

keep their doors open and their lights on: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress supports the goals and ideals of "Lights On Afterschool!" a national celebration of after school programs.

Mr. DODD. Mr. President, today Senator ENSIGN and I, along with 42 co-sponsors, are submitting a concurrent resolution with the House designating October 12, 2006 as Lights On Afterschool Day. Lights on Afterschool is a national celebration of afterschool programs, designed to promote the critical importance of afterschool in the lives of America's children, families, and communities. This year alone, we expect over 1 million Americans to participate in this important celebration.

Quality afterschool programs keep kids safe, help working families, and improve academic achievement. It has been demonstrated that children in afterschool programs show greater interest in school, learn new skills, exhibit improved behavior and get better grades than their peers. Afterschool programs also build stronger communities by involving our students, parents, business leaders and adult volunteers in the lives of our young people, thereby promoting positive relationships among children and adults.

In America today, more than 28 million children have parents who work outside the home. As many as 15 million of these children have no place to go after school and consequently are missing out on important opportunities to learn and grow. Two-thirds of Americans say that it is difficult to find programs in their communities and that not enough programs are available.

In our work on the Senate Afterschool Caucus, Senator ENSIGN and I have been working for more than a year to impress upon our colleagues the importance of afterschool and are proud to say that 34 of our colleagues have joined the Caucus to date. We hope that they, along with other Members of the Congress, will join us on October 12th to celebrate the importance of afterschool programs in their communities back home.

MEASURE PLACED ON THE CALENDAR—H.R. 6061

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

The PRESIDING OFFICER. The clerk will report the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 6061) to establish operational control over the international land and maritime borders of the United States.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

UNANIMOUS CONSENT AGREE- MENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, as in executive session, I ask unanimous consent that at 2:15 p.m. on Tuesday, September 19, the Senate proceed to executive session to consider Executive Calendar No. 171, Alice Fisher; provided further that there be 90 minutes under the control of Senator LEVIN, 30 minutes under the control of Senator LEAHY, and 90 minutes under the control of Chairman SPECTER or his designee, plus 1 hour under the control of Senator REID, and 1 hour total under the control of Senator FRIST and myself; provided further, that following the use or yielding back of time, the Senate proceed to a vote on the confirmation of the nomination, with no intervening action or debate, and that following the vote, the President be immediately notified of the Senate's action, and the Senate resume legislative session.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Nos. 892, 895, 898, and 899.

I further ask unanimous consent that the nominees be confirmed en bloc, the motions to reconsider be laid upon the table, and the President be immediately notified of the Senate's action.

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

The nominations were considered and confirmed en bloc as follows:

DEPARTMENT OF STATE

Donald C. Johnson, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea.

DEPARTMENT OF THE INTERIOR

Mark Myers, of Alaska, to be Director of the United States Geological Survey.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

William B. Wark, of Maine, to be Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

William E. Wright, of Florida, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

PROTOCOL AMENDING 1962 EXTRA- DITON CONVENTION WITH ISRAEL

U.N. CONVENTION AGAINST CORRUPTION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to consider the following

treaties on today's Executive Calendar: Nos. 16 and 18. I further ask unanimous consent that the treaties be considered as having passed through their various parliamentary stages, up to and including the presentation of the resolutions of ratification; that any committee conditions, declarations, or reservations be agreed to as applicable; that any statements be printed in the RECORD as if read; and that the Senate take one vote on the resolutions of ratification to be considered as separate votes; further, that when the resolutions of ratification are voted upon, the motion to reconsider be laid upon the table, the President be notified of the Senate's action, and that following the disposition of the treaties, the Senate return to legislative session.

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

Mr. MCCONNELL. Mr. President, I ask for a division vote on the resolutions of ratification.

The PRESIDING OFFICER. A division is requested. All Senators in favor of the resolutions of ratification will stand and be counted.

Those opposed will stand and be counted.

On a division, two-thirds of the Senators present and voting having voted in the affirmative, the resolutions of ratification are agreed to.

The resolutions of ratification are as follows:

[Treaty Doc. 109-3 Protocol Amending 1962 Extradition Convention With Israel]

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Protocol between the Government of the United States of America and the Government of the State of Israel Amending the Convention on Extradition of 1962, signed at Jerusalem on July 6, 2005 (Treaty Doc. 109-3).

[Treaty Doc. 109-6 U.N. Convention Against Corruption]

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to Reservations and Declarations.

The Senate advises and consents to the ratification of the United Nations Convention Against Corruption (hereinafter in this resolution referred to as the "Convention"), adopted by the United Nations General Assembly on October 31, 2003, and signed by the United States on December 9, 2003, at Merida, Mexico (T. Doc. 109-6), subject to the reservations in section 2 and the declarations in section 3.

Section 2. Reservations.

The advice and consent of the Senate under section 1 is subject to the following reservations, which shall be included in the United States instrument of ratification:

(1) The United States of America reserves the right to assume obligations under the Convention in a manner consistent with its fundamental principles of federalism, pursuant to which both federal and state criminal laws must be considered in relation to the conduct addressed in the Convention. U.S. federal criminal law, which regulates conduct based on its effect on interstate or foreign commerce, or another federal interest, serves as an important component of the legal regime within the United States for combating corruption and is broadly effective for this purpose. Federal criminal law

does not apply where such criminal conduct does not so involve interstate or foreign commerce, or another federal interest. There are conceivable situations involving offenses of a purely local character where U.S. federal and state criminal law may not be entirely adequate to satisfy an obligation under the Convention. Similarly, in the U.S. system, the states are responsible for preventive measures governing their own officials. While the states generally regulate their own affairs in a manner consistent with the obligations set forth in the chapter on preventive measures in the Convention, in some cases they may do so in a different manner. Accordingly, there may be situations where state and federal law will not be entirely adequate to satisfy an obligation in Chapters II and III of the Convention. The United States of America therefore reserves to the obligations set forth in the Convention to the extent they (1) address conduct that would fall within this narrow category of highly localized activity or (2) involve preventive measures not covered by federal law governing state and local officials. This reservation does not affect in any respect the ability of the United States to provide international cooperation to other States Parties in accordance with the provisions of the Convention.

(2) The United States of America reserves the right not to apply in part the obligation set forth in Article 42, paragraph 1(b) with respect to the offenses established in accordance with the Convention. The United States does not provide for plenary jurisdiction over offenses that are committed on board ships flying its flag or aircraft registered under its laws. However, in many circumstances, U.S. law provides for jurisdiction over such offenses committed on board U.S.-flagged ships or aircraft registered under U.S. law. Accordingly, the United States shall implement paragraph 1(b) to the extent provided for under its federal law.

Section 3. Declarations.

(a) The advice and consent of the Senate under section 1 is subject to the following declaration:

The United States of America declares that, in view of its reservations, current United States law, including the laws of the States of United States, fulfills the obligations of the Convention for the United States. Accordingly, the United States of America does not intend to enact new legislation to fulfill its obligations under the Convention.

(b) The advice and consent of the Senate under section 1 is subject to the following declarations, which shall be included in the United States instrument of ratification:

(1) In accordance with Article 66, paragraph 3, the United States of America declares that it does not consider itself bound by the obligation set forth in Article 66, paragraph 2.

(2) The United States declares that the provisions of the Convention (with the exception of Articles 44 and 46) are non-self-executing. None of the provisions of the Convention creates a private right of action.

LEGISLATIVE SESSION

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

ORDERS FOR MONDAY, SEPTEMBER 18, 2006

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2 p.m. on Monday, September 18. 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 for morning business, with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. McCONNELL. Mr. President and Members of the Senate, next week we will resume consideration of the Oman free trade bill. Under the time agreement, we will have a vote on passage on Tuesday. Senators should expect this vote to occur before our weekly policy lunches. This will be the first vote of the week.

We now also have an agreement to finish a very important nomination, that of Alice Fisher—of Louisville, KY, I might add—to be Assistant Attorney General for the Criminal Division. We will consider that nomination early next week as well. I thank all Members for their attention.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 18, 2006, AT 2 P.M.

Mr. McCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 12:34 p.m., adjourned until Monday, September 18, 2006, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate September 15, 2006:

SOCIAL SECURITY ADMINISTRATION

MICHAEL J. ASTRUE, OF MASSACHUSETTS, TO BE COMMISSIONER OF SOCIAL SECURITY FOR A TERM EXPIRING JANUARY 19, 2013, VICE JO ANNE BARNHART.

DEPARTMENT OF STATE

BARBARA BOXER, OF CALIFORNIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

NORMAN B. COLEMAN, OF MINNESOTA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

NED L. SIEGEL, OF FLORIDA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

BARBARA MCCONNELL BARRETT, OF ARIZONA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

CECIL E. FLOYD, OF SOUTH CAROLINA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DAVID PALMER, OF MARYLAND, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2011, VICE CARI M. DOMINGUEZ, TERM EXPIRED.

ELECTION ASSISTANCE COMMISSION

CAROLINE C. HUNTER, OF FLORIDA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2009, VICE PAUL S. DEGREGORIO, TERM EXPIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate Friday, September 15, 2006:

DEPARTMENT OF STATE

DONALD C. JOHNSON, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EQUATORIAL GUINEA.

DEPARTMENT OF THE INTERIOR

MARK MYERS, OF ALASKA, TO BE DIRECTOR OF THE UNITED STATES GEOLOGICAL SURVEY.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

WILLIAM B. WARK, OF MAINE, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

WILLIAM E. WRIGHT, OF FLORIDA, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

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.