

for the African Standby Force, nor to effectively complete its mission in Darfur. The United States should assist the AU in developing a professional, deployment-ready standby force that can respond to conflict and that can participate in interventions to establish peace in areas already facing conflict. We must continue our efforts to help African militaries develop their capacity, while also urging the importance of the respect for human rights, civilian leadership, and fighting corruption.

Finally, the AU is playing an increasingly important role in defeating terrorist networks throughout the African continent. As terrorist networks exploit undergoverned or unstable areas throughout Africa, the AU can play an important role in helping member States develop internal capacity to defeat the conditions that allow terrorists to take root. The AU also can strengthen member-State networks to share information, best practices, and even capacity as it relates to understanding, and ultimately defeating, terrorist networks. The African Center for the Study and Research on Terrorism, ACSRT, a joint AU Commission/PSC structure, was launched in 2004 but lacks sufficient capacity to carry out its broad mission. It is a good first step, but it will need assistance from the United States, the European Union, and other members of the international community. Establishing this capacity must also be a priority for the AU's member states.

There are a range of other challenges facing the AU, and there is no doubt a long list of priorities to be addressed. And while the United States has and will continue to support a range of AU efforts, it is essential that the U.S. Government structure its assistance to the AU to help empower it as an organization, support its priorities, and help to develop an internal capacity to plan for its growth and role in the coming years. I hope that the fact that we are sending our first ambassador to the AU will represent a heightened level of engagement with the AU and a renewed commitment to helping the AU, its member states, and the people of the African continent address the challenges of the 21st century.

#### FOREIGN SERVICE FAMILY LOSSES

Ms. SNOWE. Mr. President, Monday, August 7, was the eighth anniversary of the bombings of our Embassies in Nairobi and Dar es Salaam of August 7, 1998. On that dreadful day, the lives of 12 Americans, 11 Tanzanians, and 212 Kenyans were tragically taken; more than 4,000 injured. The names of 56 killed U.S. Government employees—Americans, Kenyans, and Tanzanians—are memorialized on a plaque on a wall in the State Department. I want to take this opportunity to extend my

deepest sympathies and condolences to the families and friends of those who died and to those who were injured. We continue to mourn their loss. Their memories will remain eternal. And we pray for strength for those who are still suffering.

At this time, I also want to express my heartfelt sympathy for another great loss in the Foreign Service family, the matriarch of America's diplomats, Ambassador Mary Ryan. I, as well as all those who knew her, was deeply saddened to hear of Mary's passing on April 25.

During my days with the House Foreign Affairs Committee, Mary and I worked closely together in response to the 1993 World Trade Center bombings by aggressively introducing technology data systems, such as the TIPOFF lookout system, and strengthening interagency information sharing to identify potential terrorists as they applied for visas to our great Nation. In the aftermath of the August 7 bombings in Kenya and Tanzania, and then after 9/11, our paths crossed again, as we, together, tackled the visa and border security challenges of our day. Mary's dedication to and love for her nation was always very evident during these trying times.

As the longest-serving diplomat at the time of her departure from the State Department, Mary served 36 years in her distinguished public service career. Mary entered the Foreign Service in 1966 serving in Naples, Tegucigalpa, Monterrey, Washington, Abidjan, and Khartoum before being appointed ambassador to Swaziland in 1988. In 1993, she became the Assistant Secretary of State for Consular Affairs and in 1999 she was named career ambassador, only the second woman to hold the rank in the history of the State Department.

A mentor to generations in the Foreign Service, particularly women, Mary Ryan was truly an outstanding American diplomat and public servant. Mary donated much of her time to those in need, extending a uniquely kind, generous and warm spirit that will be missed by all.

The Nation owes a deep debt of gratitude to these fine men and women who serve our Nation's interests overseas and their families. And I want to thank them for their public service and dedication to our fine Nation.

#### PENSION PROTECTION ACT OF 2006

Mrs. CLINTON. Mr. President, I would like to begin by commending Senate Health, Education, Labor and Pensions Committee Chairman ENZI, Senate HELP Committee Ranking Member KENNEDY, and the rest of my colleagues on the HELP Committee and the Senate Finance Committee for their commitment to working on a bipartisan basis toward the shared goal

of comprehensive pension reform. This legislation is the product of their tireless work on behalf of our Nation's workers and retirees.

In particular, I would like to express my appreciation to the conferees in the Senate and the House for undertaking the difficult work of negotiating a compromise between the two Chambers' bills. It is a challenge to reconcile legislation on such a complex set of reforms, and it is an enormous credit to the hard work of the conferees—and their staffs—that we were in a position to act on this important piece of legislation.

The protection of the retirement security of workers and their families is one of my highest priorities as a Senator. The promise of a pension is one of the central tenets of the compact between an employer and an employee and one of the essential components of the American dream. It is incumbent on our businesses and on our Nation to make good on that promise. So many of my constituents in New York, like millions of other Americans throughout the Nation, work their entire lives to secure the right to pension benefits when they retire, and they come to depend on those benefits to provide financial security for them and their loved ones through retirement.

Unfortunately, the private pension system in America is badly in need of repair. More and more companies are terminating the defined benefit plans that serve as a dependable source of retirement income for tens of millions of workers throughout the country. Workers in terminated plans often find their pension benefits slashed, and the consequences for these workers are all too real, including postponed retirement, additional jobs, and tighter budgets.

Liability for these pension plans is shifted to the Pension Benefit Guaranty Corporation, which insures defined benefit plans but is now \$22 billion in debt and itself could require a taxpayer bailout if more companies abandon their plans. And in fact, many more companies' defined benefit plans are on the brink of insolvency—defined benefit plans insured by the PBGC are underfunded by roughly \$450 billion, including almost \$100 billion for defaults it calls reasonably possible. I meet often with New Yorkers who are deeply anxious that they will never see the pension benefits they worked so hard to earn.

The Pension Protection Act makes great strides toward restoring the great promise of the private pension system for workers in New York and throughout the Nation. Among the important reforms in this bill are provisions that: require companies to fully fund their single-employer defined benefit plans; provide incentives for companies to contribute more money to their pension plans during good years;

strengthen the multiemployer pension system; improve the pensions of public safety officers; allow Reserve and National Guard members to draw on their retirement savings without penalty when they serve our country in active duty; and take important steps toward restoring the solvency of the PBGC.

The Pension Protection Act also contains provisions that aim to protect the retirement security of workers as more employers transition from defined benefit pensions to 401(k)s and new hybrid plans. The legislation will clarify the legality of these hybrid plans on a prospective basis, and prohibit the “wear-away” of the benefits of older employees under these plans. The legislation will encourage the use of automatic enrollment for 401(k)s and other defined contribution plans. And the legislation will prohibit employers from requiring employees to keep their retirement savings in company stock, a practice that magnified the harmful impact of the Enron and other corporate scandals on employees.

Finally, in light of the low personal savings rate in this country, it was vitally important that the bill included tax incentives for savings. I am particularly happy that the bill makes permanent the Saver’s Credit, which helps middle- and low-income families save for their retirement. Making the credit permanent was one of the reforms that I and some of my colleagues call for in the American Dream Initiative. These are smart and commonsense reforms that will offer clarity and certainty in the retirement planning of the millions of New Yorkers and the 65 million Americans estimated to participate in 401(k) and defined contribution plans.

I also commend the conference on making a number of improvements to the Senate bill that was passed last year. For one, the new bill is wise to drop a provision that would have looked to the credit rating of a company to determine whether it is at risk for plan default and therefore must make accelerated contributions into its plan. That approach would have made it far more difficult for a company to preserve a plan during a period of financial distress, a result that is undesirable for the company, its employees, and the American taxpayer. Likewise, the legislation increases the “smoothing” period for the calculation of assets and liabilities from what was in the Senate bill, a change that will improve the predictability of pension payments and make it easier for employers to keep their pension promises.

The legislation is not without its flaws. The legislation walks back several of the provisions in various areas of the Senate bill that provided important protections for workers. My strong preference was to see the costs in the legislation offset. Also, while funding provisions in the bill required

a certain measure of compromise on the part of all of the stakeholders, I am concerned that these provisions could exact an unintentional and unnecessarily harsh toll on employees in certain industries. I will be monitoring the impact of the bill closely, and I will work with my colleagues to correct the situation should this occur. Finally, while the bill protects the pensions of many of the thousands of airline employees who live and work in New York, we must continue to find ways to assist other distressed companies in taking the steps necessary to preserve the pension plans of their employees.

And indeed, we should not regard this bill as an excuse to rest on our laurels. Our work on behalf of workers and their families is only beginning. We need even more Congressional action to pursue public and private ways of addressing the retirement security of workers in New York and throughout America: portable retirement accounts for workers with even stronger incentives to save, offering real health care options to retirees and workers; and protecting Social Security for our seniors.

Workers and their families are counting on their employers to keep their pension promises. The Pension Protection Act will help employers to do so, while strengthening the defined benefit system, protecting the PBGC, and encouraging private savings. This bill is an important step toward the goal of restoring retirement security for working men and women. For these reasons, I applaud the Senate for passing this important piece of legislation, and I call on the President to sign it promptly. I look forward to working my colleagues on further measures to enhance the defined benefit system and increase retirement savings for workers in New York and throughout the Nation.

#### LIFTING OF HOLDS

Mr. WYDEN. Mr. President, in August, I announced my intention to object to any unanimous consent request for the Senate to take up the nominations of John Ray Correll to be Director of the Office of Surface Mining, Interior Department, and Mark Myers to be Director of the U.S. Geological Services, Interior Department. Previously, in May, I also placed a hold on David Bernhardt, the administration’s nominee to be Interior Solicitor. I also objected to any unanimous consent to keep these nominees on the calendar during the August recess. Instead, I asked that these nominations be returned to the White House. I did so because, despite several requests, I had received no assurance from the administration that the needs of people in more than 700 rural counties in over 40 States would be adequately addressed by fully funded county payments. The

county payments law, which provides a stable revenue source for education, roads, and other county services in rural areas, is due to expire at the end of this year. In early 2005, I cosponsored a bipartisan bill, S. 267, to reauthorize county payments for another 7 years. In February, the administration proposed reauthorizing the law for only 5 years, while cutting funding by 60 percent, and funding that reduced portion with a controversial Federal land sale scheme.

During the August recess, the administration agreed to work with us to find a mutually acceptable solution to fully fund county payments for another year. On August 7, 2006, I received a letter from Mr. Mark Rey, Under Secretary for the U.S. Department of Agriculture, in which the administration committed to work with me, and my colleagues Senator SMITH and Senator CRAIG, to reauthorize the program for the coming year, through a mutually acceptable funding source. This is not a long-term solution, but it will address the needs of hundreds of communities for the short term. Because of the commitment of the administration to work with me, and my colleagues Senator SMITH and Senator CRAIG, to reach a solution, I will no longer object to any unanimous consent request for the Senate to take up the nominations of John Ray Correll, Mark Myers, and David Bernhardt. I will, however, continue to look for the agreed upon funding solution to be proposed from the administration, while looking toward a future long-term solution.

I ask unanimous consent that a copy of this statement along with Mr. Rey’s letter be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
Washington, DC, August 7, 2006.

Hon. RON WYDEN,  
U.S. Senate,  
Washington, DC.  
Hon. LARRY E. CRAIG,  
U.S. Senate,  
Washington, DC.  
Hon. GORDON SMITH,  
U.S. Senate,  
Washington, DC.

DEAR SENATORS: Like you, the U.S. Department of Agriculture recognizes the importance of the Secure Rural Schools and Community Self Determination Act. We are committed to working with you to reauthorize the program this year.

Acknowledging the difficulty in a multi-year reauthorization of this program prior to the September 30, 2006, expiration of the program’s authority, we commit to working with you to enact a one year extension of the program, at full funding levels, and finding mutually acceptable offsets. We understand from our discussions that time does not permit the enactment of our proposed land sales offset as free standing legislation; as such, this would not be an offset option for the one year extension.