

I would ask that the RECORD reflect the following:

On vote No. 9, if present and voting, I would have voted "yea."

On vote No. 10, if present and voting, I would have voted "yea."

On vote No. 11, if present and voting, I would have voted "no."

On vote No. 12, if present and voting, I would have voted "no."•

#### ADDITIONAL STATEMENTS

##### REMEMBERING VI STOIA

• Mr. JOHNSON. Mr. President, today I wish to honor the life of Viorel G. "Vi" Stoia, who dedicated his life to enhance the lives of the citizens of Aberdeen and the surrounding area. He will be sadly missed, but many of us will continue to benefit for decades from his legacy.

Vi's leadership qualities showcased themselves early in his life. Vi graduated from Aberdeen Central High School in 1942 as president of his senior class. He then served honorably in the U.S. Navy in both the North and South Pacific. He returned to the United States to attend the University of Minnesota and upon graduation headed for his hometown of Aberdeen, SD. Thus began his long role of public service, which several have described as unparalleled.

Vi began his career in Aberdeen as an agent and broker for Northwestern Mutual Life and continued to work tirelessly for over 50 years to improve the northeast South Dakota region. Some of the numerous projects he was instrumental in developing include Student Loan Finance Corporation, Education Assistance Corporation, Northeastern Mental Health, the Aberdeen Development Corporation, Northeast Regional Health and Fitness Center, the North-west Highway 281 bypass, and the four-lane highway from Aberdeen to I-29. Vi was also a devoted family man, an active member of St. Mary's Catholic Church, and committed to furthering the work of the Presentation Sisters.

For his efforts over these many years, Vi was awarded the Medal of Distinguished Excellence, and the Community Volunteer, Excellence in Economic Development award. Vi was the all-around resource center for anything going on in Aberdeen. Many benefited from the newspaper clippings he sent or handed to people he thought could use them. I remember some he sent to me. Vi was a pioneer in regional development and he saw that as the future of Aberdeen.

Vi is survived by his wife Donna, four children, and five grandchildren. I would like to offer my condolences to the family, friends, and fellow advocates whom Vi touched with his efforts on behalf of the people of northeast South Dakota. They have much to be proud of, and it is my hope that their memories will be rich with the many great accomplishments and the lives

that Vi touched during his life. Although we will all miss him, his memory will serve as a beacon to our young people to better the lives of others and their communities through the examples he has set.●

##### RECOGNIZING BILL STEWART

• Mr. ROCKEFELLER. Mr. President, today I recognize the achievements of someone who has inspired me personally, who has made West Virginians laugh when there is little to laugh about, and whose contribution to my home State cannot be underscored enough.

When New Martinsville native Bill Stewart led the West Virginia Mountaineers into the Fiesta Bowl, he did more than just defeat the Oklahoma Sooners 48-28. "Coach Stew," as his fans reverently call him, lifted the spirits of our entire State.

Since that time, Bill's West Virginia charm has been infectious, his press conferences legendary, and his impact on our State's culture profound. Anyone who has played or worked with him loves him. His arrival on the scene was exactly what the State needed: a good-natured underdog with which people could identify.

For West Virginians, December 2007 had been abysmal. Not only did we lose a chance at the National Championship, but we lost our coach, endured endless ridicule in the media, were constantly told that Oklahoma would embarrass us—the negativity never seemed to stop.

But then Coach Stew stood up, stood proud, and said, with his trademark smile, "When it gets too tough for everyone else—it's just about right for Billy Stewart."

And he was absolutely right.

Now, every time I go home, West Virginians cannot emphasize enough the amount of pride they felt when this coach guided their team into the Fiesta Bowl. West Virginians will never forget Bill's optimism, when he promised to give the Sooners a good fight; his emotion, when he met quarterback Patrick White at the sideline, grabbed him by the helmet and seemed to say, "I love you, kid"; his satisfaction, as he watched his team storm the field, victorious; or his own surprise, when WVU rewarded Bill with the Mountaineers' head coaching job—a position for which he was too humble to politic, but more than qualified to accept.

These were iconic moments in West Virginia history—and they pulled right on the heart strings.

The degree of humility in this coach was absolutely awe-inspiring; his faith jaw-dropping; and his devotion to his players and colleagues nothing short of extraordinary. Since those memorable days in Arizona, Coach Stew has assembled a top-notch staff, maintained an impressive recruiting class, and recaptured the heart—not just the attention—of Mountaineer Nation.

To me, Bill Stewart embodies all that is good about West Virginia. An

unlikely but deserving hero, he is a man whose cheerful optimism, character and Appalachian charm have given us a reason to cheer again.

For that, I express my deepest gratitude and deepest admiration to New Martinsville's favorite son. I am glad that he is a fellow West Virginian, I am glad that he is a part of our culture, and I wish him the absolute best of luck.●

##### RECOGNIZING THE DESORMEAUX FOUNDATION

• Mr. VITTER. Mr. President, I wish to acknowledge the work of the Desormeaux Foundation and in particular to commend their annual Life Banquet, which helps support their efforts to assist women with unplanned pregnancies.

The Foundation runs the St. Marguerite d'Youville Home for pregnant women and mothers in crisis. The home welcomes them with a peaceful, secure setting that offers spiritual guidance and access to educational, medical, and professional resources.

Over the years, the Desormeaux Foundation has worked tirelessly on efforts like this to advance pro-life values, and I am greatly appreciative of the constant vigilance by the Desormeaux Foundation in helping advance these values.

I commend the foundation for their hard work to support agendas that protect human life, like banning partial-birth abortions, outlawing abortion drugs, and preventing taxpayer dollars from funding abortions, as well as strongly supporting adoption and crisis pregnancy centers.

The Desormeaux Foundation's work is helping promote the culture of life, and I would like to applaud the good people of the Desormeaux Foundation and wish them continued success in their mission.●

##### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Neiman, one of his secretaries.

##### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a withdrawal of a nomination which was referred to the Committee on Health, Education, Labor, and Pensions.

(The nomination received today is printed at the end of the Senate proceedings.)

##### MESSAGE FROM THE HOUSE

At 2:00 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 781. An act to extend the authority of the Federal Trade Commission to collect Do-Not-Call Registry fees to fiscal year 2007.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 273. Concurrent resolution recognizing the 50th Anniversary of the National Academy of Recording Arts & Sciences.

H. Con. Res. 287. Concurrent resolution celebrating the 50th anniversary of the United States Explorer I satellite, the world's first scientific spacecraft, and the birth of the United States space exploration program.

The message further announced that pursuant to section 2 of the Civil Rights Commission Amendments Act of 1994 (42 U.S.C. 1975 note), the order of the House of January 4, 2007, and upon the recommendation of the Minority Leader, the Speaker appoints the following member on the part of the House of Representatives to the Commission on Civil Rights to fill the existing vacancy thereon and, effective February 12, 2008, the Speaker's reappointment of the same member to a 6-year term expiring February 11, 2014: Mr. Todd Gaziano of Falls Church, Virginia.

#### MEASURES REFERRED

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 273. Concurrent resolution recognizing the 50th Anniversary of the National Academy of Recording Arts & Sciences; to the Committee on the Judiciary.

H. Con. Res. 287. Concurrent resolution celebrating the 50th anniversary of the United States Explorer I satellite, the world's first scientific spacecraft, and the birth of the United States space exploration program; to the Committee on Commerce, Science, and Transportation.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4961. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "2005-2007 Livestock Compensation and Catfish Grant Programs" (RIN0560-AH72) received on January 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4962. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Regulatory Streamlining of the Farm Service Agency's Direct Farm Loan Programs; Correction" (RIN0560-AF60) received on January 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4963. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Emergency Agricultural Assistance, 2007; Crop Disaster and Livestock Indemnity Programs" (RIN0560-AH76) received on January 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4964. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Payment Withholding—Deletion of Duplicative Text" (DFARS Case 2007-D010) received on January 29, 2008; to the Committee on Armed Services.

EC-4965. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Combating Trafficking in Persons" (DFARS Case 2004-D017) received on January 29, 2008; to the Committee on Armed Services.

EC-4966. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Closeout of Contract Files" (DFARS Case 2006-D045) received on January 29, 2008; to the Committee on Armed Services.

EC-4967. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Commercial Item Determinations" (DFARS Case 2007-D005) received on January 29, 2008; to the Committee on Armed Services.

EC-4968. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the needs of members of the National Guard and Reserve returning from deployment; to the Committee on Armed Services.

EC-4969. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the Department's foreign policy-based controls; to the Committee on Banking, Housing, and Urban Affairs.

EC-4970. A communication from the Legal Information Assistant, Office of Thrift Supervision, transmitting, pursuant to law, the report of a rule entitled "Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transactions Act of 2003" (RIN1550-AC04) received on January 29, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-4971. A communication from the Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "FHA Appraiser Roster Requirements" (RIN2502-AI53) received on January 29, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-4972. A communication from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Rules of Practice and Procedure" (RIN3064-AD22) received on January 29, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-4973. A communication from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Community Reinvestment Act Regulations" (RIN1157-AD05) received on January 29, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-4974. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Specifications for the 2008-2010 Surfclam and Ocean Quahog Fisheries" (RIN0648-AV42) received on January 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC-4975. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Facilities Design, Connections and Maintenance Reliability Standards" (Docket No. RM07-3-000) received on January 29, 2008; to the Committee on Energy and Natural Resources.

EC-4976. A communication from the Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Agency's competitive sourcing efforts during fiscal year 2007; to the Committee on Environment and Public Works.

EC-4977. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Adequacy of Nebraska Municipal Solid Waste Landfill Program" (FRL No. 8523-2) received on January 28, 2008; to the Committee on Environment and Public Works.

EC-4978. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Clean Air Interstate Rule" (FRL No. 8519-6) received on January 28, 2008; to the Committee on Environment and Public Works.

EC-4979. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clothianidin; Pesticide Tolerance" (FRL No. 8346-9) received on January 28, 2008; to the Committee on Environment and Public Works.

EC-4980. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Rule; Ohio; Revised Oxides of Nitrogen Regulation, Phase II, and Revised NOx Trading Rule" (FRL No. 8519-1) received on January 28, 2008; to the Committee on Environment and Public Works.

EC-4981. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to a hurricane and storm damage risk reduction system; to the Committee on Environment and Public Works.

EC-4982. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maine; Transportation Conformity" (FRL No. 8524-9) received on February 4, 2008; to the Committee on Environment and Public Works.

EC-4983. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Kansas" (FRL No. 8526-2) received on February 4, 2008; to the Committee on Environment and Public Works.

EC-4984. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "North Dakota: Final Authorization of State Hazardous Waste Management Program; Revision and Incorporation by Reference of Approved Hazardous Waste Program" (FRL No. 8524-7) received on February 4, 2008; to the Committee on Environment and Public Works.

EC-4985. A communication from the Program Manager, Administration for Children and Families, Department of Health and