

Mr. President, I yield the floor.

NOMINATION OF MICHAEL
BAROODY

Mr. NELSON of Florida. Mr. President, the White House has just announced the President has withdrawn the nomination of Michael Baroody to be the Chairman of the Consumer Product Safety Commission. I think this is a wise move on the part of the White House because of the perceived conflict of interest of Mr. Baroody—an employee of the National Association of Manufacturers being nominated to be the Chairman of the very regulatory agency that governs the regulation and the safety of the very products of the industry from which he comes.

It would be like, in my former life as the elected insurance commissioner, if in a State where the Governor appointed the insurance commissioner, a regulator, the Governor would pick an executive of an insurance company to regulate the very industry he came from as the insurance commissioner.

By the way, that happens with tremendous frequency in the 50 States, that they appoint the insurance commissioner, and they are usually there for less than a year. Then the revolving door turns again, and they go right back into the very industry from which they came and of which they had just been the regulator.

Putting someone from the National Association of Manufacturers at the head of the Consumer Product Safety Commission is a similar kind of potential conflict of interest.

I will give you another example. My former colleague and friend in the House, Billy Tauzin—a distinguished public servant, Congressman formerly from Louisiana—now is the head of Pharmaceutical Research and Manufacturers of America. This would be like the White House appointing Billy Tauzin—the very head of an association in the industry—to regulate that industry by making him head of the Food and Drug Administration, the regulatory body that would regulate the pharmaceutical industry.

Of course, I do not think the White House would even think of doing such a thing.

Well, a similar kind of conflict of interest arose. But a more serious note even arose than the potential conflict when it became apparent there was a severance package that had been created for Mr. Baroody while he was still in the employ of the National Association of Manufacturers that was for \$150,000; and subsequently we learned of an additional amendment to that severance package, after it was announced he was nominated to be Chairman of the Consumer Product Safety Commission.

Mr. Baroody came in and we had a discussion about this issue. He had his own explanation. I do not take anything from that explanation. So, naturally, the next request that I made was

that I think the Commerce Committee ought to see the documents of the \$150,000 severance package and its amendments, its subsequent modification.

Mr. Baroody said he would consider that request. Of course, the clock was ticking because there was going to be a hearing in front of the Commerce Committee tomorrow on his nomination. But, in the meantime, the White House has just announced it is having the President withdraw the nomination.

I will conclude by saying we have a saying down in the South in regard to avoiding a conflict of interest. It is like putting a fox in charge of the hen house, the very hen house with the hens you want to protect. It is an apparent conflict of interest. I think the White House was well served to withdraw the nomination.

TRIBUTE TO SENATOR TED
STEVENS

Mr. SPECTER. Mr. President, I seek recognition to congratulate my friend Senator TED STEVENS on becoming the longest serving United States Republican Senator in the history of the Senate. He has had a long and distinguished career in public service representing the State of Alaska in the Senate for over 39 years, casting over 14,000 votes, and never receiving less than 67 percent of the vote in any election.

My recollections of TED STEVENS, during the 27 years we have served together in the Senate, focus on his chairmanship of the Defense Appropriations Subcommittee, where he has done so much to promote our national security. For example, his management of the \$87 billion supplemental appropriations bill for fiscal year 2003 earned him high praise by President Bush during the signing ceremony.

TED's temper is generally misunderstood except by those who know him well. He doesn't lose it, but he does use it—and very effectively. However, it is true that on occasion he makes Vesuvius look mild. I recollect one all-night session during Senator Howard Baker's tenure as majority leader when TED expressed himself in an unusually emphatic way. As I recall it, the debate arose over Senator Proxmire's comments about submitting vouchers for travel expense in Wisconsin on his contention that Washington, DC, was his home base. That prompted a reaction from TED, who was aghast at the thought of Washington, DC, being any Senator's home when he had the majestic Alaska to claim as his home.

Some thought that the middle-of-the-night incident might have cost him a couple votes, which could have been decisive, on his election for majority leader in November of 1984, when the count was 28 to 25 in favor of Senator Dole, but it was reliably reported that his loss occurred because of the significant slippage in votes caused by the tobacco interests.

In any event, Senator STEVENS has had a profound effect on the Senate and the Nation in his roles as chairman of the Defense Appropriations Subcommittee, chairman of the full Appropriations Committee, and as President pro tempore.

It is also important to note that Senator STEVENS' career in public service began even before he arrived in the U.S. Senate. He is a distinguished veteran of the U.S. Army Air Corps, having flown support missions for the Flying Tigers of the 14th Air Force during World War II, for which he was awarded numerous medals, including the Distinguished Flying Cross. He had a strong academic career, graduating from UCLA and Harvard Law School. In the 1950s, he practiced law in Alaska before moving to Washington, DC, to work in President Eisenhower's administration. He subsequently returned to Alaska and was elected to the Alaska House of Representatives in 1964 and soon became majority leader. Finally, in 1968, he was appointed U.S. Senator from Alaska and has represented his State ever since with pride and devotion.

His recognition as "Alaskan of the Century" is a real tribute, and I have no doubt that when the passage of time calls for the designation of "Alaskan of the Millennium," it will be Senator TED STEVENS.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS JEFFREY AVERY

Mr. SALAZAR. Mr. President, I rise to remember a Coloradan lost to us in Iraq.

Army PFC Jeffrey A. Avery was just 19 years old when he was lost to this life late last month in Muqudadiyah, Iraq.

Jeffrey attended Coronado High School in 2005 and went on to attend Pikes Peak Community College, where he was studying criminal justice with the hopes of becoming a police officer. He enjoyed the outdoors and would spend his summers in California with his grandparents.

But instead of these pursuits, Jeffrey decided to answer his Nation's call.

In Iraq, Specialist Avery served as a military police officer, training for his future. At the time he was killed, he was manning a checkpoint, helping to keep others safe from harm.

President John F. Kennedy once said, "Every area of trouble gives out a ray of hope, and the one unchangeable certainty is that nothing is certain or unchangeable."

Private First Class Avery embodied this hope with his service to our Nation. He chose to put himself into the area of trouble and to assume the responsibility of hope for millions of Iraqis and Americans.

He will be missed by all those around him, and he and his family will remain in our prayers.

CORPORAL CHRISTOPHER DEGIOVINE

Mr. President, I wish to take a moment to remember a fallen Marine Cpl