

“(2) DISTRIBUTION OF PROPERTY.—The receiver shall have the power to distribute property in its control to each victim identified in an order of restitution at such time, and in such manner, as the court may authorize.”

(b) CONFORMING AMENDMENT.—The section analysis for chapter 232 of title 18, United States Code, is amended by inserting after the item relating to section 3664 the following:

“Sec. 3664A. Preservation of assets for restitution.”

**SEC. 743. AMENDMENTS TO THE ANTI-FRAUD INJUNCTION STATUTE.**

Section 1345(a) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking “or” at the end; and

(B) by inserting after subparagraph (C) the following:

“(D) committing or about to commit a Federal offense that may result in an order of restitution;” and

(2) in paragraph (2)—

(A) by striking “a banking violation” and all that follows through “healthcare offense” and inserting “a violation or offense identified in paragraph (1)” and

(B) by inserting “or offense” after “traceable to such violation”.

**SEC. 744. AMENDMENTS TO THE FEDERAL DEBT COLLECTION PROCEDURES ACT.**

(a) PROCESS.—Section 3004(b)(2) of title 28, United States Code, is amended by inserting after “in which the debtor resides,” the following: “In a criminal case, the district court for the district in which the defendant was sentenced may deny the request.”

(b) PREJUDGMENT REMEDIES.—Section 3101 of title 28, United States Code, is amended—

(1) in subsection (a)(1) by inserting after “the filing of a civil action on a claim for a debt” the following: “or in any criminal action where the court may enter an order of restitution”; and

(2) in subsection (d)—

(A) by inserting after “The Government wants to make sure [name of debtor] will pay if the court determines that this money is owed.” the following:

“In a criminal action, use the following opening paragraph: You are hereby notified that this [property] is being taken by the United States Government [the Government], which says that [name of debtor], if convicted, may owe as restitution \$ [amount]. The Government says it must take this property at this time because [recite the pertinent ground or grounds from section 3101(b)]. The Government wants to make sure [name of debtor] will pay if the court determines that restitution is owed.”

(B) by inserting after “a statement that different property may be so exempted with respect to the State in which the debtor resides.” the following:

“[In a criminal action, the statement summarizing the types of property that may be exempt shall list only those types of property that may be exempt under section 3613 of title 18.]” and

(C) by inserting after “You must also send a copy of your request to the Government at [address], so the Government will know you want the proceeding to be transferred.” the following:

“If this Notice is issued in conjunction with a criminal case, the district court where the criminal action is pending may deny your request for a transfer of this proceeding.”

(c) ENFORCEMENT.—Section 3202(b) of title 28, United States Code, is amended—

(1) by inserting after “a statement that different property may be so exempted with respect to the State in which the debtor resides.” the following:

“[In a criminal action, the statement summarizing the types of property that may be exempt shall list only those types of property that may be exempt under section 3613 of title 18.]” and

(2) by inserting after “you want the proceeding to be transferred.” the following:

“If this notice is issued in conjunction with a criminal case, the district court where the criminal action is pending may deny your request for a transfer of this proceeding.”

This Act may be cited as the “Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2008”.

**NATIONAL CHARACTER COUNTS WEEK**

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 351, which was submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 351) designating the week beginning October 21, 2007, as “National Character Counts Week.”

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

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. DODD. Mr. President, today Senator DOMENICI and I submitted a resolution designating next week, the week of October 21–27, 2007 as “National Character Counts Week.” I have worked for many years on the issue of character education and hope that by designating a special week to this important cause, students and teachers will come together to participate in character building activities in their schools this week and throughout the year.

Senator DOMENICI and I first established the Partnerships in Character Education Pilot Project in 1994 and since then we have worked together regularly to commemorate National Character Counts Week. Character education is about celebrating what’s right with young people while enabling them to develop the knowledge and life skills necessary in order to embrace ethical and responsible behavior. I am pleased that we are continuing our efforts today to help expand the ability of States and schools to make character education a central part of every child’s education.

While English, math and science provide the figurative bricks of schools, character education provides the mortar. Trustworthiness, respect, responsibility, fairness, caring, and citizenship are the six pillars of character. The standards of conduct that arise out of those values constitute the foundation of ethics, and therefore, of ethical decisionmaking. Character education provides students a context within which to learn. If we view education simply as the imparting of knowledge to our children, then we will not only miss an opportunity, but we will also jeopardize our future.

Currently, there are character education programs across all 50 States in rural, urban and suburban areas at every grade level. I hope that in cele-

brating National Character Counts Week, that more schools in every State adopt similar programs.

Character education programs work. Schools across the country that have adopted strong character education programs report better student performance, fewer discipline problems, and increased student involvement within their communities. Children want direction; they want to be taught right from wrong. Young people yearn for consistent adult involvement, and when they get it, according to surveys, they are less inclined to use illegal drugs, vandalize property or commit suicide. The American public wants character education in our schools, too. Studies show that approximately 90 percent of Americans support schools teaching character education.

Character education can and is being incorporated into children’s lives in and outside of the classroom. It provides a helping hand to our schools and communities to ensure our children’s futures are bright and filled with opportunities for success. Character education not only cultivates minds, it nurtures hearts. While our children may only represent one-quarter of our population, they are 100 percent of our future.

I submit that character transcends religious, cultural, political, and socioeconomic barriers. I believe our country is having a renewed focus on character and this resolution sends a wonderful message to Americans and will help those of us involved in character education reinvigorate our efforts to get more communities and schools involved. So today, Senator DOMENICI and I submitted a resolution to accomplish just that and hopefully our renewed effort will bring together even more communities to ensure that character education is a part of every child’s life. I hope that my colleagues will join us in this important effort.●

Mr. DOMENICI. Mr. President, today my good friend Senator DODD and I submitted a resolution designating the week of October 21 as the 2007 National Character Counts Week.

Our character is the foundation of who we are as people and how we are perceived by the world. Every day our character and ethics are tested through the decisions we make and the behavior we exhibit. The National Character Counts program focuses on “Six Pillars of Character” which are promoted through school and community based character education programs across the country. The six pillars are: trustworthiness, respect, responsibility, fairness, caring, and citizenship.

I have supported Character Counts throughout the years because I believe this program reaches out to all youth and adults, as the Character Counts Coalition states, no matter the individual’s race, creed, politics, gender, and wealth. In my home state of New Mexico, we have run many successful Character Counts programs throughout the

years. While many schools initiate Character Counts programs there are also many other organizations that develop character based programming. I would like to take the time to recognize some of the successful programs we have had in New Mexico for 2007.

Character Counts works in New Mexico because it is truly a community partnership. There was a brilliant example last week during the Albuquerque International Balloon Fiesta. The Balloon Fiesta staff hosted 60 selected school kids for 2 days of festive activities. Northrop Grumman provided tethered balloon rides. Meals on Wheels fed the young people lunch, and the Albuquerque Balloon Museum gave some of the students a tour of the exhibits to show them the history of hot air balloons. These were fun days, but the children certainly learned about civic responsibility with some of our state's top business and community leaders. A once in a lifetime experience for many of these kids, and exposure to adults demonstrating respect, responsibility, trustworthiness, fairness, citizenship, and caring; the "Six Pillars of Character."

During the week of October 21, I hope everyone takes the time to participate in a Character Counts event in their local area. I know in New Mexico we will be having some special celebrations. On October 19 in Albuquerque, NM, there will be a Character is the Heart of New Mexico Parade, put on by Duranes Elementary beginning at the Old Town Plaza and ending at the Albuquerque Museum. On October 25, Roswell will celebrate 13 years of Character Counts with a Character Counts Super Celebration at Roswell High School. And on October 27, Gallup will celebrate with a Character Counts Parade starting at Fourth and Coal and ending at Lincoln Elementary School. All of these organizations and schools as well as the many others not mentioned here, are to be commended for their hard work in developing these programs and spreading the message that character truly does count.

I believe this program is making a difference in my home State and across the country. I want to encourage more people to become involved with the Character Counts program, but most of all I hope individuals will take the time to reflect on what the "Six Pillars of Character" mean to them.

I hope all of my colleagues will support this effort.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 351) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

## S. RES. 351

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry with good character;

Whereas the character education of children has become more urgent as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those who have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities; and

Whereas the establishment of National Character Counts Week, during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations focus on character education, is of great benefit to the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning October 21, 2007, as "National Character Counts Week"; and

(2) calls upon the people of the United States and interested groups—

(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) to observe the week with appropriate ceremonies, programs, and activities.

## 20TH ANNIVERSARY OF UNITED STATES-MONGOLIA RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 352, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 352) expressing the sense of the Senate regarding the 20th anniversary of United States-Mongolia relations.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 352) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

## S. RES. 352

Whereas the United States established diplomatic relations with the Government of Mongolia in January 1987 and established its first embassy in Ulaanbaatar in June 1988;

Whereas the United States and Mongolia are both fully democratic states committed to the rule of law;

Whereas, in 1991, the United States established normal trade relations with Mongolia and began a Peace Corps program that now boasts approximately 100 volunteers;

Whereas the United States has a continued commitment to Mongolia's economic and political development and has contributed over \$150,000,000 in aid for that purpose since 1991;

Whereas the United States has supported Mongolia's participation in the International Monetary Fund, the World Bank, and the Asian Development Bank;

Whereas the United States and Mongolia strengthened their trade relationship through the signing of a Trade and Investment Framework Agreement in 2004 to boost bilateral commercial ties and resolve trade disputes;

Whereas Mongolia continues to work with the United States to combat global terrorism and, since April 2003, has contributed engineers, troops, and medical personnel to Operation Iraqi Freedom and has participated in training National Army artillery units in Afghanistan;

Whereas Mongolia has demonstrated an expanding desire to join the United States in global peacekeeping activities by sending a contingent of 250 soldiers to protect the Special Court for Sierra Leone, a platoon to participate in the North Atlantic Treaty Organization (NATO) mission in Kosovo, and personnel to serve as United Nations observers in Sudan, Ethiopia, and Eritrea;

Whereas the United States and Mongolia share an interest in promoting peaceful cooperation in south central Asia; and

Whereas Mongolia was named eligible for Millennium Challenge Compact assistance on May 6, 2004, submitted its official proposal on October 13, 2005, and had its proposal approved by the Millennium Challenge Corporation on September 12, 2007: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—