

thereby prevented us from having the time to do any meaningful review. We are now in the position of trying to rush through too many nominees too quickly for us to give them real consideration.

The White House continues to undermine our process. Instead of working with us and focusing on consensus nominees, the President sent back to us five highly controversial nominees who had been returned to the White House. Sadly, the Senate Republican leadership, which has rubberstamped a number of very poor nominations, may force us to spend time and energy debating troublesome nominations, rather than reviewing and confirming good ones.

We have been accommodating, and we will continue to be, but the Judiciary Committee and the Senate should not be a rubber stamp for the President's nominations. We should be taking our constitutional responsibility to advise and consent seriously. That means carefully reviewing the nominees' records and making sure that these are appropriate nominees for lifetime appointments to important Federal judgeships.

A customary practice in the Senate would have been for the leaders, the Republican and Democratic leaders, to have sat down with the Chairman and the Ranking Member by now and have worked out a process to conclude the year with respect to judicial nominations. I would have urged that we concentrate on completing our work on those nominations most likely to be confirmed and to maximize the number of confirmations. Sadly, that meeting has not occurred and apparently will not.

I congratulate Francisco Besosa and his family on his confirmation today.

Mr. President, in the absence of any other Senator seeking recognition, 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. LOTT. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. LOTT. Mr. President, I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Francisco Augusto Besosa, of Puerto Rico, to be United States District Judge for the District of Puerto Rico? The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from Ohio (Mr. DEWINE), the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN),

the Senator from Pennsylvania (Mr. SANTORUM), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Montana (Mr. BAUCUS), the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from Hawaii (Mr. INOUE), the Senator from Wisconsin (Mr. KOHL), and the Senator from New Jersey (Mr. MENEDEZ) are necessarily absent.

The PRESIDING OFFICER (Mr. GRAHAM). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 0, as follows:

[Rollcall Vote No. 253 Ex.]

YEAS—87

Alexander	Dorgan	McConnell
Allard	Durbin	Mikulski
Allen	Ensign	Murkowski
Bennett	Enzi	Murray
Bingaman	Feingold	Nelson (FL)
Bond	Feinstein	Nelson (NE)
Boxer	Frist	Obama
Bunning	Graham	Pryor
Burns	Grassley	Reed
Burr	Gregg	Reid
Byrd	Hagel	Roberts
Cantwell	Harkin	Rockefeller
Carper	Hutchison	Salazar
Chafee	Inhofe	Sarbanes
Chambliss	Isakson	Schumer
Clinton	Jeffords	Sessions
Coburn	Johnson	Shelby
Cochran	Kennedy	Smith
Coleman	Kerry	Snowe
Collins	Kyl	Specter
Conrad	Landriau	Stabenow
Cornyn	Lautenberg	Stevens
Craig	Leahy	Sununu
Crapo	Levin	Talent
Dayton	Lieberman	Thomas
DeMint	Lincoln	Thune
Dodd	Lott	Voinovich
Dole	Lugar	Warner
Domenici	Martinez	Wyden

NOT VOTING—13

Akaka	DeWine	Menendez
Baucus	Hatch	Santorum
Bayh	Inouye	Vitter
Biden	Kohl	
Brownback	McCain	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. MARTINEZ). The President will be immediately notified of the Senate's action.

Mr. FRIST. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business.

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

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS NICHOLAS A. MADARAS

Mr. LIEBERMAN. Mr. President, I wish to pay tribute to PFC Nicholas A. Madaras, U.S. Army, of Wilton, CT.

While in Boqouba, Iraq, with the 168th Combined Arms Battalion, 3rd Brigade Combat Team, 4th Infantry Division, Private Madaras died on September 3, 2006, of injuries he sustained when an improvised explosive device detonated near his dismounted patrol.

He is remembered by those who knew him in the community as a leader on the soccer field, a sharp and focused student, a quiet but intense warrior, and as a caring and creative young man. He is remembered by his comrades as a good-humored soldier in a league of extraordinary heroes, mature beyond his years. Described as having tremendous potential with a heart of courage, he caused many to wonder why he had interrupted a promising education and chose the Army instead. Feeling uncomfortable just watching others serve, he responded to them that he was compelled to do his part for his country.

Private Madaras epitomizes the American spirit which permeates our great Nation. Living as a true patriot and defender of our principles of freedom and justice, he consistently put others ahead of himself. While I am saddened by his loss, I am also both proud and grateful that we have the kind of fighting force exemplified by Private Madaras serving in our Armed Forces.

Our Nation extends its heartfelt sympathy to his family. I offer my condolences to his father William, to his mother Shalini, to his sister Marie, and to his brother Christopher. We extend our appreciation for sharing this outstanding soldier with us, and we offer our prayers and support.

SUCCESSFUL NEW MEXICO PROGRAMS

Mr. DOMENICI. Mr. President, I rise today to discuss some successful Department of Defense and Department of Homeland Security programs created in my home State of New Mexico.

One project, the foreign language translator, is a hands-free, voice-activated translator that allows troops to speak English phrases that are automatically broadcast in Arabic. The electronics for the translator are built by Crane Corporation of Albuquerque, NM and Laguna Industries assembles and tests the units in Cibola County, NM. I secured \$1.4 million for this project in fiscal year 2005 Department of Defense funding, and its usefulness was highlighted in a June 19 Forbes article which quoted a Coast Guardsman as saying the device is the best interpreting tool available to date.

Another project, the National Infrastructure Simulation and Analysis Center, or NISAC, is a joint Sandia/Los Alamos National Laboratories initiative that was created in 2000. NISAC studies critical infrastructure and models the effects of a potential terrorist attack on such infrastructure. This work has proven invaluable to our Nation. NISAC accurately predicted

the effect of Hurricane Katrina on New Orleans and was cited by the White House as a positive part of the Federal Government's efforts in response to Hurricane Katrina. I have helped fund NISAC since its inception, including securing \$7 million for a NISAC facility in fiscal year 2003 and providing \$5 million more than the President requested for the program in fiscal year 2006.

Lastly, the Expeditionary Unit Water Purification, or EUWP, Program is a desalination program developed by the Office of Naval Research and tested in Otero County, NM. I have secured more than \$30 million for this project, and it has been money well spent. When the water supply at the Coast Guard's Loran Station at Port Clarence, AK was contaminated last summer, an EUWP unit was deployed to Alaska to create fresh water from brackish water for troops there. In the aftermath of Hurricane Katrina, two EUWP units were deployed to Mississippi to provide fresh water to both victims and rescue workers. Clearly, the program is accomplishing its mission.

I am proud of these success stories and am glad to have helped three such successful programs secure the Federal funding they needed to do—important tasks for our Nation.

VISIT OF KAZAKHSTAN PRESIDENT NURSULTAN NAZARBAYEV

Mr. FEINGOLD. Mr. President, I would like to bring attention to a visitor the White House plans to receive this week—the President of Kazakhstan, Nursultan Nazarbayev. My colleagues in this body can be forgiven if they haven't heard much about his visit; there aren't going to be any press conferences or state dinners to welcome him. In fact, the Bush administration has kept very quiet about the invitation it extended to President Nazarbayev, who is expected to arrive later this week. I don't blame them for trying to downplay the visit; President Nazarbayev is widely acknowledged to be a corrupt dictator and someone who has built a record of contempt for the rule of law, the quashing of a nascent democracy, and the destruction of a free press. This is not the kind of leader who should be granted the privilege of an official White House visit.

According to the State Department's most recent Human Rights Report, in 2005 Kazakhstan's "human rights record remained poor. Legislation enacted during the year seriously eroded legal protections for human rights and expanded the powers of the executive branch to regulate and control civil society . . . [The laws that were passed] encroached on political rights, freedom of the press, freedom of religion, and other human rights." The Justice Department and the FBI have accused President Nazarbayev—who has been in control of the country since 1990—of corruption and reportedly considered indicting him on bribery and other charges under the Foreign Corrupt

Practices Act. Instead they indicted his personal financial adviser, James Giffen, while identifying President Nazarbayev as the recipient of tens of millions of dollars in payoffs of cash and gifts in an oil lease deal.

President Bush has said that his goal is to spread democracy and the rule of law around the world. But this goal is hard to reconcile with his support for one of the world's most repressive and corrupt dictatorships.

Mr. President, the Washington Post recently published an insightful article on this issue, which I would like to have printed in the RECORD. I hope my colleagues will have the opportunity to read it and will join me in calling on President Bush to cancel this visit and send the message that there is no room in the White House for those who have such disregard for democracy and the rule of law. 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:

WITH KAZAKH'S VISIT, BUSH PRIORITIES CLASH—AUTOCRAT LEADS AN OIL-RICH COUNTRY

(By Peter Baker)

AUGUST 29, 2006.—President Bush launched an initiative this month to combat international kleptocracy, the sort of high-level corruption by foreign officials that he called "a grave and corrosive abuse of power" that "threatens our national interest and violates our values." The plan, he said, would be "a critical component of our freedom agenda."

Three weeks later, the White House is making arrangements to host the leader of Kazakhstan, an autocrat who runs a nation that is anything but free and who has been accused by U.S. prosecutors of pocketing the bulk of \$78 million in bribes from an American businessman. Not only will President Nursultan Nazarbayev visit the White House, people involved say, but he also will travel to the Bush family compound in Maine.

Nazarbayev's upcoming visit, according to analysts and officials, offers a case study in the competing priorities of the Bush administration at a time when the president has vowed to fight for democracy and against corruption around the globe. Nazarbayev has banned opposition parties, intimidated the press and profited from his post, according to the U.S. government. But he also sits atop massive oil reserves that have helped open doors in Washington.

Nazarbayev is hardly the only controversial figure received at the top levels of the Bush administration. In April, the president welcomed to the Oval Office the president of Azerbaijan, Ilham Aliyev, who has been accused of rigging elections. And Secretary of State Condoleezza Rice hosted Teodoro Obiang Nguema, the president of Equatorial Guinea, who has been found to have millions of dollars stashed in overseas bank accounts.

But the Kazakh leader has received especially warm treatment, given that the same government that will host him next month plans to go to trial in federal court in January to prove that he was paid off in the 1990s by a U.S. banker seeking to influence oil rights. Although the banker faces prison time, Nazarbayev has not been charged and has called the allegations illegitimate.

In addition to Nazarbayev's upcoming visit, Vice President Cheney went to the former Soviet republic in May to praise him

as a friend, a trip that drew criticism because it came the day after Cheney criticized Russia for retreating from democracy. The latest invitation has sparked outrage among Kazakh opposition.

"It raises the question of how serious is the determination to fight kleptocracy," said Rinat Akhmetshin, director of the International Eurasian Institute, who works for Kazakh opposition. "Nazarbayev is a symbol of kleptocracy . . . and yet they are bringing him in. That sends a very clear signal to people inside Kazakhstan who are very well aware that he stole money from them."

The White House declined to comment because it has not yet officially announced the visit, but Deputy Assistant Secretary of State Evan Feigenbaum was in Kazakhstan last week working out details, and Kazakh officials said the trip will take place in late September. A spokesman for former president George H.W. Bush confirmed that Nazarbayev will visit Kennebunkport as part of his U.S. stay. "An old friend of his was in the U.S. and he extended an invitation," Bush spokesman Tom Frechette said.

An administration official, speaking on the condition of anonymity because the invitation has not been announced, said President Bush often meets with leaders of countries "that are not yet democracies" and uses the time to push for more freedom. "We've always been frank in our discussions with government officials from Kazakhstan about our concerns about lack of democratic movement, and we always press them for democratic reform," the official said.

Kazakhstan, a vast nation of 15 million on the Central Asian steppe, has emerged as an increasingly important player in the world energy market. With the largest crude oil reserves in the Caspian Sea region, Kazakhstan pumps 1.2 million barrels a day and exports 1 million of that. The Kazakh government hopes to boost production to 3.5 million barrels a day by 2015, rivaling Iran. U.S. and Russian companies and governments have competed for access to its oil.

Nazarbayev, 66, a blast-furnace operator-turned-Communist functionary, has led Kazakhstan since 1990, when it was part of the Soviet Union, and has since won a series of tainted elections. His government has banned or refused to register opposition parties, closed newspapers and harassed advocacy groups. Two opposition leaders were found dead of gunshots in disputed circumstances.

But the Bush administration considers Nazarbayev a friendly, stable moderate in a region of harsher, sometimes hostile dictators and has been hopeful he will open up and cleanse his government. The Kazakh government under Nazarbayev recently embarked on an anti-corruption campaign that has resulted in arrests of mid-level officials.

"I really do think he has learned how to be clean," said Martha Brill Olcott, a Kazakhstan specialist at the Carnegie Endowment for International Peace. "He has learned a lot more about how you can promote to some degree divestiture [of assets]. Most of his holdings are, I wouldn't say transparent, but they're more so."

Others aren't sure. "When the United States is transparently soft on friendly dictators like Nazarbayev, it undermines the effort to be tough on not-so-friendly dictators," said Tom Malinowski of Human Rights Watch.

Transparency International, an anti-corruption organization, ranks Kazakhstan 2.6 on a 10-point scale, placing it 107th out of 159 countries graded. That's a decline from a 3.0 grade and 65th place in 2000.

"You don't have free elections, and the press is pretty much controlled by his family, and a significant portion of assets in