he cofounded the Sportsman Store with his brother. He was also co-developer of the Hidden Valley Country Club and Golf Course properties. He has supported the Reno Rotary Club, construction projects for the Reno High School Alumni Center, the Nevada Humane Society's Regional Animal Shelter, and the Reno YMCA Youth Center.

Link's positive outlook on life serves as motivation for all who meet him. He weathered the Great Depression, fought in World War II, and helped to build and then nurture his community and country. Link is a very successful man when success means helping others and helping others achieve. He works hard and has persevered. Link Piazza is a true American patriot and humanitarian.

#### DISCUSSING TAX CUTS

Mrs. CLINTON. Mr. President, in the wake of yet another contentious debate over the size and scope of the Republican tax cuts, I believe that it is high time that this Chamber engages in a serious discussion about the fiscal condition of our Nation and that Senators make an objective assessment of what the economic policies of the last 5

years have wrought on our Nation's long-term economic security. It is critically important that we realize that every tax cut we debate or enact today, will have a cost for workers and future generations down the road. Despite the best wishes of some Senators, there is no such thing as a tax cut that pays for itself and the fiscal profligacy of the last few years will have a dramatic effect on the economic opportunities for the next generation of Americans. Indeed, what has made this Nation great is only the result of the commitment of each generation of Americans to leave a country for their children and grandchildren that was a little better than they found it. We need to ask whether our economic choices today will enable us to fulfill that commitment.

A recent article in U.S. News and World Report magazine has clearly laid out what is at stake with the fiscal decisions that we have made and will continue to make in the months and years to come. Therefore, I ask unanimous consent that this article be printed in the RECORD.

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

[From U.S. News and World Report, May 1, 2006]

PLAYING FAIR ON TAXES

(By Mortimer B. Zuckerman)

Millions of Americans breathe relief at having filed their tax returns. Once again they were face to face with the complexities of compliance, which is why the average American family spends about 26 hours on the task. Every administration promises it will simplify the tax codes, but 60 percent of Americans still need professional help, at a cost of \$150 billion a year. They are not dummies. They are busy, honest people who have to cope with grotesquely swollen federal tax regulations. The number of rules has risen by over 40 percent in the past four years, from 46,900 in 2000 to 66,498 last year. Is there anyone, really, who can figure out the complicated and tricky alternative minimum tax? Designed to stop rich people from claiming too many deductions, it now ensnares millions of middle-class families.

There is no point in expecting Congress to simplify the tax code. Why? Because congressmen need lobbyists to get elected, which means they need millions of dollars, and the lobbyists are intent on inventing new complexities to give tax breaks to well-connected companies and individuals or for fashionable public crusades.

Even more lamentably, Congress, over the past five years, has diminished the progressivity of our tax system, which has always required richer people to pay a higher rate than poorer ones. A progressive tax has long supported an expanding middle class and should provide the greatest rewards for the people who work hardest. But the Bush tax cuts have made it less so.

The 2001 income tax rate cuts and the 2003 capital-gains and dividends cuts have lowered the average tax rate for the richest one tenth of 1 percent of Americans by 3.8 percent but reduced taxes just .03 percent for the bottom 20 percent. Of the tax savings on investment, the lion's share—more than 70 percent—went to the top 2 percent. Of the 90 percent of taxpayers who make less than \$100,000, only 14 percent benefited from the dividend-tax cut and only 5 percent from the

capital-gains-tax cut. People who own stocks hold them in retirement accounts, which are ineligible for investment relief, and when withdrawn, the profits are reduced by the higher rate applied to wage earnings.

In this way, the tax burden on the richest has been reduced to where those who earn \$10 million or more pay at a lesser rate than those who earn between \$500,000 and \$1 million. (And the top 400 pay at an even lower rate!) In part, that's why the share of income going to the top 1 percent of Americans has jumped from 9 percent to 14 percent of our national income, an increase of 50 percent. It is inequitable, reprehensible, absurd, and unfair. Is it any wonder that an NBC News/Wall Street Journal poll last year found that most Americans, 54 percent, believed the Bush tax cuts weren't worth it?

Class warfare? Yes, these cuts have helped stimulate the economy. But they have also turned the impressive fiscal surplus when President Clinton left office into a long-term budget deficit now trillions of dollars, of which about 60 percent can be attributed to the "Bush effect." These deficits are mortgaging workers' future pay gains to fund baby boomers' retirement payments.

And they're being financed with borrowed money, which will have to be repaid, with interest, by taxpayers of the future. All of this as we face an aging population that will drive up the cost of government retirement programs with serious consequences for our future living standards in the form of higher taxes or lower benefits. Social Security will provide less of a safety net; Medicare will not be able to guarantee healthcare to older Americans; and Medicaid will no longer be able to help the poor.

The tax cuts on investment income should not be extended after they expire in 2010. One argument in favor of keeping the cuts in place is that eliminating them would hurt economic growth. Yet, when President Clinton raised the marginal rate on high incomes, the opposite occurred: Unemployment dropped without causing inflation; productivity and growth accelerated to levels not seen since the 1960s, and the budget deficit was converted to an impressive surplus. Government borrowing stopped draining the capital markets, freeing up money for private investment.

Nor can it be said that taking these new tax cuts from the wealthy would amount to class warfare. It is hardly class warfare to suggest that some of the \$750 billion a year that the top 10 percent of income earners are taking in now should go to sustain the fiscal health of the country and the expansion of our middle class and to maintain America as a true land of opportunity.

Remember that job security, private pensions, and employer-provided healthcare coverage are being cut back. Remember that there is significant erosion in public services such as schools, colleges, transportation, health, recreation, and job training. Understand why large numbers of people in our society are feeling increasingly vulnerable. It is time to redress the balance.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE SPANGLER CANDY COMPANY

• Mr. DEWINE. Mr. President, today I recognize an outstanding achievement resulting from a century of hard work and perseverance. This August, the Spangler Candy Company, a family-owned business based in Bryan, OH, will be celebrating its 100th birthday.

This is quite a milestone—a testament to Spangler's commitment to its customers and community.

On August 20, 1906, Arthur Spangler purchased the Gold Leaf Baking Company in Defiance, OH, for \$450 and moved the operations to Bryan. The Spangler Manufacturing Company was born, originally producing baking soda, baking powder, corn starch, laundry starch, spices, and flavorings. Arthur's brother, Ernest, joined the company 2 years later and suggested adding candy to the production line. This proved to be an excellent idea. In 1920, the name changed from the Spangler Manufacturing Company to the Spangler Candy Company. Since that time, the Spangler Candy Company has remained a family-owned and operated business and maintains the values that made it so successful—hard work and innovation.

In 2001, an outside warehouse fire at Oberhaus Enterprises in Archibold, OH, destroyed 110,000 cases of Spangler products at a value of \$6.5 million. This disaster could very easily have destroyed the Spangler spirit, but instead, it only made the organization stronger. Today, the Spangler Candy Company employs about 400 people in the United States and is a global leader in confectionary production and sales. The company has helped many Ohioans build their dreams, while at the same time, the Spangler Corporation has achieved the American dream.

So today I salute the Spangler Corporation for a century of demanding work, inspiration, and commitment to the northwest Ohio area. I wish them all the best for the next 100 years. ●

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 Committee on the Judiciary.

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

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. COBURN (for himself, Mr. DEMINT, Mr. INHOFE, Mr. CORNYN, and Mr. VITTER):

S. 3488. A bill to amend the Internal Revenue code of 1986 to expand the permissible use of health savings accounts to include health insurance payments, to increase the dollar limitation for contributions to health

savings accounts, to allow the rollover of unused funds from health reimbursement arrangements to health savings accounts, and for other purposes; to the Committee on Finance.

By Mr. DODD (for himself and Mr. BURR):

S. 3489. A bill to provide loans and grants for fire sprinkler retrofitting in nursing facilities; to the Committee on Banking, Housing, and Urban Affairs.

#### ADDITIONAL COSPONSORS

S. 635

At the request of Mr. SANTORUM, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 635, a bill to amend title XVIII of the Social Security Act to improve the benefits under the medicare program for beneficiaries with kidney disease, and for other purposes.

S. 2278

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. MENENDEZ) 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. 2599

At the request of Mr. VITTER, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 2599, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit the confiscation of firearms during certain national emergencies.

S. 2635

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2635, a bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters.

S. 2658

At the request of Mr. LEAHY, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 2658, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

S. 2831

At the request of Mr. LUGAR, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2831, a bill to guarantee the free flow of information to the public through a free and active press while protecting the right of the public to effective law enforcement and the fair administration of justice.

S. 3114

At the request of Mr. NELSON of Florida, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 3114, a bill to establish a bipartisan commission on insurance reform.

S. 3486

At the request of Mr. ROCKEFELLER, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 3486, a bill to protect the privacy of veterans, spouses of veterans, and other persons affected by the security breach at the Department of Veterans Affairs on May 3, 2006, and for other purposes.

S. RES. 494

At the request of Mr. SANTORUM, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. Res. 494, a resolution expressing the sense of the Senate regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DODD (for himself and Mr. BURR):

S. 3489. A bill to provide loans and grants for fire sprinkler retrofitting in nursing facilities; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DODD. Mr. President, I rise to introduce bipartisan legislation with my colleague from North Carolina, Senator BURR, that seeks to protect nursing home residents, staff, and visitors from the dangers associated with fire.

In February, 2003, a multialarm fire at a nursing home in Hartford, CT, took the lives of 16 residents. It was the worst nursing home fire in Connecticut's history. The tragic loss of life was made worse by the fact that the nursing home lacked an automatic sprinkler system—a defect disturbingly present in many nursing homes across the country.

I believe many Americans—especially those with a loved one in a nursing home facility—would be shocked to learn that, according to the Government Accountability Office, GAO, between 20 and 30 percent of the country's 17,000 nursing homes lack an automatic sprinkler system. In its 2004 report, the GAO found that “the substantial loss of life in the [Hartford fire] could have been reduced or eliminated by the presence of properly functioning automatic sprinkler systems.” Furthermore, the report concluded that “the Federal oversight of nursing home compliance with fire safety standards is inadequate.”

Responding to the fire in Hartford and a similar tragedy in Nashville, TN, the Center for Medicare and Medicaid Services, CMS, required that nursing homes without automatic sprinkler systems install battery-operated smoke detectors. While this new requirement was viewed as a positive step, it was largely criticized by fire and patient-safety advocates because smoke detectors are often not wired to a central alarm system or a fire department.

I believe it is safe to assume that nursing home directors do not choose freely to operate their facilities without automatic sprinkler systems. According to the GAO and American Health Care Association, most nursing homes simply cannot afford the cost incurred by installing an automatic sprinkler system. Furthermore, almost all of these facilities cannot afford the cost because of forces beyond their control. Today, nursing homes—including many in Connecticut—are financially strained by inadequate reimbursement rates from Medicare and Medicaid, rising insurance premiums, rising energy costs, and the general cost of care for some of our country's sickest patients.

That is why Senator BURR and I are introducing this legislation. The Nursing Home Fire Safety Act of 2006 contains two principal components.

First, the legislation includes a resolution expressing the sense of Congress that, within 5 years, every nursing home facility in the United States should be equipped with an automatic sprinkler system. The resolution also urges CMS to adopt the National Fire Protection Association's Life Safety Code, a nationally-renowned set of criteria addressing “construction, protection, and occupancy features necessary to minimize danger to life from fire, including smoke, fumes, or panic.”

Second, the legislation provides low-interest loans and grants to nursing homes in proven need of financial assistance. The larger loan initiative assists nursing homes that cannot afford the upfront costs of installing automatic sprinkler systems but can afford to pay back a low-interest Government loan. The smaller grant initiative would assist qualified nursing homes that lack any ability to pay for the installation of an automatic sprinkler system. Together, these initiatives would provide critical resources to prevent tragedies like those seen in Hartford and Nashville from occurring again.

I thank my colleague from North Carolina, Senator BURR, for introducing this bipartisan measure with me. I also thank Congressmen JOHN LARSON from Connecticut and PETER KING from New York for spearheading companion legislation in the House. I look forward to working with all of my colleagues to protect nursing home residents, staff, and visitors from the dangers associated with fire.

I ask unanimous consent that the full text of the legislation be printed in the CONGRESSIONAL RECORD.

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

S. 3489

*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 “Nursing Home Fire Safety Act of 2006”.

#### SEC. 2. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) An estimated 1,500,000 Americans reside in approximately 16,300 nursing facilities nationwide, an estimated 20 to 30 percent of which lack an automatic fire sprinkler system.

(2) In a July 2004 report, the Government Accountability Office found that “the substantial loss of life in [recent nursing home] fires could have been reduced or eliminated by the presence of properly functioning automatic sprinkler systems” and that “Federal oversight of nursing home compliance with fire safety standards is inadequate”.

(3) Many nursing facilities lack the financial capital to install sprinklers on their own and must consider closure as an alternative to taking on large loans or other financing options in order to install sprinklers.

(4) Recognizing that automatic fire sprinkler systems greatly improve the chances of survival for older adults in the event of a fire, the National Fire Protection Association, with the support of the American Health Care Association, the fire safety community, and the nursing facility profession, recently issued the 2006 edition of the Life Safety Code which requires automatic sprinklers in all existing nursing facilities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) within 5 years, every nursing facility in America should be equipped with automatic fire sprinklers in order to ensure patient, resident, and staff safety;

(2) the Centers for Medicare & Medicaid Services (CMS) should quickly adopt the 2006 edition of the Life Safety Code, recently issued by the National Fire Protection Association with the support of the nursing home industry, which includes the requirement that all nursing facilities be fully sprinklered; and

(3) the Centers for Medicare & Medicaid Services, in collaboration with Congress, should take into consideration the costs of retrofitting existing nursing home facilities and commit itself to providing facilities with the critical financial resources necessary to ensure the speedy and full installation of life saving sprinkler systems.

#### SEC. 3. DIRECT LOANS FOR FIRE SPRINKLERS RETROFITS.

(a) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall establish a program of direct loans to existing nursing facilities to finance retrofitting the facilities with an automatic fire sprinkler system. Such loans shall be made under terms and conditions specified by the Secretary.

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

#### SEC. 4. SPRINKLER RETROFIT ASSISTANCE GRANTS.

(a) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall establish a program to award grants to nursing facilities for the purposes of retrofitting them with an automatic fire sprinkler system. Such grants shall be awarded under terms and conditions specified by the Secretary.

(b) PRIORITY.—In awarding grants under this section, the Secretary shall give a priority to applications that demonstrate a need or hardship. In determining hardship, the Secretary may take into account factors such as the number of residents who are entitled to or enrolled in the medicare program under title 18 of the Social Security Act (42 U.S.C. 1395 et seq.) or receiving assistance under the medicaid program under title 19 of

such Act (42 U.S.C. 1396 et seq.), the age and condition of the facility, and the need for nursing facility beds in the community involved.

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

#### EXPRESSING CONDOLENCES TO FAMILIES OF VICTIMS OF INDO-NESIAN EARTHQUAKE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate Foreign Relations Committee be discharged from further consideration of S. Res. 503, and the Senate then proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 503) mourning the loss of life caused by the earthquake that occurred on May 27, 2006, in Indonesia, expressing condolences of the American people to the families of the victims, and urging assistance to those affected.

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

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD.

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

The resolution (S. Res. 503) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 503

Whereas, on May 27, 2006, a powerful earthquake measuring 6.2 on the Richter scale occurred in Indonesia, centered near the City of Yogyakarta;

Whereas the earthquake and continuing aftershocks have caused more than 5,000 deaths, resulted in serious injuries to additional tens of thousands of people, and left hundreds of thousands of people with damaged or destroyed homes;

Whereas thousands of people in the affected region are living in temporary shelter or lack basic services, such as clean water and sanitation, thereby increasing the risk of additional suffering and death; and

Whereas the United States and donors from at least 20 other countries have, to date, pledged several millions of dollars in emergency and long-term reconstruction assistance, and have begun to deliver humanitarian supplies to survivors of the earthquake: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the tragic loss of life and horrendous suffering caused by the earthquake that occurred on May 27, 2006, in Indonesia;

(2) expresses the deepest condolences of the people of the United States to the families, communities, and government of the thousands of individuals who lost their lives in the earthquake;

(3) expresses sympathy and compassion for the hundreds of thousands of people who have been left with destroyed or damaged homes or have been seriously affected by this earthquake;

(4) welcomes and commends the prompt international humanitarian response to the earthquake by the governments of many countries, the United Nations and other international organizations, and nongovernmental organizations;

(5) expresses gratitude and respect for the courageous and committed work of all individuals providing aid, relief, and assistance, including civilian and military personnel of the United States, who are working to save lives and provide relief in the devastated areas;

(6) urges the President and the Government of the United States to provide all appropriate assistance to the Government of Indonesia and people of the affected region; and

(7) recognizes the lead role of the Government of Indonesia in providing assistance and promoting recovery for the affected population.

#### ORDERS FOR MONDAY, JUNE 12, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2 p.m. on Monday, June 12; I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each until 3 p.m., when the Senate will proceed to consideration of S. 2766, the Defense authorization bill, as under the previous order.

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

#### PROGRAM

Mr. FRIST. Mr. President, on Monday, the Senate will be considering the Defense authorization bill. Following opening remarks and recognition of Chairman WARNER and Senator LEVIN, amendments may be debated and offered. The first vote of next week will occur on Tuesday morning before the Senate recesses for the weekly policy luncheons. This vote could be on a Defense amendment or a nomination. We will alert Members when that vote is scheduled. The Senate will also have a cloture vote at 3:30 on Tuesday afternoon on the nomination of Richard Stickler to be Assistant Secretary of Labor for Mine Safety and Health. The conference report to the emergency supplemental appropriations bill has been filed, and we expect to vote on that early in the week. Senators are reminded that the official photograph of the 109th Congress will occur at 2:15 on Tuesday. Senators should be seated at their desks no later than 2:15.

#### FAREWELL AND EXPRESSION OF THANKS TO SENATE PAGES

Mr. FRIST. Mr. President, finally, let me say thank you to our spring semester pages. Today is their final day in the Senate. I join all of my colleagues

in praising them for their hard work and effort throughout this year.

I ask unanimous consent that a list of their names be printed in the RECORD.

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

Bradford Black, Deloreon Burton, Jamie Catron, Logan Copley, Joseph Curtsinger, Mark Douglass, Sarah Drake, Megan Faulkner, Bobby Fraser, Amy Furcron, Eric Goldstein, Karen Goodheart, Ben Green, Sarah Graybill, Juliana Ho, Benjamin Hovies, Sara Jarman, Bolton Kirchner, Annie Middleton, Lea Moser, Hayley Panasiuk, Kim Pitney, Michael Schoenleber, Aysia Shumway, Cory Sprunger, Parker von Sternberg, Cheryl Walton, Justin Whaley.

ADJOURNMENT UNTIL MONDAY,  
JUNE 12, 2006, AT 2 P.M.

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 11:42 a.m., adjourned until Monday, June 12, 2006, at 2 p.m.

#### NOMINATIONS

Executive nominations received by the Senate June 9, 2006:

##### DEPARTMENT OF JUSTICE

BRETT L. TOLMAN, OF UTAH, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF UTAH FOR THE TERM

OF FOUR YEARS, VICE PAUL MICHAEL WARNER, RESIGNED.

SHARON LYNN POTTER, OF WEST VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF FOUR YEARS, VICE THOMAS E. JOHNSTON, RESIGNED.

GEORGE E.B. HOLDING, OF NORTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS, VICE FRANK DEARMON WHITNEY.

PHILLIP J. GREEN, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE RONALD J. TENPAS, RESIGNED.

TROY A. EID, OF COLORADO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF COLORADO FOR THE TERM OF FOUR YEARS, VICE JOHN W. SUTHERS, RESIGNED.

R. ALEXANDER ACOSTA, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS, VICE MARCOS D. JIMENEZ, RESIGNED.