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## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, April 25, 2006, at 2 p.m.

## Senate

MONDAY, APRIL 24, 2006

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray:

Lord of life, our refuge and fortress, we place our trust in You. You are our strength, our shield, and our salvation. We dedicate ourselves today to do Your will and to be instruments for Your glory.

Use our lawmakers as forces for good. May what they declare with their lips be proven by their deeds.

Increase our love for You that we may experience more of Your transforming presence. Help us all to enrich our faith with knowledge, self-control, perseverance, godliness, kindness, and love. We pray in Your holy Name.

Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

### SCHEDULE

Mr. MCCONNELL. Mr. President, today we return to our legislative business following the Easter/Passover adjournment. This afternoon, we will be in a period of morning business so that Senators can come to the floor to make statements.

There will be no rollcall votes during today's session. Tomorrow we will begin work on the supplemental appropriations bill. Chairman COCHRAN will be managing that bill, and we encourage Senators who have amendments to contact Senator COCHRAN and the ranking member.

We are now in a 5-week legislative period, which we anticipate will be a busy stretch of work. We have a lot of important issues to address during this time. The majority leader will have more to say on the schedule tomorrow.

Having said that, I welcome everybody back and hope everybody is rested and ready for the weeks ahead.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

### ORDER OF BUSINESS

Mr. REID. Mr. President, it is my understanding that the majority leader

wants to have a judge vote at 10:30 tomorrow morning.

Mr. MCCONNELL. We would like to have a vote in the morning on a district judge, if that would be possible.

Mr. REID. I think we should alert all Members that we will have a vote in the morning.

Mr. MCCONNELL. I thank my friend from Nevada.

### MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Democratic leader is recognized.

### COMPLIMENTING THE SENATE CHAPLAIN

Mr. REID. Mr. President, I first would like to acknowledge the prayer of Admiral Black, our good Chaplain. I hope that all those who heard his prayer, as I did, will take it to heart. Certainly, I am going to try to. I try to get here every day—and I am not able to do it every day—to hear his prayer. He is a remarkable man, and we are fortunate to have him as our Chaplain.

### THE SENATE SCHEDULE

Mr. REID. Mr. President, I spent the recess traveling in Nevada—Las Vegas, North Las Vegas, Boulder City, Henderson, my hometown of Searchlight, and I also traveled to Pahrump, Reno,

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Fernley, Yerington, Fallon, and Hawthorne. These are all very different places, but not once in any of these cities where I met with people during the days, and in the evenings on occasion, not once did anyone talk to me about eliminating the estate tax, flag burning, or gay marriage.

Instead, throughout Nevada I was constantly asked about skyrocketing gas prices. My daughter-in-law, Amber, lives in Reno with my son with their four children. She has never talked to me about anything political in the many years we have known one another. But at dinner on Easter Sunday, she wanted everybody to hear, including me, how fed up she was with gas prices. She said that this is wrong and something has to be done about it.

She was speaking for millions of Americans. Even though she is the one who mouthed the words to me, this conversation could have taken place anywhere in America, at any dinner table, rich or poor. So not once did anyone in any of these Nevada cities talk to me about the estate tax, flag burning, and gay marriage. Instead, throughout Nevada I was constantly asked about these skyrocketing gas prices, the intractable war in Iraq, taxes, immigration, education, health care and, of course, homeland security.

I share this short report of my trip home because I am concerned about the Senate schedule in the coming months, and certainly in the next 5 weeks. All of us in the Senate, Democrats and Republicans, spent the last 2 weeks listening to what our constituents wanted to talk about, issues they care about. Now that we are back in Washington, when we look for these issues on the Senate calendar, they are nonexistent.

According to what I have read in the press in the last week, the majority leader is clearing time on the Senate schedule for what I describe as pet issues of the rightwing, issues such as a constitutional amendment to ban flag desecration—Mr. President, I agree with that; I have voted for that—a constitutional amendment to establish a Federal definition of marriage, and the estate tax reduction.

Each of these controversial issues has merit. There is no question about that. Each issue has a lot of merit. But do they trump gas prices? I don't think so. Do they trump homeland security? I don't think so. Do they trump a full, complete discussion on the Iraq war? By the way, that war, in a few short months, will have taken longer than World War II, in which the Presiding Officer flew airplanes. That American cause took about 3½ years. We are approaching that time with this war—a war that has already cost our country more than the Second World War. It is now costing us about \$120 billion a year, \$10 billion a month.

Do these issues have precedence over public education? I don't think so; over our polluted skies, where asthma for children is becoming endemic? I don't

think it does trump that. How about our country's shaky economy? Should we have a complete discussion on that? Do these issues trump our having raised the debt ceiling to \$9 trillion? I don't think so. Does a constitutional amendment to ban same sex marriage have a higher priority than a debate on high gas prices? No. Does a constitutional amendment on flag burning have more precedence than immigration? No. Does a constitutional discussion on the estate tax, legislating a reduction in the estate tax, have more precedence, more importance than a discussion on health care? I don't think so.

We have only about 15 very short weeks left in this session of Congress. Regardless of your position, the majority leader's constitutional amendments and his saying he will bring the estate tax matter to the floor, there are serious issues of importance to millions of Americans. Surely we can all agree that they are not among the most pressing problems facing America today and the Senate's attention in these few remaining weeks that we have is best focused on the needs of the American people.

This morning, in a letter, I asked the majority leader to drop his plan to bring these partisan issues before the Senate and to commit to bringing the people's priorities to the floor instead. That is not an outrageous request. I guarantee you that if we could put this issue before a jury of the American people, overwhelmingly Democrats and Republicans would agree with my suggestion to the majority leader that we work on these real issues rather than these three issues that I have discussed.

We need to approach these last few weeks in a bipartisan way, and we are reaching out to the majority to let us tackle the urgent issues facing our country, and there are urgent issues facing our country. Americans are frustrated with the direction in which America is headed. We are frustrated equally with the performance of the Bush White House and the Republican Congress.

With just a few months remaining before we adjourn, the 109th Congress is going into the history books as the country's least productive Congress in the more than 200 years we have been a country. In fact, the 109th Congress is on track to exceed the famous do-nothing Congress of 1948, and there have been articles written on that. I am not making it up.

This Congress has worked on class action and bankruptcy, legislation that benefits big business. I have helped with that, but we need to do something to help the vast majority of the American people. To check these off as being great accomplishments, I don't think that is right.

The Senate, thanks to Democrats, did pass lobbying ethics reform legislation, known as the Honest Leadership and Open Government Act. But as yet we have not heard a single word from

the House on this issue. And passing important legislation such as the Honest Government Act has proved to be the exception and not the rule.

Congress has not passed a budget. We haven't completed last year's budget, as a matter of fact, and, I might add, the ethics legislation we passed in the Senate has yet to be considered in the House.

America can do better. America can do much better.

This week the supplemental appropriations bill will be on the floor. It is important legislation, especially since President Bush refused to put the cost of the war of Iraq or the cost of helping the Katrina victims in his budget. Why? Can you imagine that, we are doing a supplemental appropriations bill on matters that should have been in the budget that was brought before the Congress some time ago. Why is it done this way? It is done this way to try to disguise the staggering deficits this administration has run up.

The best example I can give to the American people is what would happen if they did their budgeting the way the White House does its budgeting. We make so much money in our household, but to make our budget complete, what we are going to do is eliminate our car payments and our house payments. That, in fact, is what the President has done. He had a budget, but he eliminated the cost of the war in Iraq and the cost of the Gulf catastrophe, and now we are coming up here in the last few weeks before the Pentagon runs out of money to say we have to do it, it is an emergency. It is not an emergency. We had a bill. We should have taken it up as part of our ordinary cost of Government. Just as I explained, how can a person who has a household budget eliminate car payments or house payments or any other example? That is what this White House has done, and it is wrong.

But in spite of the President's budget gimmicks, Democrats look forward to the debate on the supplemental. We have a number of what we believe are tough and very smart amendments that we will offer to protect the American people, address the situation in Iraq, and provide relief from the energy crisis here at home.

When the Senate is finished with this supplemental, Democrats will insist the majority leader put his partisan agenda on the back burner and continue to focus the Senate on issues of urgent national importance.

I believe we as a Senate owe it to the American people to focus on their needs and not waste a single day working on partisan needs. We are asking in a bipartisan manner to reach out to the American people and say: We have something that will help you.

What this would mean, though, is setting aside issues such as the marriage amendment and tackling an issue such as gas prices. The price of gas has increased 100 percent—100 percent—during this President's last 5 years in

office—35 cents to 50 cents in the last month, and over the weekend 10 or 15 cents.

In San Diego, I heard this morning, the highest price as of yesterday was about \$3.10 a gallon. Nevada is not far behind. There are places in Nevada charging over 3 bucks a gallon for gasoline.

Today many families are paying \$100 to fill their gas tanks, only to drive to work, pick up the kids, and whatever they have to do to get to and from work—\$100. People say: Why don't they buy a car that doesn't use so much gas? That is for them to decide, and they are getting no help from this administration to establish CAFE standards so that cars are more fuel efficient.

It takes \$100 to fill many of the vehicles in America today. These prices are taking an enormous toll on the pocketbooks of hard-working Americans. They are even more difficult for families to swallow given the headlines that Exxon sent their chief executive officer into retirement with a more than \$400-million golden parachute. That is about a half billion dollars to retire. Golden parachute is what you get upon retirement, about a half a billion dollars.

There is nothing wrong with corporate profits. I am all for Americans having retirement security. But does anyone think it is fair to have consumers pay \$100 a week to fill their fuel tanks and the big energy bosses fill their bank tanks with hundreds of millions of dollars?

We on a bipartisan basis need to work to provide consumers relief at the gas pump. It is much more important than measures to appease a few. We ask, on behalf of America, that the majority move to legislation that allows us to pass a Federal law with teeth and resources to go after price gougers regarding fuel, the profiteers, the energy market speculators.

We ask the Republican majority to debate a windfall profits tax. With a windfall profits tax, we can take big oil's excess profits and give them right back to consumers in rebates or use them to build alternative and renewable fuel facilities.

If the greedy oil companies won't invest their billions in profits in delivering affordable domestic fuels for America, then maybe America needs to take some of the windfall profits and put them to better use.

I worked a lot putting myself through school. I worked for Standard stations. I worked for Chevron Oil. I worked in all kinds of gas stations pumping gas, changing oil, lube jobs, and tires. My brother ran a service station for many years. Back then, oil companies made about 4 or 5 cents a gallon on gasoline. Gasoline then was cheap. Now with gas \$3 a gallon or more, they still make the same amount of money. The service station operator still makes the same amount of money on \$3 a gallon. He makes 3 or 4 cents a gallon. So when you fill up the car with

gasoline, don't be mad with that corner service station because Exxon and all these other big oil companies are the greedy ones taking all the obscene profits. They are not going to the guy you are going to ask to wash your windows or to fill up at tank No. 6 and you pump it yourself.

We ask the Republican majority to bring before the Senate legislation that will secure America's energy future so we can put an end to the cycle of higher and higher gasoline prices. If the majority so moved, the Senate could develop a more aggressive national energy policy that would deliver affordable, clean energy from domestic sources now, not in 30 years or whenever the oil company CEOs decide the time is right. We cannot produce our way out of the oil problems we have. We in America, including the oil they say is in Alaska, have less than 3 percent of the reserves in the world. We can't produce our way out of our problems. We have to look to alternative energy sources.

It is terrible to think that American consumers are sending billions and billions of dollars overseas to pay for oil and some of that money, I am told, may be getting into the hands of violent anti-United States groups.

Even if that is not true, wouldn't it be better if we were like Brazil, a country that is areawise bigger than the United States with lots of people? Brazil is energy independent. They produce oil, but they also have determined that they are not going to import oil. And as of this coming June, just a few weeks from now, they will be totally energy independent. They started a number of years ago an alternative energy program, and it worked.

Brazil, this huge country, heavily populated, large in area, is energy independent. Think what America would be if we did not have to use 21 million barrels of oil a day, over 60 percent of which we import. Brazil is an example. It can be done.

National security is another issue that deserves considerable time on the floor in the remaining months. I am confident we will ultimately pass the supplemental for our troops, and the majority has pledged to bring the Defense authorization bill to the floor. I heard that earlier. That was the plan before we left for our recess. I hope that is true. Bring it to the floor, when? Do we want to wait, as we did last year, until the fall, leaving our troops, veterans, and families without the resources they need? I hope not.

Unlike last year, I hope the Defense authorization bill will not be pushed aside for other less important business. The troops are depending on us. It is so important. It was wrong to wait as long as we did last year. It sets up pay for the troops and what new equipment they need. It authorizes what the appropriators must come forward with to help our brave men and women.

I also hope we can pass last year's intelligence authorization bill. Inter-

esting. Now, more than any other time, we are dependent on our intelligence for our security. What does that mean? It means our spies, our satellites, the other activities we do to make America safe. But because of the majority, we have not brought an intelligence bill before the Senate. Why? Because they are afraid amendments will be offered on prison abuse scandals and on how intelligence was manipulated prior to going to war. We have not even had an intelligence authorization bill. Right now we are in danger of not passing that important bill for the first time in 28 years because Republicans have been unwilling to hold the Bush White House accountable for its conduct in the war in Iraq and the war on terror.

For the first time in 28 years, we are not going to take up this most important bill dealing with the safety and security of our Nation. I ask: Is it important we do that? Is it more important we do that or talk about same-sex marriage or the estate tax which will affect a fraction of a percent of the American people, a tiny fraction of the American people? I think it is more important we deal with intelligence, the intelligence authorization bill.

Health care: Shouldn't we dive into health care and talk about it? That is something when you go home—and home can be anyplace in our 50 States—whether you are a big company, a little company, a rich man, a poor woman, it doesn't matter, people are concerned with the cost of health care. Surely we can agree that health care problems in our country are far more important than a handful of amendments to please the rightwing.

We need a real health care debate, not a 2- or 3-day minidebate. The majority leader said he will bring to the Senate floor a health care bill, the Enzi bill. He said we are going to do it during this work period.

The Enzi bill threatens existing coverage for everyone who has State-regulated health insurance. It is touted as a cure for the problems small businesses have in providing coverage to their employees, but it would actually expose small businesses to fraud and leave self-employed individuals with the same, if not more, problems than they have right now.

We all agree small businesses need health care relief. All businesses need health care relief. But the Enzi approach is not the way to move forward. Senator DURBIN has a bill in committee that will provide small businesses with the same kind of options Senators have. Why don't we bring them to the floor and debate them together and find out what is the best of the two or what is the best mix of the two. With the Enzi and Durbin bills we can, and we can also consider other problems facing our health care system, such as lowering drug prices, health care costs, expanding coverage, and fixing the President's botched Medicare drug program.

And if we are going to talk about health care, isn't it about time—isn't it about time—we got to stem cell research? We are approaching May 24, the 1-year anniversary of the House passing their stem cell bill, and we still haven't seen it in the Senate. Ask any of the Nevadans with whom I visited if they are more interested in seeing the Senate spend its time on issues of stem cells, an issue that offers hope to millions and millions of Americans suffering from heart disease, Parkinson's, Alzheimer's, Lou Gehrig disease, diabetes, or if they would rather see the Senate spend its remaining days debating same-sex marriage? The answer is obvious. I hope the majority leader, who said he supports stem cell research, will allow us to move forward with the House bill. Stem cell research offers hope to millions of Americans, and the Senate must not stand in its way.

Immigration. President Bush likes to point fingers on immigration and many other issues. I repeat: President Bush likes to point his finger on immigration and many other issues. Isn't it about time we move beyond that? Isn't it about time we pass comprehensive immigration reform that will secure our borders and secure our country?

Before we left for our 2-week break, we had a bipartisan immigration deal that was blocked by a handful of Republican Senators. That arrangement would have sealed our porous borders, given 12 million undocumented workers a reason to come out of the shadows, and provided personnel to enforce our laws, so existing "employer sanctions" would be more than just words. It also had a very important provision to take care of guest workers.

The Senate can move forward on immigration if the President will stand up to those in his party who are filibustering reform and tell them to quit standing in the way of America's security.

It is my understanding that the President gave a speech in Orange County, CA today. By the way, that is where San Diego is, where the highest gas prices are in the country, and maybe he should have spent a few minutes talking about that. Speaking about immigration, the President said he wants to do something about security. We all want to do something about securing our borders; everybody does. Is that a stand of integrity and courage? No. Everybody wants to do something about protecting our porous borders. The President says he wants to do something about a guest worker program. What? What does he want to do? It is easy for him to criticize. What does he want to do? Let us know what he wants to do. He is the leader of his party. He never got involved in the immigration debate until the two votes had taken place, and then he was a great finger pointer.

It is interesting. In all that I have heard when the President talks about immigration, what does he say about

the 12 million who are here who are undocumented? What does he want to do? His party is split. What does the President of the United States want to do? What does he want to do on security? He wants to protect our borders. So do we. What does he want to do with guest workers? Rather than just words, tell us what his program is. He has a staff of thousands. Have a few of them come up and tell us what the President wants on a guest worker program. It appears he doesn't want anything. But does he want us to do anything with the 12 million? Let him take a stand on that.

The Martinez bill that came before the Senate was not supported by any of the Republicans. The Martinez bill had a provision for 7,000 new workers via Immigration and Naturalization, and their sole function would be employer sanction enforcement. I thought that was a step in the right direction. Does the President want that? Does he want stronger employer sanctions? I repeat: What does he want regarding immigration? I think he has to move beyond security, because all 100 Senators want that.

Finally, if we are going to do taxes, let's do something that will make a difference for those who need it. Talk to any economist and they will tell you that in America today, the rich are getting richer, the poor are getting poorer, and the middle class is being squeezed. Could we spend a little bit of time here on the Senate floor talking about tax relief for the middle class, this vanishing breed we have in America? It is not much of a distinction anymore to be a millionaire; it is whether you are a multibillionaire. That is what gets some attention. A millionaire is not much anymore; there are lot more of them. The poor are getting poorer and poorer, the rich are getting richer and richer, and the middle class is being squeezed.

We could start this tax debate by fixing the AMT, the alternative minimum tax. AMT was originally established to ensure that millionaires paid their fair share. But because AMT income levels were not indexed for inflation, it has essentially become a tax increase for millions of middle-class families. That was never its purpose, and we should fix it and fix it quickly.

Tax fairness should be the Senate's focus, not immoral, unfair tax breaks that will benefit a privileged few, which is further exacerbating the problem we have in America today where the rich are getting richer, the poor are getting poorer, and the middle class is getting squeezed, squeezed, squeezed.

So in the weeks ahead, we are ready—the Democrats are ready—to work with the majority on the real issues facing our country. Let's spend some time here debating these issues, legislating high gas prices and immigration and improving our Nation's security. We want to put politics aside and take up the real work facing our country.

With the right priorities and the right commitment from the majority, we can move America in the right direction and give the people the real solutions they need. America can do better, and we can do it together. That is what we need: bipartisanship, working together on America's problems.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from West Virginia.

#### THE SENATE AS A SAUCER

Mr. BYRD. Mr. President, an oft-repeated metaphor compares the U.S. Senate to a saucer in which a hot liquid is poured to cool. The earliest known written version of this story appears in an 1871 letter from constitutional law professor Francis Lieber to Ohio Representative and later President James A. Garfield. Lieber recounted a story he had heard about Thomas Jefferson's visit to Mount Vernon where Jefferson disagreed with Gen. George Washington over the need for a bicameral legislature, and Washington's response:

"You, yourself," said the General, "have proved the excellence of two houses this very moment."

"I," said Jefferson. "How is that, General?"

"You have," replied the heroic sage, "turned your hot tea from the cup into the saucer, to get it cool. It is the same thing we desire of the two houses."

The Washington-Jefferson dialogue drew further attention in the writings of the late 19th century American historian Moncure D. Conway, who altered the language and the beverage:

There is a tradition that on his return from France, Jefferson called Washington to account at the breakfast table for having agreed to a second chamber.

"Why," asked Washington, "did you pour that coffee into the saucer? Why did you do that?"

"To cool it," answered Jefferson.

"Even so," said Washington, "we pour legislation into the senatorial saucer to cool it."

Francis Lieber never discovered the source of this delicious anecdote, but whether or not the incident really occurred, the story has been widely embraced because it conveys the essence—the essence—yes, the essence—of the U.S. Senate. What is the essence? It is a deliberative body. It is a deliberative body sheltered from shifting public opinion by longer and staggered terms, and originally by being elected via the State legislatures. It serves as a counterbalance to the U.S. House of Representatives.

The saucer story explains, in simple terms, the significance of the Senate, from its origins through its evolution into the most powerful upper body of any national legislature in the world. Do you get that? Think about that.

Senators and other close observers of the institution have grappled with their own ideas about the Senate seeking to highlight its unique and enduring attributes, and to explain its role

in the American system of checks and balances. What is it? What is it? What is it that makes the Senate stand apart from other legislative bodies? What is it? What is it that makes the Senate stand apart from other legislative bodies? Why have its seemingly arcane rules and traditions survived, and what purpose do they serve? Over the next few months, the Lord willing—

You see, from the Book of James in the Bible, don't say "I'll go here" or "I'll go there," to this city or that city, and I will be this or that. You better qualify that. As my old mom used to say: Robert, you must say, "if the Lord willing." If the Lord wills it, you will do thus and so—if the Lord willing, or God willing. That has stuck by me all through these 80 and more years: If the Lord wills it.

Over the next few months, the Lord willing—I can't say that. You know, if I say over the next few months, who knows? But, if the Lord wills it—God willing, in other words—over the next few months I plan to offer a series of addresses in which I shall sample these ideas of the Senate with some explanation of each observer. Their ideas have ranged from the necessity of the Senate to its role as a balance wheel with the "people's House," the other body. They have focused on the rules of the Senate and its civility and decorum. They have viewed the Senate as a protector of constitutional liberties, a source of stability, and a product of politics.

As a deliberative body, the Senate has been hailed as a place for second thoughts, as a continuing body, and as an institution that values its traditions. The form of Senate elections, changed by constitutional amendment, and the rules for unlimited debate and cloture have been adjusted over the years, but the Senate still differs in fundamental ways from the House of Representatives. It stands out, the Senate does—the Senate stands out as a body of individuals with peculiar folkways that have fostered what has been described as the "Senate type."

A body of equals among individuals and among States, the Senate has been a difficult institution to lead. Its deliberations have frustrated impatient Presidents. Well, who cares? Senators don't care if they frustrate Presidents. Presidents come and go. Senators may stay on and on and on.

Its deliberations have frustrated impatient Presidents, leaders of the House, and even, yes, leaders of the Senate who seek speedy enactment: Let's get it done. We are in a hurry. Let's get it done. Do it now.

Remember that TV advertisement which said, "Do it now, do it here; do it now, do it now?"

There have been many efforts to modernize the Senate in order to meet new challenges. I have been here a long time. I have seen these efforts on the part of Senators. Some of them come over from the House of Representatives. They want to make this body

into another House—let's get it done. Get it done; do it now; do it here; fast.

Yes, there have been many efforts to modernize the Senate in order to meet new challenges. Able leaders have demonstrated courage and skill in forging alliances and building friendships to pass legislation. I did that when I was leader of the Senate. I forged alliances with such and such a Senator. I forged an alliance. Despite more than two centuries of pressure to change and "modernize"—let's put quotation marks around that word, "modernize"—despite more than two centuries of pressures to change and "modernize," the Senate, as an institution, remains remarkably similar to the body created at the Constitutional Convention in 1787. It retains all of its original powers, including providing advice and consent—yes. You said it. You better read that again in the Constitution. It retains all of its original powers, including providing advice and consent to Presidents on nominations and on treaties, serving as a court of impeachment—you better believe it, Mr. President. The Senate can send you home. You better believe that.

If the House impeaches you, the Senate will try you. The Senate, don't forget it, serves as a court of impeachment and has an equal say with the House on legislation. The Senate has an equal say with the other body on legislation.

As my statements in the weeks ahead—Lord willing, God willing—will suggest, the distinctive features of the Senate have survived for so long because they have purpose and will endure as long as they serve the good of the Nation.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

#### ENERGY

Mr. WYDEN. Mr. President, the same Bush administration that so tragically bungled the response to Hurricanes Katrina and Rita has now bungled its way to \$3 per gallon gasoline. Unless you were a hermit living in a cave last summer, you couldn't have missed how miserably the administration has failed in its approach to natural disasters. Now it is clear to anyone who fills up at a gas pump that this administration is also failing in its approach to energy. In both cases the administration had advanced notice that a major problem was imminent and in both cases the administration failed to take action to head off the problem before it became a major crisis for the American people.

For Hurricane Katrina, disaster experts had testing that predicted in the

spring what could happen, but the administration ignored the warnings of its own experts as major hurricanes were heading toward the gulf coast. If anything, the administration's failure to take action to prevent gas shortages and price spikes is even more indefensible because they had more advanced warning and greater certainty that the problem was coming.

The Bush administration knew last summer—almost 9 months ago—that gasoline shortages and price spikes would hit hard this spring. If ever there was a time to be watchful about oil markets, it has been during the past months as markets have gyrated virtually nonstop with one international crisis after another.

Nigeria has lost a quarter of its output, Iraq's oil production has fallen below prewar levels to its lowest point in a decade, Iran says something warlike about its nuclear program, and oil prices shoot up \$10 per barrel, and today Venezuela announced that it will move toward nationalizing its oil industry and will cut output, which should put even more pressure on supply and demand.

Yet even with all of this turmoil in world oil markets, the key watchdogs at the Energy Department, at the Environmental Protection Agency, and the Commodity Futures Trading Commission are all absent without leave. No one is home minding the store when it comes to our oil and gasoline markets.

Never before has there been an administration with so much expertise in the oil industry. The President and the Vice President of course know a great deal about the oil sector. The Secretary of State was a director of Chevron and actually has an oil tanker named after her. The list goes on and on. But none of this expertise seems to be being used to help consumers at the gas pump.

The administration's recent inaction in the face of soaring prices is only the latest in a long line of failures. In what is a virtual rite of spring, gas prices typically spike as refineries shut down for maintenance to switch over to summertime gasoline blends. That has happened each of the last several years, and in each instance the administration has done nothing to help consumers at the pump. But this year the administration had good reason to know that a "perfect energy storm" would hit the consumer this spring, and it was clear that spikes would be even worse than prior years.

For example, the Wall Street Journal reported on August 12, 2005:

A provision in the massive energy bill that cleared Congress last week is likely to shrink the nation's gasoline supplies next spring and could boost prices 8 cents a gallon or more.

The Wall Street Journal went on to describe the likely impact of eliminating the requirement to use cleaner burning additives in gasoline, saying:

United States gasoline production would fall short of usual levels by about 158,000 barrels a day—the equivalent of losing output from four major refineries.

The Wall Street Journal quoted an official from Valero Energy Corporation, the Nation's largest refiner, who said:

The price of gasoline “will definitely go up,” estimating the potential rise at 8 cents per gallon.

Because of the new regulations for gasoline, there would not only be reduced supply but also lots of new hassles in supplying fuel at the local level. Gasoline additives would no longer be added at the refinery and transported in pipelines. Instead, ethanol would have to be shipped separately and blended locally, creating new challenges and new logistical hurdles for getting the fuel to America's gasoline stations.

With all of this disruption and all of these new challenges to address, it was clear to the oil industry that the energy equivalent of another category 5 hurricane would be hitting gasoline consumers around this time of the year. It should have been clear to the Bush administration as well. But following the same game plan they have used for last year's hurricanes, the administration waited until after the storm hit to respond. In fact, gasoline consumers are still waiting for help at the pump.

The two major hurricanes that hit the gulf coast last summer only made this spring's supply situation worse because those storms shut down a number of refineries and reduced oil and gas supplies. Coming in the wake of these storms, the impact of the new gas rules would only tighten further what was already a tight market for gasoline, and it should have been clear to the watchdogs in the Bush administration for months and months.

The record is clear as to what the facts were that the administration had some time ago. First, if the administration had read its own report, it would have known that gulf coast oil and gasoline production would not be fully restored by this spring. Congress knows this because the administration sends weekly reports to the Congress with updates on the situation. Yet again the administration failed to take any action to head off the problem before consumers got hit again.

If the administration had read its own report, it also would have known that the impact of the new gasoline rule would be substantial, equivalent to 2 percent of the Nation's gasoline supply overall, and 10 percent of the supplies in areas with smog problems. This information has been in Energy Department reports as well. Once again, there was no response from the administration.

Finally, if the administration had read its own reports and publications, the administration would have known that finding alternatives to replace these supplies would not be easy. In

fact, a study by the U.S. Department of Energy estimated that it would take 4 years for refineries to find substitutes for the most commonly used gasoline additive known as MTBE.

In fact, the new rules are likely to be a double whammy for consumers. They tighten not only domestic supplies but also the availability of imports that were so crucial for supplying U.S. consumers following last year's hurricanes. That means the impacts will be similar to last year's hurricanes. But the same solution to address the problem won't be available this year.

As the president of Petroleum Industry Research Institute pointed out last summer, in the past the United States has imported gasoline from Europe to deal with this particular issue and prevent shortages. But at this point we may not be able to do that since European refineries use MTBE.

When you add it all up, the administration's record of bungling on gas supply and prices is extraordinary. They have known since last summer that there would be a big problem for consumers this spring. They knew that the problem had gotten even bigger since the hurricanes last fall. They knew it was going to take a long time to solve the problem and that what was done last fall to increase supply after the hurricanes might not be an option this spring.

But yet with all of the advance warnings and red lights flashing, the administration still sat on its hands. At a minimum, the administration should have convened the National Petroleum Council to seek advice and counsel on what options might be available to help consumers at our gasoline stations this spring.

But as we have seen all too often, the administration doesn't look to outside advice, and even more rarely does it listen to it. And there is little reason to believe the major oil companies, which have such a voice in American politics, would urge the administration to take any kind of significant step to help the consumers.

So what can be done now that predicted gasoline shortages and price spikes are upon us? What could we have prevented or certainly out of this time period helped to minimize the harm that consumers are facing? Those steps weren't taken, and the challenge is to put in place the best possible steps now to try to ameliorate a very bad situation that could have been minimized.

First, the administration should grant waivers of requirements to use ethanol in gasoline in areas where it is contributing to shortages or price spikes at the gas pump.

Section 1501 of last year's Energy bill provides the administration with this authority in cases where there is inadequate supply or where the mandate would severely harm the economy. Both of these criteria have already been met in a number of areas on the west coast and elsewhere in our country.

For example, my home State of Oregon isn't required to have ethanol in our gas to meet air quality standards. We also have little in-State ethanol production. So ethanol has to be transported into Oregon, largely from the Midwest, for blending into our gas supply. Waiving the requirement to have ethanol in Oregon gas would also free up supplies for other parts of the country. That reduces demand. And by simple supply and demand, that could serve to reduce prices around the country. It would also help to bring down the cost of gasoline in Oregon by eliminating the transportation costs of shipping ethanol from the Midwest.

Second, the administration should take steps to go after those who are speculating right now in our country's oil markets. In the press, for example, speculation is continually cited as a factor in the high oil and gasoline prices. For example, in last week's Wall Street Journal, there was a report:

Crude oil closed above \$70 a barrel for the first time, highlighting a phenomenon reshaping the petroleum world: Investment flows into oil futures are supplanting nitty-gritty supply and demand data as prime drivers of prices.

Last fall, former ExxonMobil chairman, Lee Raymond, the \$600 million man, testified before the Senate Energy and Natural Resources Committee that speculation in oil markets was inflating prices by \$20 per barrel. That inflated oil price, in return, raises gasoline prices at the pump by 50 cents a gallon. Yet the administration has done little to investigate speculation or to stop this activity.

To the contrary, on this question of speculation in the oil sector, I questioned the Bush administration's witness from the Commodity Futures Trading Commission last September. I asked specifically what the Commodity Futures Trading Commission was doing to investigate reports of oil traders making extraordinary profits immediately following Hurricanes Katrina and Rita. My question was about reports that there are traders who made so much money that week that they won't have to punch a ticket for the rest of the year.

Here is what the witness representing the Commodity Futures Trading Commission said from the Bush administration:

Granted, a number of them made money, and that is how they do their job, that they earn a return from providing this service.

So the CFTC's response to reports of traders taking advantage of the worst natural disaster in our country's history to make extraordinary profits is: Well, they were just doing their jobs.

If that is the market at work, clearly it is not working for the American people who saw gasoline prices shoot up above \$3 per gallon after last year's hurricanes and again this spring. The regulators of oil and gas markets need to rein in speculation, not defend it.

Another step that could help address speculation would be to have greater

transparency in our oil markets. For example, pension funds and other institutional investors are buying oil as part of their investment portfolio, and this has created additional pressure on supply and prices. Institutional money managers now hold between \$100 billion and \$120 billion in commodities investments, at least double the amount 3 years ago, and up from \$6 billion in 1999. More transparency about these transactions would help both the American consumer and the investors by reducing volatility while stabilizing prices.

Finally, for the long term, Congress should repeal oil tax breaks, breaks the industry executives told me when I questioned them in an open hearing they did not even need. Those unneeded oil tax breaks should be replaced with incentives to use biofuels that can replace supply lost from eliminating MTBE from gasoline.

These actions would address the immediate supply and price problems that the administration has failed to address since last summer. It will give the biofuels market incentives to do more research and increase production of cleaner alternatives to replace MTBE in the gasoline supply.

My guess is, and I am happy to see my friend who has an enormous amount of expertise on this issue in the Senate. Over the next few weeks, we will hear a lot of debate about price gouging and exploitation. There is no question in my mind that there are certainly people trying to exploit the situation and trying to take advantage of these extraordinary circumstances we see in our energy markets.

A significant part of these problems such as the change from MTBE to ethanol, problems that we knew about a year ago, that the Wall Street Journal was reporting on, could have been minimized if those folks in the Bush administration, at the Department of Energy, at the Environmental Protection Agency, at the Commodity Futures Trading Commission, if they had been on deck doing their job to stand up for the American people, these problems would not be so serious today.

Yet the same people who bungled the response to those hurricanes last summer are bungling America on its way up to \$3-per-gallon gasoline. I don't think that ought to be acceptable to any Senator. On a bipartisan basis we can force those watchdogs in the Bush administration to get back to the post and stand up for the public.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALEXANDER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

#### IMMIGRATION REFORM

Mr. ALEXANDER. Mr. President, 14 years ago, when I was the U.S. Secretary of Education, I received an invitation to the annual Italian-American dinner in Washington, DC. To tell the truth, I really didn't want to go because there are lots of dinners in Washington, DC, and the hours were long when I was working in the President's Cabinet. I wanted to stay home with my wife and children. But that year, 1992, the dinner was in honor of my law school roommate, Paul Tagliabue, who is known to most Americans as the commissioner of the National Football League and the person who likely will be presiding over his last NFL draft this weekend.

So I decided I would go to this one more long, I expected, Washington, DC, dinner in honor of my friend Paul Tagliabue. When I got there, the place was bursting with enthusiasm. Nobody could have doubted that it was the Italian-American dinner. Italian-ness was everywhere. Stallone was there, Pelosi was there, Justice Scalia was there and, of course, the National Football League commissioner Paul Tagliabue was there. It was wonderful, and I was delighted that I went.

The room was filled with emotion. But the reason I tell this story is that the height of emotion on that emotional evening was when everybody in the room paused, put their hands over their hearts, and said the Pledge of Allegiance to the American flag and sang "The Star-Spangled Banner." There were a lot of tears at that moment. The point of it is that in that room of people who were so proud of the country of Italy, from where they had come or their parents or grandparents had come, and there was no mistaking that they were proud to be from Italy, but they were prouder to be American.

I mention that because this week we will begin to discuss immigration again. I believe we are missing the fundamental issue in the immigration debate. Of course, border security is important. Of course, a proper allocation of temporary students and temporary workers is important. There will be a lot of debate about what defines amnesty in any sort of legislation. But I believe the real underlying emotion in the immigration debate, the part that we are missing, is the question of how many new men and women can we absorb at one time in this country. How many men and women can come into this country and become Americans and accept the rights and responsibilities of citizenship? I believe what underlies a lot of the emotion, a lot of the concern about the debate we are having, is that Americans are afraid that we may be exceeding that limit. They want to make certain that almost all of those who come to live here expect sooner or later to become Americans, to accept the rights and responsibilities of citizenship.

My rough calculation is that, in a country of about 300 million people who live in the United States of America today, about 10 percent of us are not citizens of the United States.

We have about 570,000 students from other countries. They are welcome here. They help improve our standard of living while they are working here, and when they go home, they usually spread our values better than any foreign aid we have ever passed.

We have about 500,000 temporary workers of one kind or another who are important to our free market system.

We have 11.6 million permanent legal residents, people with so-called green cards, some of whom are on their way to becoming citizens. But an increasing number of them are not electing to become citizens of the United States.

Then we have 10 million or 12 million people who are illegally here. They are here mostly to work. Some estimates are that they comprise about 5 percent of our workforce.

So, all in all, that is probably more or less 30 million people of the 300 million of us who live here who are not citizens of the United States, and there are another 2 or 3 percent of us who are dual citizens, citizens of the United States and of another country.

An important part of this debate is, how many is too many?

We know the benefits of immigration in the United States of America. We call ourselves a nation of immigrants, and we say that proudly. That spunk, bravery, and courage that caused people to come and still come to our country has defined our character. No other country in the world believes anything is possible, that anyone of any background can rise to the top.

My grandfather, who was a railroad engineer, used to say: Aim for the top, there is more room there. Most people think that is a silly statement. But we don't. That is an essential part of the American character. A lot of it comes from being a nation of immigrants. The diversity that comes into our country because of immigration makes our country more interesting. I once heard Robert Mondavi, the famous California winemaker, say that—and excuse me in Iowa for saying this—20 years ago we could not get a good meal in Des Moines, and into Des Moines came people from different cultures and different countries, and they brought their own recipes. And what makes the food so good today in Des Moines, said Mr. Mondavi, is not that one was an Indian dish or a Sri Lankan dish or a French dish or a Colombian dish, but they mixed it together and created an American cuisine.

The diversity brought to us by people regularly coming to our country makes a difference. And then the patriotism that comes from those who become new citizens enriches us. Our most patriotic citizens are often those who have just become citizens, reminding those of us



who have been here, as our family has for seven, eight, nine generations, that it is nothing to be taken for granted. As our population growth reduces in this country, and in our free market system as we produce a disproportionate number of the new jobs here, we find new workers coming into our country, whether they are skilled workers helping to win new jobs or win Nobel Prizes or whether they are unskilled workers who add to our free market system.

We know the value of immigration to the United States. We know two other things as well. One is that those who come here expect to come to a nation that honors the rule of law. In many cases, immigrants have come here fleeing a nation that didn't have rule of law, where you might be ordered to this place by the whim of a dictator or a potentate or someone who was above the law. That is what most people are fleeing from—nations and countries without the rule of law. It is important that we honor the rule of law here.

New Americans, new people who come to live here understand very well that they have the freedom to drive across State lines, but they cannot run a stop sign. They have the freedom to make contracts with whom they please, but they have to keep the contract. They have a second amendment right to own a gun, but they cannot shoot anybody. This is a nation that honors the rule of law, and new immigrants and those who are already here understand that.

The other thing is that new people coming into our country for the most part understand as well as we do, those of us who are already here, that we are a nation based upon an idea. We are not a tribe. We are not a racial culture. Our ancestry isn't what's most important to us. What matters to us most is the motto that is engraved in stone above the Presiding Officer's desk, "E Pluribus Unum"—from many, one. This country's most magnificent accomplishment is that we have taken people from all different parts of the world and turned this into one Nation. We have done this by insisting that new citizens become Americans.

Becoming American—those two words have always been serious business in this country. In Valley Forge in 1778, as I mentioned on this floor several times, George Washington and his officers took an oath whereby they renounced their allegiance to their former ruler—King George III—and pledged their allegiance to this new country. Ever since then—since 1795 at least—the oath of allegiance that new citizens have taken has been essentially the oath of allegiance that George Washington and his officers took. They didn't renounce—in the case of those at the Italian-American dinner—their Italianess; they are proud of that. But they renounce loyalty to the Italian government and pledge allegiance to this country. They are clear about that, and we have been clear about that for more than 200 years.

When we have large numbers of new people coming into our country, as we did just 100 years ago, which was the last time we had such a large percentage of foreign-born people living in the United States, we went to great efforts to try to help them become Americans. Albert Shanker, the late president of the American Federation of Teachers, once said in a meeting in Rochester, which I attended, that the common school, our public school, was created primarily for the purpose of helping immigrant children learn the three Rs—reading, writing, and arithmetic—and what it meant to be an American, with the hope they would go home and teach their parents. The common school was an "Americanizing" institution. So was Ford Motor Company 100 years ago, as were many businesses.

Robert Putnam, in his book "Bowling Alone," talked about how in this country civic associations such as the Boy Scouts, Girl Scouts, Boys and Girls Club, and Rotary Club were all set up with the idea of reminding ourselves—those who are already here—to help new people coming into our country learn what it means to become an American, to learn our common language, learn our history, and to learn the principles that unite us as a country.

Other countries now are looking at the American experience and wishing they had some of it. Last year, France and England experienced great difficulties with the bombing in the London subways and the riots in France. What was it about? It was about people who had come from other countries to live in France and England and who didn't feel part of the country. They wanted to feel French; they wanted to feel English. People are starting to think how do you become French or English or German, when 5 or 6 years ago you had to be the son or daughter of a German in order to be a German. How do you become Japanese or Chinese? That is a foreign concept in most countries. It is hard to become German or French or Japanese.

But to become a citizen of the United States, you must become an American. We don't want to lose that. That should be the central focus of any immigration debate on the floor of the Senate.

I was in Rome last week, and I visited with our Ambassador to Rome, who is the grandson of an Italian immigrant. He said they have formed a council there in Italy to try to deal with the problem of how do you become Italian because Italy needs more people. It has a population of 58 million, the second lowest birth rate in Europe, the largest percentage of elderly, 2.9 million legal immigrants, over 500,000 illegal immigrants, increasingly Muslim. A large number of Muslims—1.5 million—who live there don't feel they are a part of Italy. If Italy doesn't have people coming from other countries, the number of people who live in Italy will go down and down and so will their

economy. They formed a council in Italy. Four people who were Muslims and who live in Italy were sent to the United States, and one who came back—a woman from Algeria who came to Italy when she was 14 and is now 30—said to our Ambassador to Italy: For the first time, I feel Italian. He asked why. She said: When I went to America, the Muslims I met there felt American. They may be against the war in Iraq, but they all thought of themselves first as Americans.

That is a concept which we don't dare lose. All of us know that the importance of becoming American has been gradually diminishing in our culture, especially since the 1960s. Our schools don't teach U.S. History in the way they once did and in the way they should. In fact, the lowest score our high school seniors have on national tests is not in math, not in science, it is in U.S. History. Our colleges don't require a course in U.S. History. Our colleges of education don't turn out very many teachers of U.S. History.

In an age of globalization, some people say, well, nationality doesn't really make much difference.

Increasingly, official business in States and counties is conducted in more than our common language, English. Even some of our political leaders extol diversity over unity. They extol the pluribus over the unum.

Make no mistake, diversity is important to the United States. It is a great advantage to us, but diversity is not our greatest strength. Jerusalem is diverse. Iraq is diverse. The Balkans are diverse. Our most magnificent accomplishment and greatest strength, and one we should not forget during this debate, is that we have taken all this diversity and formed it into one nation.

That is why I was pleased to see that the Senate adopted, before the immigration bill got off track, an amendment I proposed with a number of other Senators that would help prospective citizens become Americans. It would do it in a number of ways.

In the first place, it would raise to the level of law George Washington's oath, slightly rewritten, the same oath that a half million to a million new citizens have taken every year, an oath that recognizes that someone has waited that 5 years, learned English to an eighth-grade level, passed a test in our history, demonstrated their good character, and said: I foreswear allegiance from where I came, and I pledge allegiance to the United States.

The amendment, which passed the Senate overwhelmingly, would also create grants to prospective citizens who needed help learning English. It would reduce from 5 years to 4 years the amount of time you need to wait to become a citizen if you were fluent in English. That is a level higher than eighth grade. It would create a foundation to help with grants to encourage the teaching of civics and English in the same way that we did throughout



civic organizations 100 years ago in this country.

In addition, we should also look carefully at other parts of what we do in our Government. We should have more support for English as a second language in the schools. We should not have waiting lines of adults who want to learn English in this country, our common language. People want to learn it. We should help them.

We should have more summer academies for outstanding teachers and students of American history and civics. This Congress approved that for the first time last year. We will have two this summer. We should have many more. And we should do more teaching through the traditional American history program that Senator BYRD and others put into the No Child Left Behind Act.

Those things do cost money, but in a \$2.6 trillion budget, surely we can find something to take out so we can put those things in because nothing, I submit, is more important than making sure our children know what it means to be an American and to know that our new citizens do as well.

I am here today to remind myself and my colleagues of that story of my visit to the Italian-American dinner 14 years ago. I wish every Member of the Senate could have been there. I wish they could have seen the pride in the Italian-ness of all there to honor Paul Tagliabue, Justice Scalia, now the ranking Democrat in the House NANCY PELOSI, and Sylvester Stallone. It is important to be reminded that in that room, the greatest emotion was for the Pledge of Allegiance to the United States of America. They may be proud of where they came from, but they are prouder of where they have come.

I will ask unanimous consent to have two articles printed, one entitled "Citizenship is the Key" by Noah Pickus, who is the associate director of the Kenan Institute for Ethics at Duke University and who writes about the importance of hometown associations in the United States that link immigrants to their native community and culture while serving as a vehicle for engagement with American society.

He says:

All of these approaches—new citizenship processes, new structures and strategies for incorporation and new coalitions—can focus our attention on the important and difficult work of building a nation here at home.

And secondly, an article from the Memphis Commercial Appeal about the teacher Christine Byrd who teaches children in Memphis who don't know English, our common language of English, and she wrote down what immigrant children have told her about their first impressions of America. It reminds us of the strength and vitality of new people coming here.

"You can take a shower with hot and cold water running at the same time," said a third grader from Sudan.

"You can have a fluffy towel to dry after a shower," said a first grader from Nigeria.

"You can go to school for free," said a student from Vietnam.

"You can go to a pet store and buy a pet," said a student from China.

"You can be rescued by the [Transportation Department] on the freeway," said a student from Vietnam.

"You can have ice cream any time you want," said a student from China.

I ask unanimous consent these articles be printed in the RECORD.

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

[From Newsday, Apr. 9, 2006]

CITIZENSHIP IS THE KEY

(By Noah Pickus)

Citizenship has become the most controversial element in current immigration reform. The House has passed an "enforcement-first" bill that would effectively preclude citizenship for illegal immigrants or foreign workers, and the Senate is grappling with various proposals that could legalize the status of some or all illegal immigrants who are already in the United States and create new guest-worker programs.

The key issue this legislation faces whenever it finally gets to a conference committee will be whether illegal immigrants or guest workers should be allowed to apply for citizenship and under what conditions.

This attention to citizenship is surprising, given that most of the public debate has turned on questions of economics, security and border enforcement. It also marks a significant break from the last major debate over illegal workers, the 1986 Immigration and Reform Control Act. Then, advocates for amnesty pressed for legal status, not citizenship, arguing that the latter was passe in a global world and that illegal immigrants' economic and social ties demanded full legal recognition.

More recently, Mexican President Vicente Fox has said that Mexicans in the United States are "not going to become American citizens, nor do they want U.S. citizenship. What they are interested in is having their rights respected." In this, he has been joined by business interests whose primary goal is to secure a steady stream of low-wage workers.

Whether legalization or guest worker programs are a good idea will rightfully be the subject of much debate in the coming weeks. But if we are to have them, it is critical to ensure that citizenship rather than merely legal status or labor eligibility is our common goal.

Most Americans don't favor temporary guest worker programs or simple amnesty programs. They want immigrants who work hard and have put down roots to further invest in creating stable neighborhoods and manageable schools, and in becoming American. By contrast, even if a temporary worker program operated effectively, it would create large numbers of immigrants who are, by definition, transient.

If, as seems likely, workers who put down ties in a community don't go home at the end of their work permit, we are creating the conditions for continued social disorder. If citizenship is not a realistic goal for illegal immigrants who have been in the United States for some time, or for future guest workers, we risk creating the same disenfranchised underclass of immigrants that is rolling Europe.

As important as a pathway to citizenship is, though, building a common sense of citizenship and identity will require an active commitment on the part of both immigrants and citizens.

Our naturalization process needs to offer a real opportunity for civic learning and social cohesion. The process now is characterized by frustrated administrators, poorly funded providers of civic and English classes, doubtful citizens and, most especially, confused and worried immigrants. (Although little noticed, one part of the current immigration reform bill would establish a foundation to support the activities of the Office of Citizenship and provide grants for organizations to offer civics, history and English courses.)

We also need to learn from past integration efforts that instruction in lofty principles isn't sufficient to incorporate newcomers. Immigrants need structures and strategies for negotiating the often bewildering challenges of making a new life in a new place.

One hundred years ago, during the last major wave of immigration, Jane Addams understood how poor, uneducated immigrants had to be enticed into the public realm by appealing to their pressing private concerns. She recognized that domestic issues of child care, nutrition and housing had to be linked to broader lessons about personal and social responsibility.

This approach is needed again today, especially in bridging the gap between immigrant and native-born communities. For at least the last decade or so, Americans have been worrying about the erosion of community ties, civic institutions and social trust. What has been too easily overlooked in these debates is that there are sources of social capital even in beleaguered immigrant communities.

There are, for instance, more than 1,500 hometown associations in the United States that link immigrants to their native community and culture while serving as vehicle for engagement with American society. If American civic groups joined forces with these associations, they could turn a legalization program into an integration movement. Instead of treating legalization as evidence of our inability to control our borders, they could use it as a vehicle for building coalitions in support of a common citizenship.

All of these approaches—new citizenship processes, new structures and strategies for incorporation and new coalitions—can focus our attention on the important and difficult work of building a nation here at home.

WITH ENGLISH AS THEIR SECOND LANGUAGE,  
RELATING COMES FIRST

(By Ruma Banerji Kumar and Halimah Abdullah)

Apr. 11, 2006.—Christine Byrd started speaking gibberish.

That's what it sounded like to the 15 or so teachers who were in a training session with her on a recent Friday.

Byrd was actually speaking Vietnamese. She asked the group simple questions: their names, the date.

The teachers started feeling uneasy. Some began to write nervously on paper, randomly guessing at what she was asking of them. Others stared blankly.

Byrd works in the Memphis city school office that trains and supervises teachers working with foreign-language speaking students. She had just taught the group a key lesson: how it feels to be an immigrant child in a foreign place.

"When you don't understand the language spoken all around you, you don't have any foothold," said Byrd's supervisor, Andrew Duck. "You're hearing sounds, but you're not able to relate them to anything. It causes a little bit of fear, uneasiness."

To drive the lesson home, Byrd also shared with teachers a diary she's kept of what immigrant children have told her about their

first impressions of America. It's an account she has collected over the past decade.

The children use simple words.

They are grateful for basic opportunities.

Understanding that mindset, Byrd says, will help teachers meet the needs of students who are sometimes enigmas to them.

The words of the children take on particular significance this week, as an estimated 1 million immigrants rally across the country for reform in the way the law classifies and treats those who enter American borders illegally.

Byrd's journal is called "Only in America." Here is what some students say they can do only in America:

"You can take a shower with hot and cold water running at the same time."—Third-grader from Sudan, Treadwell Elementary.

"You can have a fluffy towel to dry after a shower."—First-grader from Nigeria, Treadwell Elementary.

"You can go to school for free."—Student from Vietnam, Treadwell Elementary.

"You can go to a pet store and buy a pet."—Student from China, Treadwell Elementary.

"You can have free transportation to school."—Student from Sudan, Treadwell Elementary.

"You can be rescued by TDOT on the freeway."—Student from Vietnam, Bellevue Junior High.

"You can have ice cream anytime you want."—Student from China, Bellevue Junior High.

"You can wash clothes anytime you want."—Student from Sudan, Treadwell Elementary.

"You can go to church every Sunday."—A student from China, Central High.

"You can raise million dollars to help the victims of 9/11."—Vietnamese student, Central High.

"You can travel at night and not be afraid of running out of gas and foods."—Student from West Africa, Central High.

"You can travel anywhere at anytime and not have to ask for permission."—Vietnamese student, Central High.

"You can vote for anybody you want."—Student from Sudan, Central High.

"Women can vote."—Student from Afghanistan, Central High.

"Women can have her baby at the hospital without her husband's blessing."—Student from Iraq, Central High.

"You can own 3 or more televisions, a house and 1 to 2 cars at the same time."—Student from Vietnam, Bruce Elementary.

"You can go to a Pet Bakery Shop and buy a cookie for your pet."—Student from Vietnam, Bruce Elementary.

Mr. ALEXANDER. Mr. President, I see the whip. I have three or four remarks on another subject.

Mr. MCCONNELL. I am in no hurry.

Mr. ALEXANDER. I thank the whip. May I be granted time to finish my remarks?

The PRESIDING OFFICER. Without objection, the Senator is recognized for 3 minutes.

#### FEDERAL COURT CONSENT DECREEES

Mr. ALEXANDER. Mr. President, I ask unanimous consent to print in the RECORD an editorial from the Wall Street Journal, dated April 18, entitled "Democracy by Decree."

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

[From the Wall Street Journal, Apr. 18, 2006]

#### DEMOCRACY BY DECREE

Miracles do happen. In Los Angeles last week a state judge lifted a consent decree issued in 1991 after parents filed a lawsuit claiming that public schools in poor neighborhoods had too few experienced teachers. The court has since ordered the school district to spend an average of \$11 million a year on teacher training in certain schools. And now, almost 15 years later, the judge has finally declared herself satisfied and declined to extend the decree for another five years.

Other locales aren't so lucky. Consent decrees are judicial decrees that enforce agreements between state and local governments and the parties suing them. But such decrees have proliferated to the extent that judges are micromanaging many public institutions in the name of protecting "rights." And they're costing taxpayers money and infringing on the right to self-government.

In New York, a 1974 federal consent decree has mandated bilingual education in the city's schools for more than 30 years—even though many parents want no part of it. In Tennessee, a federal consent decree from 1979 prevents the state from requiring generic, rather than brand-name, drugs for Medicaid patients despite the fact that this is standard practice for many private drug plans and other state Medicaid programs. And in Los Angeles, a 1996 consent decree has forced the Metropolitan Transit Authority to spend 47% of its budget on city buses no matter what the MTA deems to be its priorities.

New York Law professors David Schoenbrod and Ross Sandler call this "democracy by decree," or the process by which public-policy decisions are taken out of the hands of elected legislators and left to an unelected judiciary. Their 2002 book of that name is the inspiration for legislation introduced in the Senate last month that would limit the use of federal consent decrees.

The legislation's sponsors are Tennessee Republican Lamar Alexander and Arkansas Democrat Mark Pryor. It's no coincidence that both Senators were once state officials. "I'm looking at this as a former Governor," says Mr. Alexander. "The idea is to try to let those who are elected make policy unencumbered by courts." Mr. Pryor is a former Arkansas Attorney General. Similar legislation is pending in the House.

Consent decrees can be a huge burden on state and local officials. They sometimes last for decades, long after the officials who agreed to them have left office. Newly elected officials often find themselves locked in by the decrees, unable to put in place policies they were elected to implement. Outgoing officials have been known to sign their names to such decrees in an effort to force their successors to go along with policies they oppose.

One part of the Alexander-Pryor solution is term limits—either four years for a decree, or the expiration of the term of the highest elected official who signed his name to it. Their legislation also sensibly shifts the burden of proof for modifying or ending the decree to plaintiffs from state and local governments.

The legislation endorses the view of a unanimous Supreme Court, which in 2004 called for limiting decrees. It warned in *Frew v. Hawkins* that federal consent decrees could encroach on state and local power. They may "improperly deprive future officials of their designated and executive powers," the Court said. They may also lead "to federal court oversight of state programs for long periods of time even absent an ongoing violation of the law."

There are federal consent decrees in force in all 50 states, with judges running prisons,

schools, welfare agencies, health-care systems and more—based on the advice of the advocates who brought the original lawsuits. It's time to turn those jobs back to the elected lawmakers, and it's good to see at least someone in this ostensibly conservative Congress show some modesty about federal authority.

Mr. ALEXANDER. Mr. President, 25 of us in the Senate have introduced S. 489, a bipartisan piece of legislation—Senators KYL and CORNYN on the Republican side and Senators PRYOR and NELSON on the Democratic side, and a number of others—to try to put some reasonable limits on the use of Federal court consent decrees that take away from elected officials and State and local government the right to make policy decisions that they make so they can get on with their business without undue interference from the courts. It is based on a scholarship book called "Democracy by Decree" by two former lawyers for the National Resources Defense Council, David Schoenbrod and Ross Sandler.

Their scholarship has been applauded by a broad range of people, including former New York City Mayor Ed Koch and former Senator Bill Bradley. It talks about the importance of taking Federal court consent decrees, which can be very useful tools, and making certain they don't last forever.

To use a one-paragraph example:

In New York, a 1974 federal consent decree has mandated bilingual education in the city's schools for more than 30 years—even though many parents want no part of it.

In Tennessee—my State—a Federal consent decree from 1979 prevents the state from requiring generic, rather than brand-name, drugs for Medicaid patients despite the fact that this is standard practice for many private drug plans and other State Medicaid Programs.

While the State waited for a Federal court to decide how much it wanted to intervene, it was costing the State enough to give every Tennessee teacher that year a \$700 pay raise.

And in Los Angeles, a 1996 consent decree has forced the Metropolitan Transit Authority to spend 47 percent of its budget on city buses no matter what the MTA deems to be its priorities.

In the House of Representatives, the Republican whip, ROY BLUNT, is the principal sponsor. JIM COOPER, a Democrat from Nashville, is the principal Democratic sponsor. Representative COOPER says this bill is about keeping democracy fresh. It has had hearings in the Senate. It is scheduled for markup. It is a good, reasonable bill. It is making progress in the House.

We are going to have to bring the growth of Medicaid spending under control over the next several years. We cannot ask State governments to do that unless we give them more authority over their own decisions. This bill would help do that.

I call this editorial to the attention of my colleagues.

I thank the Republican whip for granting me this extra time.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader is recognized.

#### PROGRESS TOWARD A PERMANENT IRAQI GOVERNMENT

Mr. MCCONNELL. Mr. President, freedom took another important step forward this past Saturday in Iraq. Last December, we witnessed millions of free and brave Iraqi citizens defy the terrorist death threats and go to the polls to elect a parliament. Since that election, Iraqi political leaders have been hard at work forging a government that reflects the will of the Iraqi people.

This Saturday—unfortunately, it took a while to get there—we were finally able to celebrate the good news. Iraqis have made major progress toward achieving the goal of having a government in place. Iraqi political leaders reached an important agreement for the top leadership post for a national unity government.

Iraq will retain the experienced hand of Jalal Talabani as President, and the new Prime Minister Jawad al-Maliki appears to be a reformer, respected by all sides, who will hopefully have the credibility and the authority to shape a strong government with the power to take on the major issues facing that country.

The new Iraqi leadership has the will of the people at its back. They understand that democracy requires the courage to reach consensus. Over the next 30 days, they must fill the remaining slots of the cabinet and begin to address the challenges that grip that country.

Freedom and stability in Iraq is bad news for the terrorists. A stable, strong Iraq will unite its people against continued violence. A stable, strong Iraq will be an ally in the war on terror and a beacon of democracy in the Middle East. A stable, strong Iraq that cracks down on the terrorists in its midst will make the region and the world more secure.

Aside from the Iraqis themselves, much credit for this triumph in Iraq goes to Secretary of State Condoleezza Rice. Her skillful diplomacy appears to have been a crucial ingredient in breaking the logjam.

Much credit also goes to our U.S. Ambassador there, Zalmay Khalilzad, for his tireless efforts. And, of course, President Bush's continuing resolve to defy terrorism and terrorist-friendly regimes and to support freedom and democracy has inspired and strengthened everyone in the process.

As we celebrate the victory in Iraq, we are mindful that much hard work certainly lies ahead. Terrorist violence in Iraq continues. Some say the momentum from the three successful elections of last year each one drawing greater levels of turnout than the one before has been squandered with the last 4 months of political bickering. The new Iraq leaders must be sure not

to squander any more by failing to assemble a government in a timely manner.

Although we are cautious, I think we should also be optimistic. America will continue to stand beside Iraq in the days ahead. I remind anyone who thinks this new government took too long to form that America also had a rocky start at its beginning. People forget that from the Declaration of Independence to the Constitution was 11 years, and from the Declaration of Independence until George Washington actually took office was 13 years.

Freedom, however, is worth the wait. The incoming Prime Minister appears to understand that he must form a consensus government, one that must reach out to Iraq's many ethnic and religious groups as his country begins its journey of democracy.

I was heartened by the promise he made this weekend. Here is what he had to say. He said:

We are going to form a family that will not be based on sectarian or ethnic backgrounds. . . . Those who take responsibility in the new government will be representing the people, not their parties.

The new Prime Minister, al-Maliki, has the right attitude, and that attitude should continue to guide the new government in the days ahead.

I know my colleagues will join me in congratulating the people of Iraq for spurning the terrorists and continuing down the road to democracy.

Most of all, I wish to express my profound gratitude for our troops in Iraq. It has been their strength and courage that has made progress on the road to freedom possible.

#### HEAD START IN MONTANA

Mr. BURNS. Mr. President, each year since 1988, April 21 has been designated as Youth Service Day. This day is especially important for a group of Montanans in Billings, MT, who have been working with children since 1966. On April 21, the staff of Head Start, Inc. in Billings celebrated their 40th anniversary. I rise today to congratulate them on their past efforts and to express my support for another 40 years of service.

We have all seen the positive impact that Head Start has on children and families throughout Montana. This Federal program provides child and family development services by helping children under the age of 5 to develop the skills they will use throughout their formal education and for the rest of their lives. Head Start in Billings was recently recognized as among the top 2 percent of Head Start programs nationwide. Their continued dedication to excellence is deserving of recognition and praise, and I am honored to rise on their behalf.

While celebrating this milestone of service to Montana, these dedicated staff members recognized a very special volunteer named Thelma Adolph. Thelma, who volunteers through Head Start's Foster Grandparents program,

has given her time for 20 straight years. She has touched the lives of countless children, and it is no exaggeration to say that the world is a better place because of her. Such dedication is all the more impressive because Thelma is 93 years old.

And so, I ask my colleagues to share my gratitude for the efforts, dedication and excellence of Head Start and Thelma Adolph. I thank them all for their hard work and dedication on behalf of Montana's children.

#### 91ST ANNIVERSARY OF THE ARMENIAN GENOCIDE

Mrs. FEINSTEIN. Mr. President, I rise today to acknowledge and commemorate April 24, 2005, the 91st anniversary of the beginning of the Armenian genocide. I do so because I believe it is necessary to recognize and ensure that similar atrocities do not happen in the future.

No one knows this better than the 500,000 Armenians who are living in my home State of California. These men, women, and children are a shining example of the backbone of our society and serve as a symbol of perseverance and determination.

Their ancestors came to our country to build a better life for themselves and their families, and today, Armenian-Americans recognize that the repercussions of allowing aggression and injustice against ethnic, religious, or minority groups to persist can be dire.

During the Armenian genocide, which took place between 1915 and 1923, over a million Armenians were killed, and another 500,000 were driven from their homes.

We must never again allow a human tragedy to occur on this scale. It is unacceptable to witness thousands of innocent victims suffer and die without taking any action.

And I know this issue not only resonates with the Armenians in California but with everyone in the country. Every day, numerous constituents from different backgrounds call my office asking what Congress and the administration are doing to prevent genocide from occurring again.

It is absolutely essential that we do not let history repeat itself. We can—and we must—do better.

The Armenian-American community knows this all too well and today, we stand with them in commemorating the start of the Armenian genocide. So let us renew our commitment to support those around the world who face persecution and even death simply because of who they are. We will never forget the Armenian genocide, and we look to the present and future with a newfound sense of hope and optimism so that we may have the strength to stand up and prevent such atrocities.

Mrs. BOXER. Mr. President, I take this opportunity to commemorate the 91st anniversary of the Armenian genocide on April 24th. This anniversary offers an opportunity for us to renew our

efforts to achieve—finally—genocide recognition for the Armenian people.

Ninety-one years ago, the Ottoman Turks began their systematic effort to eradicate the Armenian people. From 1915 until 1923, 1.5 million Armenians were tortured and killed; men were separated from their families and murdered; women and children were forced to march across the Syrian desert without water, food, or possessions; many died of hunger or thirst or were killed when they lagged behind during the forced marches into the desert.

The brutality of the genocide was atrocious. But the inhumanity continues today because the Turkish Government refuses to acknowledge the massacres as genocide. The wounds cannot heal until the Armenian people receive recognition.

The Armenian genocide was the first genocide of the 20th century. But as we have seen, it was not the last. As we know, if we ignore injustice, we are likely to see it repeated. In his justification for the Holocaust, Adolf Hitler said, "Who, after all, speaks today of the annihilation of the Armenians?" And today, we see ongoing atrocities in the Darfur region of Sudan, with innocent civilians being murdered. In the 108th Congress, I cosponsored a resolution declaring that the atrocities in Darfur constitute genocide.

I am currently a cosponsor of a resolution calling the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the record of the United States relating to the Armenian genocide and the consequences of the failure to realize a just resolution. And I have signed onto a letter urging President Bush to honor the historic leadership of the United States in defending human rights and to properly characterize the atrocities against the Armenian people as genocide in his April 24th statement.

Every year, we move closer to recognition of the Armenian genocide. But every year, we wonder how long it will take the Government of Turkey to acknowledge the genocide.

We need genocide recognition to honor those 1.5 million Armenians who lost their lives and to honor the survivors who are still with us today. We need recognition to send a message to the 8 to 10 million Armenians worldwide that they have not been forgotten. We need genocide recognition to remind the world that crimes against humanity are crimes against us all. And we need genocide recognition because it is the right thing to do.

By acknowledging this genocide for what it is, I hope that we are able to help create a more just and humane world.

Mr. REED. Mr. President, on behalf of the Armenian population of Rhode Island and Armenians around the world, I want to recognize the 91st anniversary of the Armenian genocide.

Ninety-one years ago today, April 24, the Young Turk leaders of the Ottoman Empire summoned and executed over 200 Armenian community leaders. By 1923, an estimated 1.5 million Armenians were murdered, and another one half million were exiled, affecting the lives of every Armenian in Asia Minor.

Author John Minassian, a survivor of the 1915 Armenian genocide, tells of his experience. "These fine people were now being made into refugees only because they had clung to their ancient beliefs and the faith of their ancestors. They marched proudly under a yoke of hatred, prejudice and bigotry, their morale high, their spirit as yet unbroken. They knew that their only 'crime' was being Armenian."

The Armenian genocide was condemned at the time by representatives of the British, French, Russian, German, and Austrian Governments, both foes and allies of the Ottoman Empire.

Today, as a cosponsor of S. Res. 320, I call on the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the record of the United States relating to the Armenian genocide.

Armenian soldiers have supported Operation Iraqi Freedom as part of the Polish-led multinational division in south-central Iraq. Working as truck drivers, bomb detonators, and doctors, Armenia has not allowed others to be left helpless as they were nearly a century ago. The United States is proud to have Armenia as an ally in the rebuilding and reconstruction of Iraq.

So as history does not repeat itself, we must study and remember the events of our past. In instances such as the Armenian genocide, all nations must educate their youth in the hatred, the wrongdoing, and the oppression to deter future atrocities against humanity. Not more than two decades after the Armenian genocide, Hitler said to his generals on the eve of sending his death squads into Poland, "Go, kill without mercy . . . who today remembers the annihilation of the Armenians." We remember the Armenians.

Menk panav chenk mornar. We will never forget.

#### KHMER NEW YEAR

Mr. REED. Mr. President, on behalf of my fellow Rhode Islanders, I wish to recognize the 2550th anniversary of the Buddha, the Khmer New Year.

This cultural celebration highlights the rich heritage of Cambodian Americans, while recognizing contemporary Khmerian accomplishments. Ancient dance, music, and religious traditions of the Cambodian community are the focus of the holiday.

The festivity, celebrated in the reprieve between the harvest and the weeks referred to as the "rainy season," is an occasion for Cambodian Americans to pass their customs to fu-

ture generations while simultaneously allowing all Cambodians to share their culture with other Americans.

Traditionally, the anniversary of the Buddha affords Cambodians a chance to give thanks, reflect, and welcome the spirit Tevada Chhnam Thmey. Also, in accordance with tradition, scores of Cambodian Americans will gather with family and friends to visit the wat, the local spiritual center, to offer food to their clergymen, pray for ancestors, give charity to the less fortunate, forgive the misdeeds of others, and thank elders for their knowledge and care.

The Khmerian New Year ceremonies and activities demonstrate that each year brings new opportunities for charity, peace, and happiness. As we commemorate this important time, let us reflect on our Nation's continued efforts to promote universal human rights and democratic principles. Let us also take this opportunity to honor the Cambodian Americans currently serving in the U.S. armed services, for their daily sacrifice in protecting our freedom.

Finally, I would like to wish all Cambodian Americans happiness, prosperity, and good health in this, the Year of the Dog.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO REVEREND ROGER PATRICK JOSEPH DORCY

• Mr. ALLARD. Mr. President, I rise to make a few remarks recognizing the Reverend Roger Patrick Joseph Dorcy.

The Reverend Roger Patrick Joseph Dorcy was born to Michael and Ellen Dorcy on July 4, 1946. Named for his Aunt Patricia, Patrick Joseph Dorcy was the third youngest of 14 siblings.

Growing up in Omaha, NE, he attended Holy Cross School, Creighton Preparatory School, and Mount Michael Abbey.

From 1967 to 1969 he worked for Senator Robert F. Kennedy in New York and Washington, DC.

He received his undergraduate and graduate degrees from St. Meinrad School of Theology in Indiana and completed post-graduate work at Catholic University of America in Washington, DC.

Prior to his ordination to the priesthood he was a member of the Order of St. Benedict, St. Meinrad Archabbey. It was there he took the name Roger. Brother Roger was one of the order's youngest teachers, the Archabbey architect, a paramedic, and a firefighter.

When he left the Monastery, he moved to Colorado where he taught theology and English at St. Scholastica Academy in Canon City, CO. Finally answering his call, at the age of 33, Roger Patrick Dorcy was ordained a priest in the Diocese of Pueblo, Colorado, on January 29, 1980.

He served as pastor at Sacred Heart Church and campus minister at Adams State College in Alamosa, CO. He was

associate pastor at St. Leander's and Our Lady of Guadalupe Churches in Pueblo. For 12 years he was the pastor of Our Lady of the Meadows Church in Pueblo; during that time he also served as the dean of the Pueblo Deanery of the Diocese of Pueblo.

In 2003 he was appointed rector of the Cathedral of the Sacred Heart, Diocese of Pueblo.

In addition to his parish life in Alamosa and Pueblo, he was a leader with the Southwest Liturgical Conference, the National Association of Clinical Pastoral Ministers, the Federation of Diocesan Liturgical Commissions, the National Catholic AIDS Network, and the Southern Colorado AIDS Project.

In 1993 he completed his sabbatical in clinical pastoral ministry at Immanuel Medical Center in his hometown of Omaha. Later, he served as Bishop Tafoya's community liaison for AIDS Ministry; as president of the Sangre De Cristo Hospice Board; and was a board member of St. Mary Corwin Medical Center since 2000.

He died on July 23, 2005, at the age of 59. The Reverend Roger Patrick Dorcy was a monk, a priest, a teacher, an actor, an architect, a healer, a leader; his vocation was dedicated to the healing of bodies and souls. On April 22, 2006, the communities of Pueblo and Colorado celebrated his legacy by naming St. Mary Corwin Medical Center's newly constructed, state-of-the-art cancer center, The Reverend Roger Patrick Dorcy Cancer Center.●

#### HONORING MANA DE SAN DIEGO

● Mrs. BOXER. Mr. President, I rise today to honor a wonderful organization in my home State of California, MANA de San Diego, as it celebrates its 20th anniversary.

MANA de San Diego is one of 20 regional chapters throughout the United States operating under the auspices of the MANA National Latina Organization. MANA, short for *hermana*, or sister in Spanish, was founded in 1974 by Mexican-American women and was later expanded to include Latinas of all descent. Today, it serves as the single largest organization of Latinas in the United States. MANA provides an important voice for women at local, State, and national levels.

The San Diego Chapter of MANA, founded in 1986, has played an important role in the civic development of San Diego's large Latina community. In 2000, Latinas made up 12.5 percent of San Diego's population of more than 2.8 million. MANA de San Diego encourages its members to actively participate on boards, commissions, and with civic and educational organizations in order to improve the quality of life for all San Diegans. Each year, MANA de San Diego recognizes local women in the law, education, government, and education at a "Brindis" or toast event. The "Brindis" not only helps to raise money for the scholar-

ship program but brings together successful women and students.

Through a variety of programs, such as the mentorship program "Hermanitas," MANA de San Diego empowers Latinas and encourages educational pursuits. The program exposes young women to arts and culture, higher education opportunities, careers, and leadership opportunities they might not otherwise experience. Hermanitas participants tour major universities in San Diego to help them visualize where they can attend school. Since 1991, MANA de San Diego has given more than \$140,000 in scholarships to Latinas. This is particularly important given that Latinas drop out of high school at a higher rate than any other group in the United States. In addition, MANA de San Diego promotes increased awareness of Latina health issues through its Annual Women's Health Fair.

Recently, MANA de San Diego partnered with Girl Scouts San Diego-Imperial Council to create the Cesar Chavez Community Service patch. The purpose was to create a patch to honor and encourage Girl Scouts to learn about Cesar Chavez. Girl Scouts throughout the Nation will be able to earn a new patch in recognition of outstanding community service. The students in the Hermanitas program worked closely with their mentors and the council to design this patch. Together, they created the rules to award the patch.

Organizations such as MANA should be recognized for the critical role they play in strengthening the Latina community in California and the United States. I salute the women of MANA de San Diego for their passionate commitment to the advancement of Latinas and tireless efforts to improve the broader San Diego Community. I wish the organization great success in the future.●

#### HOGAN'S HARDWARE

● Mr. THUNE. Mr. President, today I rise to recognize Hogan's Hardware of Kadoka, SD. Hogan's Hardware has enjoyed a long and rich history in my home State.

In April of 1946, Marvis and Florence Hogan opened Hogan's Hardware for business in Kadoka. Now some 60 years later Florence, her son Baxter, daughter Randi, and her son-in-law Don are keeping the business going strong. Small businesses are the back bone of the great State of South Dakota, and I commend the Hogan's for their contributions to their community and the State.

It gives me great pleasure to rise with the town of Kadoka in congratulating Hogan's Hardware and the Hogan family for their 60 years of service.●

#### PARKER, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I rise to recognize the town of Parker,

SD. Parker was recently named the 2006 Small Community of the Year in my home State.

Each town and city in South Dakota may submit an application to be considered for this prestigious honor by our Governor and the Office of Economic Development. The citizens of Parker have seen rapid economic growth in their community, with over 10 businesses opening their doors in 2005. Clearly, the efforts of the Parker Development Corporation have been successful for both the past and present growth of the town. Small businesses are the backbone of the great State of South Dakota, and I commend the citizens of Parker for their contributions to their community and the State.

It gives me great pleasure to rise in congratulating the town of Parker for being recognized as South Dakota's 2006 Small Community of the Year.●

#### VOLUNTARISM

● Mr. VITTER. Mr. President, I rise today to acknowledge the volunteers of St. Francis Medical Center and St. Francis North Hospital in Monroe, LA. Beginning April 23 and ending April 29, this great organization will observe National Volunteer Week. Today, I would like to spend a few moments highlighting the importance of their efforts.

Sponsored by the Points of Light Foundation and Volunteer Center National Network, National Volunteer Week began in 1974. President Richard Nixon signed an executive Order establishing an annual celebration of volunteering. Every President since then has signed a proclamation promoting and recognizing National Volunteer Week during the third week of April. The theme for this year, "Inspire by Example," reflects the opportunity volunteers have to bring joy and hope to the people they serve, as well as to inspire others to serve.

National Volunteer Week allows volunteer centers, nonprofits, hospitals, faith-based organizations, and schools to recognize their own volunteers and support thousands of service projects in the community. This week, America has the pleasure of celebrating more than 64 million volunteers who use their time and talent daily to make a real difference in the lives of the children, adults, and elderly whom they serve.

I applaud the volunteers of St. Francis Medical Center and St. Francis North Hospital in Monroe for their continued service to the citizens of their community. Their hard work and dedication is something we all appreciate and celebrate as we recognize National Volunteer Week.●

#### BICENTENNIAL OF ST. CHARLES PARISH

● Mr. VITTER. Mr. President, I rise today to acknowledge the bicentennial of St. Charles Parish. As one of the

original 19 parishes created from the Territory of Orleans, St. Charles will celebrate its 200th anniversary in 2007.

St. Charles Parish was created in 1807 from the "Cote des Allemands," or county of the German Coast, which begins 25 miles above the city of New Orleans and extends along both sides of the Mississippi River for 40 miles toward Baton Rouge. It contained a rich mixture of Germans, French Creoles, French Acadians, and Free Blacks and thrived as an agricultural center whose produce fed the city of New Orleans.

In 1720, 21 German families from the Rhine region of Germany settled on the west bank of the Mississippi River. These families had suffered horribly during the Thirty Years' War and fled by the thousands to the New World. These original German settlers were given small plots of land by Mr. Law's Company of the Indies.

By 1721, 330 German immigrants, also with the Company of the Indies, arrived in Louisiana. A year later, Germans from John Law's Arkansas Concession arrived in New Orleans demanding passage to Europe. Due to a lack of ships and supplies, Louisiana Governor Bienville persuaded them to remain, and they eventually joined the other German settlers along the banks of the river. In 1765 and 1766, the first Acadians arrived in the area, and they too were given land along the river, and joined the Germans in raising the fruits and produce that was used to feed the city of New Orleans. This produce business along with tobacco, indigo, and lumber made the area a major component in the growth and development of Louisiana.

Later the parish turned from an agricultural to an industrial economic base where new opportunities opened in large-scale oil production. The economic base of St. Charles Parish now centers around energy and petrochemical industries, and recent years have seen the parish's economy diversify into the areas of technology and transportation. The region has also been rated in the top 10 percent of best places to live in the United States by the Places Rated Almanac.

Today, I would like to applaud the good people of St. Charles Parish on their bicentennial and wish them continued prosperity. ●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

#### ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 4, 2005, the Secretary of the Senate, on April 11, 2006, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 4979. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify the preference for local firms in the award of certain contracts for disaster relief activities.

Under the authority of the order of the Senate of April 7, 2006, the enrolled bill was signed on April 11, 2006, during the adjournment of the Senate, by the Acting President pro tempore (Mrs. DOLE).

#### MEASURES REFERRED

The following bill was read the second time, and ordered referred to the Committee on the Judiciary:

S. 2612. A bill to provide for comprehensive immigration reform and for other purposes.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2603. A bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2611. A bill to provide for comprehensive immigration reform and for other purposes.

#### 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-6355. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update" (Notice 2006-39) received on April 7, 2006; to the Committee on Finance.

EC-6356. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "National Median Gross Income for 2006 Revenue Procedure" (Rev. Proc. 2006-20) received on April 7, 2006; to the Committee on Finance.

EC-6357. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination for the position of Chief Financial Officer, received on April 7, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-6358. A communication from the Director, Office of Management, Department of Energy, transmitting, the Department's 2005 lists of Government activities determined to be inherently governmental and those to be not inherently governmental in nature; to

the Committee on Energy and Natural Resources.

EC-6359. A communication from the Secretary of Energy, transmitting, the report of proposed legislation to enhance the effectiveness of the intelligence and counterintelligence programs within the Department of Energy; to the Committee on Energy and Natural Resources.

EC-6360. A communication from the Secretary of Energy, transmitting, the report of proposed legislation to facilitate international participation in the Second Line of Defense Program and to utilize such funds without further appropriation and without fiscal year limitation; to the Committee on Energy and Natural Resources.

EC-6361. A communication from the Secretary of the Air Force, transmitting, pursuant to law, the report of a Program Acquisition Unit Cost (PAUC) breach for C-130AMP, and Average Procurement Unit Cost (APUC) breach for Joint Air-to-Surface Standoff Missile (JASSM), and both PAUC and APUC breaches for Joint Strike Fighter (F-35) and Joint Primary Aircraft Training System (JPATS); to the Committee on Armed Services.

EC-6362. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the status of active duty female members of the Armed Forces for Fiscal Year 2005; to the Committee on Armed Services.

EC-6363. A communication from the Assistant Secretary of Labor, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Amendment to Prohibited Transaction Exemption 80-26 (PTE 80-26) for Certain Interest Free Loans to Employee Benefits Plans" (Application Number D-11046) received on April 7, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-6364. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted for Direct Addition to Food for Human Consumption; Glycerides and Polyglycerides" (Docket No. 1994F-0457) received on April 7, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-6365. A communication from the Assistant General Counsel for Regulations, Office of the General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Equal Access to Public School Facilities for the Boy Scouts of America and Other Designated Youth Groups" (RIN1870-AA12) received on April 7, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-6366. A communication from the Secretary of State, transmitting, pursuant to United States Policy in Iraq Act, section 1227 of the National Defense Authorization Act for Fiscal Year 2006, a report relative to the current military, diplomatic, political, and economic measures that are being or have been undertaken to complete our mission in Iraq successfully; to the Committee on Foreign Relations.

EC-6367. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of consular training with respect to travel and identity documents; to the Committee on Foreign Relations.

EC-6368. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Nomenclature Changes Reflecting Creation of Department of Homeland Security" (22 CFR



Parts 40, 41, and 42) received on April 7, 2006; to the Committee on Foreign Relations.

EC-6369. A communication from the U.S. Global AIDS Coordinator, Department of State, transmitting, pursuant to law, a report entitled "The President's Emergency Plan for AIDS Relief: Report on Refugees and Internally Displaced Persons—February 2006"; to the Committee on Foreign Relations.

EC-6370. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 06-67-06-75); to the Committee on Foreign Relations.

EC-6371. A communication from the White House Liaison, Department of Justice, transmitting, pursuant to law, (9) reports relative to vacancy announcements for the position of United States Attorney (9 districts); to the Committee on the Judiciary.

EC-6372. A communication from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a report entitled "Federal Employees Clean Air Incentives Act 2003/2004 Report and Reporting Requirements Assessment"; to the Committee on Homeland Security and Governmental Affairs.

EC-6373. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Part 305—Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act ('Appliance Labeling Rule')" (RIN3084-AA74) received on April 7, 2006; to the Committee on Commerce, Science, and Transportation.

EC-6374. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Corrections and Clarifications to the Export Administration Regulations" (RIN0694-AD67) received on April 7, 2006; to the Committee on Commerce, Science, and Transportation.

EC-6375. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction" (I.D. No. 022306B) received on April 7, 2006; to the Committee on Commerce, Science, and Transportation.

EC-6376. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure" (I.D. No. 030906E) received on April 7, 2006; to the Committee on Commerce, Science, and Transportation.

EC-6377. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (I.D. No. 030906G) received on April 7, 2006; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

Under the authority of the order of the Senate of April 7, 2006, the following reports of committees were submitted on April 20, 2006:

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 476. A bill to authorize the Boy Scouts of America to exchange certain land in the State of Utah acquired under the Recreation and Public Purposes Act (Rept. No. 109-231).

S. 1131. A bill to authorize the exchange of certain Federal land within the State of Idaho, and for other purposes (Rept. No. 109-232).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with amendments:

S. 1288. A bill to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System (Rept. No. 109-233).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1346. A bill to direct the Secretary of the Interior to conduct a study of maritime sites in the State of Michigan (Rept. No. 109-234).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with amendments:

S. 1378. A bill to amend the National Historic Preservation Act to provide appropriation authorization and improve the operations of the Advisory Council on Historic Preservation (Rept. No. 109-235).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, without amendment:

S. 1829. A bill to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands (Rept. No. 109-236).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with amendments:

S. 1830. A bill to amend the Compact of Free Association Amendments Act of 2003, and for other purposes (Rept. No. 109-237).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1913. A bill to authorize the Secretary of the Interior to lease a portion of the Dorothy Buell Memorial Visitor Center for use as a visitor center for the Indiana Dunes National Lakeshore, and for other purposes (Rept. No. 109-238).

S. 1970. A bill to amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with that trail, and for other purposes (Rept. No. 109-239).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, without amendment:

S. 2253. A bill to require the Secretary of the Interior to offer the 181 Area of the Gulf of Mexico for oil and gas leasing (Rept. No. 109-240).

H.R. 318. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, and for other purposes (Rept. No. 109-241).

H.R. 326. To amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and for other purposes (Rept. No. 109-242).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 409. A bill to provide for the exchange of land within the Sierra National Forest, California, and for other purposes (Rept. No. 109-243).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 562. A bill to authorize the Government of Ukraine to establish a memorial on Federal land in the District of Columbia to honor the victims of the manmade famine that occurred in Ukraine in 1932-1933 (Rept. No. 109-244).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 1129. A bill to authorize the exchange of certain land in the State of Colorado (Rept. No. 109-245).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 1728. To authorize the Secretary of the Interior to study the suitability and feasibility of designating portions of Ste. Genevieve Country in the State of Missouri as a unit of the National Park System, and for other purposes (Rept. No. 109-246).

H.R. 2107. A bill to amend Public Law 104-329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund, and for other purposes (Rept. No. 109-247).

H.R. 3443. A bill to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District (Rept. No. 109-248).

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2197. A bill to improve the global competitiveness of the United States in science and energy technology, to strengthen basic research programs at the Department of Energy, and to provide support for mathematics and science education at all levels through the resources available through the Department of Energy, including at the National Laboratories (Rept. No. 109-249).

By Mr. MCCAIN, from the Committee on Indian Affairs, without amendment:

S. 2245. A bill to establish an Indian youth telemental health demonstration project (Rept. No. 109-250).

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 2621. A bill to extend the temporary suspension of duty on Mixture (1:1) of polyricinoleic acid homopolymer, 3-(dimethylamino)propylamide, dimethylsulfate, quaternized and polyricinoleic acid; to the Committee on Finance.

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 2622. A bill to extend the temporary suspension of duty on 12-Hydroxyoctadecanoic acid, reaction product with N,N-dimethyl-



1,3-propanediamine, dimethyl sulfate, quaternized; to the Committee on Finance.

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 2623. A bill to suspend temporarily the duty on 40% Polymer acid salt/polymer amide 60% butyl acetate; to the Committee on Finance.

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 2624. A bill to extend the temporary suspension of duty on 2-Oxepanone, polymer with aziridine and tetrahydro-2H-pyran-2-one, dodecanoate ester; to the Committee on Finance.

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 2625. A bill to extend the temporary suspension of duty on 1-octadecanaminium, N,N-di-methyl-N-octadecyl-, (SP-4-2)-[29H, 31H-phtha-locyanine-2sulfonate(3)-kN29,kN30,kN31,kN32]cuprate(1-); to the Committee on Finance.

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 2626. A bill to extend the temporary suspension of duty on 50 percent amine neutralized phosphated polyester polymer, 50 percent solvesso 100; to the Committee on Finance.

By Mr. DOMENICI (by request):

S. 2627. A bill to amend the Act of August 21, 1935, to extend the authorization for the National Park System Advisory Board, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL (for herself, Mrs. MURRAY, and Mr. WYDEN):

S. 2628. A bill to amend the Low-Income Home Energy Assistance Act of 1981 to provide procedures for the release of Low-Income Home Energy Assistance Program contingency funds; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 2629. A bill to improve the tracking of stolen firearms and firearms used in a crime, to allow more frequent inspections of gun dealers to ensure compliance with Federal gun law, to enhance the penalties for gun trafficking, and for other purposes; to the Committee on the Judiciary.

By Mr. NELSON of Florida (for himself and Ms. SNOWE):

S. 2630. A bill to amend the Communications Act of 1934 to prohibit manipulation of caller identification information; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER:

S. 2631. A bill to amend section 1028 of title 18, United States Code, to prohibit the possession, transfer, or use of fraudulent travel documents; to the Committee on the Judiciary.

By Mr. DORGAN (for himself, Ms. SNOWE, Mr. SCHUMER, Mr. BURNS, Mr. BAUCUS, Mr. JEFFORDS, and Mrs. MURRAY):

S. 2632. A bill to allow United States citizens under 18 years of age to travel to Canada without a passport, to develop a system to enable United States citizens to take 24-hour excursions to Canada without a passport, to limit the cost of passport cards or similar alternatives to passports to \$20, and for other purposes; to the Committee on the Judiciary.

By Mr. BURNS:

S. 2633. A bill to grant rights-of-way to owners of dams located in the Bitterroot National Forest in the State of Montana, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRAIG:

S. 2634. A bill to amend title 38, United States Code, to strike the term of the positions Under Secretary for Health and the

Under Secretary for Benefits and simplify appointments to such positions; to the Committee on Veterans' Affairs.

By Mr. WYDEN (for himself, Ms. SNOWE, Ms. CANTWELL, and Ms. COLLINS):

S. 2635. A bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GREGG:

S. Con. Res. 89. A concurrent resolution honoring the 100th anniversary of the historic congressional charter of the National Society of the Sons of the American Revolution; to the Committee on the Judiciary.

## ADDITIONAL COSPONSORS

S. 333

At the request of Mr. SANTORUM, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Kansas (Mr. ROBERTS) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 333, a bill to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran.

S. 474

At the request of Mr. SMITH, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 474, a bill to establish the Mark O. Hatfield-Elizabeth Furse Scholarship and Excellence in Tribal Governance Foundation, and for other purposes.

S. 512

At the request of Mr. SANTORUM, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 512, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 576

At the request of Mr. BYRD, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 576, a bill to restore the prohibition on the commercial sale and slaughter of wild free-roaming horses and burros.

S. 635

At the request of Mr. SANTORUM, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 635, a bill to amend title XVIII of the Social Security Act to improve the benefits under the medicare program for beneficiaries with kidney disease, and for other purposes.

S. 728

At the request of Mr. INHOFE, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 728, a bill to provide for the consideration and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to

rivers and harbors of the United States, and for other purposes.

S. 843

At the request of Mr. SANTORUM, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 843, a bill to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

S. 1035

At the request of Mr. INHOFE, the names of the Senator from Illinois (Mr. OBAMA), the Senator from New Mexico (Mr. DOMENICI), the Senator from Hawaii (Mr. INOUE), the Senator from New York (Mrs. CLINTON) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1035, a bill to authorize the presentation of commemorative medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th century in recognition of the service of those Native Americans to the United States.

S. 1108

At the request of Mr. CONRAD, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1108, a bill to amend title XVIII of the Social Security Act to make improvements to payments to ambulance providers in rural areas, and for other purposes.

S. 1132

At the request of Mr. COLEMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1132, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease.

S. 1513

At the request of Ms. MIKULSKI, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1513, a bill to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes.

S. 1791

At the request of Mr. SMITH, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1791, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified timber gains.

S. 1881

At the request of Mrs. FEINSTEIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1881, a bill to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco otherwise known as the "Granite Lady", and for other purposes.

S. 1948

At the request of Mrs. CLINTON, the names of the Senator from Vermont (Mr. JEFFORDS) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 1948, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of passenger motor vehicles, and for other purposes.

S. 2025

At the request of Mr. BAYH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2025, a bill to promote the national security and stability of the United States economy by reducing the dependence of the United States on oil through the use of alternative fuels and new technology, and for other purposes.

S. 2121

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 2121, a bill to amend title 38, United States Code, to provide housing loan benefits for the purchase of residential cooperative apartment units.

S. 2125

At the request of Mr. OBAMA, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2125, a bill to promote relief, security, and democracy in the Democratic Republic of the Congo.

S. 2201

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 2201, a bill to amend title 49, United States Code, to modify the mediation and implementation requirements of section 40122 regarding changes in the Federal Aviation Administration personnel management system, and for other purposes.

At the request of Mr. OBAMA, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2201, *supra*.

S. 2250

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2250, a bill to award a congressional gold medal to Dr. Norman E. Borlaug.

S. 2284

At the request of Ms. MIKULSKI, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2284, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 2292

At the request of Mr. SPECTER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2292, a bill to provide relief for the Federal judiciary from excessive rent charges.

S. 2321

At the request of Mr. SANTORUM, the names of the Senator from Washington

(Ms. CANTWELL), the Senator from Maine (Ms. COLLINS), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Florida (Mr. MARTINEZ) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of S. 2321, a bill to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille.

S. 2322

At the request of Mr. ENZI, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 2322, a bill to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 2340

At the request of Mr. SPECTER, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2340, a bill to amend title XVIII of the Social Security Act to preserve access to community cancer care by Medicare beneficiaries.

S. 2351

At the request of Mrs. BOXER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2351, a bill to provide additional funding for mental health care for veterans, and for other purposes.

S. 2392

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2392, a bill to promote the empowerment of women in Afghanistan.

S. 2414

At the request of Mr. BAYH, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2414, a bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes.

S. 2416

At the request of Mr. BURNS, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 2416, a bill to amend title 38, United States Code, to expand the scope of programs of education for which accelerated payments of educational assistance under the Montgomery GI Bill may be used, and for other purposes.

S. 2421

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. 2421, a bill to establish the Louisiana Hurricane and Flood Protection Council for the improvement of hurricane and flood protection in Louisiana.

S. 2459

At the request of Ms. COLLINS, the names of the Senator from Ohio (Mr. DEWINE), the Senator from Colorado (Mr. SALAZAR) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 2459, a bill to improve cargo security, and for other purposes.

S. 2467

At the request of Mr. GRASSLEY, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 2467, a bill to enhance and improve the trade relations of the United States by strengthening United States trade enforcement efforts and encouraging United States trading partners to adhere to the rules and norms of international trade, and for other purposes.

S. 2484

At the request of Mr. OBAMA, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2484, a bill to amend the Internal Revenue Code of 1986 to prohibit the disclosure of tax return information by tax return preparers to third parties.

S. 2498

At the request of Mr. THOMAS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2498, a bill to amend the Internal Revenue Code of 1986 to prohibit the disclosure of tax return information by tax return preparers to third parties.

S. 2499

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2499, a bill to provide for the expeditious disclosure of records relevant to the life and assassination of Reverend Doctor Martin Luther King, Jr.

S. 2503

At the request of Mrs. LINCOLN, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from Iowa (Mr. HARKIN), the Senator from Vermont (Mr. JEFFORDS), the Senator from Massachusetts (Mr. KERRY) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 2503, a bill to amend the Internal Revenue Code of 1986 to provide for an extension of the period of limitation to file claims for refunds on account of disability determinations by the Department of Veterans Affairs.

S. 2553

At the request of Mr. KERRY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2553, a bill to require employees at a call center who either initiate or receive telephone calls to disclose the physical location of such employees, and for other purposes.

S. 2554

At the request of Mr. ENSIGN, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 2554, a bill to amend the Internal Revenue Code of 1986 to expand the permissible use of health savings accounts to include premiums for non-group high deductible health plan coverage.

S. 2556

At the request of Mr. BAYH, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Minnesota (Mr. DAYTON) and the Senator from Illinois (Mr. DURBIN) were

added as cosponsors of S. 2556, a bill to amend title 11, United States Code, with respect to reform of executive compensation in corporate bankruptcies.

S. 2571

At the request of Mr. CONRAD, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2571, a bill to promote energy production and conservation, and for other purposes.

S. 2593

At the request of Mrs. BOXER, the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2593, a bill to protect, consistent with *Roe v. Wade*, a woman's freedom to choose to bear a child or terminate a pregnancy, and for other purposes.

S. 2599

At the request of Mr. VITTER, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 2599, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit the confiscation of firearms during certain national emergencies.

S. RES. 313

At the request of Ms. CANTWELL, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. DOMENICI), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Montana (Mr. BAUCUS), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. Res. 313, a resolution expressing the sense of the Senate that a National Methamphetamine Prevention Week should be established to increase awareness of methamphetamine and to educate the public on ways to help prevent the use of that damaging narcotic.

S. RES. 431

At the request of Mrs. FEINSTEIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 431, a resolution designating May 11, 2006, as "Endangered Species Day", and encouraging the people of the United States to become educated about, and aware of, threats to species, success stories in species recovery, and the opportunity to promote species conservation worldwide.

S. RES. 438

At the request of Mr. ALEXANDER, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. Res. 438, a resolution expressing the sense of Congress that institutions of higher education should adopt policies and educational programs on their campuses to help deter and eliminate illicit copyright infringement occurring on, and encourage educational uses of, their computer systems and networks.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI (by request):

S. 2627. A bill to amend the Act of August 21, 1935, to extend the authorization for the National Park System Advisory Board, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, I rise today to introduce, at the request of the Department of the Interior, legislation to extend the authorization for the National Park System Advisory Board.

For the past 70 years, the National Park System Advisory Board has provided guidance and recommendations to the Director of the National Park Service and the Secretary of the Interior regarding management of America's national parks. The authorization for its existence will expire on January 1, 2007. The attached legislation will extend the authorization to 2016 and modify the composition of the board to include representation from a broader diversity of interests.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2627

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Park System Advisory Board Reauthorization Act of 2006".

### SEC. 2. NATIONAL PARK SYSTEM ADVISORY BOARD.

Section 3 of the Act of August 21, 1935 (16 U.S.C. 463), is amended—

(1) by striking "SEC. 3" and inserting the following:

#### "SEC. 3. NATIONAL PARK SYSTEM ADVISORY BOARD.;

(2) in subsection (a)—

(A) by striking "(a) There is hereby established" and inserting the following:

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—There is established";

(B) in the second sentence, by striking "The Board shall advise" and inserting the following:

"(2) PURPOSE.—The Board shall advise";

(C) in the third sentence, by striking "Members of the Board" and inserting the following:

"(3) TERM; APPOINTMENT.—Members of the Board";

(D) by striking the fourth through ninth sentences and inserting the following:

"(4) MEMBERSHIP.—

"(A) IN GENERAL.—The Board shall be comprised of not more than 12 members, appointed from among citizens of the United States with a demonstrated commitment to the mission of the National Park Service, of whom—

"(i) at least 4 members shall have outstanding expertise in 1 or more of the fields of history, archeology, anthropology, historical or landscape architecture, biology, ecology, geology, marine science, or social science;

"(ii) 3 members shall have outstanding expertise and prior experience in—

"(I) the management of National or State parks or protected areas; or

"(II) natural or cultural resources management;

"(iii) 3 members shall have outstanding expertise in any other professional or scientific discipline important to the mission of the National Park Service, such as financial management, travel and tourism management, recreational use management, concessions management, and land use planning or business management;

"(iv) at least 1 member shall have expertise in, and appreciation for, the historic recreational opportunities within units of the National Park System; and

"(v) at least 1 member shall be a locally elected official from an area adjacent or within close proximity to a unit of the National Park System.

"(B) GEOGRAPHIC REPRESENTATION.—Board members appointed under subparagraph (A) shall be selected to represent various geographic regions, including each of the administrative regions of the National Park Service.;"

(E) in the tenth sentence, by striking "The Board shall hold" and inserting the following:

"(5) MEETINGS.—The Board shall hold";

(F) in the eleventh sentence, by striking "Any vacancy" and inserting the following:

"(6) VACANCIES.—Any vacancy";

(G) in the twelfth sentence, by striking "The Board may adopt" and inserting the following:

"(7) PROCEDURES.—The Board may adopt";

(H) in the thirteenth sentence, by striking "All members" and inserting the following:

"(8) COMPENSATION.—

"(A) TRAVEL EXPENSES.—All members";

(I) in the fourteenth sentence, by striking "With the exception of travel and per diem as noted above" and inserting the following:

"(B) NO ADDITIONAL COMPENSATION.—Except as provided in subparagraph (A)";

(J) in the fifteenth sentence, by striking "It shall be the duty of such board" and inserting the following:

"(9) DUTIES.—

"(A) IN GENERAL.—It shall be the duty of the Board"; and

(K) in the sixteenth sentence, by striking "Such board shall also" and inserting the following:

"(B) RECOMMENDATIONS.—The Board shall"; and

(L) in the seventeenth sentence, by striking "Such board is" and inserting the following:

"(C) CONSULTATION.—The Board is";

(3) in subsection (b)—

(A) by striking "(1)" and inserting "ADVISORY BOARD STAFF.;" and

(B) by striking paragraph (2); and

(4) in subsection (f), by striking "2007" and inserting "2016".

### SEC. 3. TECHNICAL AMENDMENTS.

The Act of August 21, 1935 (16 U.S.C. 461 et seq.), is amended—

(1) in section 3(c)(1)(D) by striking "arrangements." and inserting "arrangements.;" and

(2) in the first undesignated subsection of section 4, by inserting "(a)" before "The Secretary".

By Mr. NELSON of Florida (for himself and Ms. SNOWE):

S. 2630. A bill to amend the Communications Act of 1934 to prohibit manipulation of caller identification information; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Mr. President, American consumers and public safety officials find themselves confronted by yet another fraudulent scam

in the digital age. This time the scam is known as caller I.D. "spoofing." Today I am introducing a bipartisan bill with Senator SNOWE, the Truth in Caller I.D. Act of 2006, to put an end to fraudulent caller I.D. spoofing.

It seems like every week we hear of new threats to our privacy and new ways to use the Internet to endanger consumers' financial security and physical safety. For several years now, I have been fighting back, pushing legislation to combat frauds such as identity theft and the unauthorized sale of consumer telephone records. Now it is time to fight caller I.D. spoofing.

What is caller I.D. spoofing? It is a technique that allows a telephone caller to alter the phone number that appears on the recipient's caller I.D. system. In other words, spoofing allows someone to hide behind a misleading phone number to try to scam consumers or trick law enforcement officials. As the Miami Herald wrote on March 12, 2006, caller I.D. spoofing gives "debt collectors, telemarketers, and even scam artists the upper hand in the wearisome game of phone call 'gotcha'."

Beyond that scenario, let me give you a few shocking examples of how caller ID spoofing has been exploited in recent months: In one dangerous hoax, a sharp-shooting SWAT team was forced to shut down a neighborhood in New Brunswick, NJ, after receiving what they believed was a legitimate distress call. But what really had happened was that the caller used spoofing to trick law enforcement into thinking the emergency call was coming from a certain apartment in that neighborhood. It was all a cruel trick perpetrated with a deceptive phone number.

In another example, a Member of the U.S. House of Representatives was the victim of a sophisticated spoofing plot. It appears that fraudsters placed thousands of spoofed calls to the Member's constituents. In each case, the fraudster made it look like the phone call was dialed from the Member's office, and in each case the fraudster bad-mouthed the Member to the constituent on the other end of the line. The Member found out about this after his congressional office got angry phone calls from constituents.

In yet another instance, identity thieves bought stolen credit card numbers. They then called Western Union, set up caller I.D. to make it look like the call originated from the card holder's name, and used the credit card number to order cash transfers, which the identity thieves then picked up.

While these examples are serious enough, think about what would happen if a stalker used caller I.D. spoofing to trick his victim into answering the telephone or giving out sensitive personal information. This could put peoples' lives in danger.

According to experts, there are countless Internet Web sites—going by names like Tricktel.com or

Spooftech.com—that sell their services to criminals and identity thieves, or even bill collectors and private investigators. Any person can go to one of these Web sites, pay money to order a fake phone number, tell the Web site which phone number to reach, and then place the call through a toll-free line. The recipient is then tricked when he or she sees the misleading phone number on his or her caller I.D. system.

In essence, these Web sites provide the high-tech tools that identity thieves need to do their dirty work. Armed with a misleading phone number, an identity thief can call a consumer pretending to be representative of the consumer's credit card company or bank. The thief can ask the consumer to authenticate a request for personal account information. Once an identity thief gets hold of this sensitive personal information, he can access a consumer's bank account, credit card account, health information, and who knows what else.

Even if a consumer doesn't become a victim of stalking or identity theft, there is a simple concept at work here. Consumers pay money for their caller I.D. service. Consumers expect caller I.D. to be accurate because it helps them decide whether to answer a phone call and whether to trust the person on the other end of the line.

If the caller I.D. says that my wife is calling me, when I pick up my phone, I expect my wife to be on the other end of the line. Instead, we have fraudsters and others who want to abuse the system and disguise their true identities. That defeats the whole purpose of caller I.D.

Unfortunately the Federal Communications Commission and Federal Trade Commission have been slow to act. Those agencies have not yet brought any enforcement actions against caller I.D. spoofers.

In the meantime, many spoofing companies and the fraudsters that use them believe that their activities are legal. Well, it is time to make it crystal clear that caller I.D. spoofing is not legal.

How does the bipartisan Truth in Caller I.D. Act of 2006 address the problem of caller I.D. spoofing?

Quite simply, this bill plugs the hole in the current law and prohibits anyone from using caller identification services to transmit misleading or inaccurate caller I.D. information. This prohibition covers traditional telephone calls or calls made using Voice-Over-Internet, VOIP, service.

Senator SNOWE and I don't intend to ban all caller I.D. spoofing. Instead, our bill recognizes that there are legitimate law enforcement uses for spoofing. And the bill requires the Federal Communications Commission to create appropriate exceptions for legitimate business purposes, after hearing public comment on the issue.

Anyone who violates this antispooing law would be subject to a penalty of \$10,000 per violation or up to

1 year in jail, as set out in the Communications Act. Additionally, the bill empowers States to help the Federal Government track down and punish these fraudsters. The more law enforcers out there to enforce this law, the better.

I note that Chairman BARTON of the House Energy and Commerce Committee just introduced a similar bipartisan antispooing bill, which he expects to pass the House in short order. I invite my colleagues to join Senator SNOWE and myself in supporting the Truth in Caller I.D. Act of 2006. We should waste no time in protecting consumers and law enforcement authorities against caller I.D. spoofing.

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

S. 2630

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Truth in Caller ID Act of 2006".

#### SEC. 2. PROHIBITION REGARDING MANIPULATION OF CALLER IDENTIFICATION INFORMATION.

Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following new subsection:

“(e) PROHIBITION ON PROVISION OF INACCURATE CALLER IDENTIFICATION INFORMATION.—

“(1) IN GENERAL.—It shall be unlawful for any person within the United States, in connection with any telecommunications service or IP-enabled voice service, to cause any caller identification service to transmit misleading or inaccurate caller identification information, unless such transmission is exempted pursuant to paragraph (3)(B).

“(2) PROTECTION FOR BLOCKING CALLER IDENTIFICATION INFORMATION.—Nothing in this subsection may be construed to prevent or restrict any person from blocking the capability of any caller identification service to transmit caller identification information.

“(3) REGULATIONS.—

“(A) IN GENERAL.—Not later than 6 months after the enactment of this subsection, the Commission shall prescribe regulations to implement this subsection.

“(B) CONTENT OF REGULATIONS.—

“(i) IN GENERAL.—The regulations required under subparagraph (A) shall include such exemptions from the prohibition under paragraph (1) as the Commission determines appropriate.

“(ii) SPECIFIC EXEMPTION FOR LAW ENFORCEMENT AGENCIES OR COURT ORDERS.—The regulations required under subparagraph (A) shall exempt from the prohibition under paragraph (1) transmissions in connection with—

“(I) any authorized activity of a law enforcement agency; or

“(II) a court order that specifically authorizes the use of caller identification manipulation.

“(4) REPORT.—Not later than 6 months after the enactment of this subsection, the Commission shall report to Congress whether additional legislation is necessary to prohibit the provision of inaccurate caller identification information in technologies that are successor or replacement technologies to

telecommunications service or IP-enabled voice service.

“(5) PENALTIES.—

“(A) CIVIL FORFEITURE.—

“(i) IN GENERAL.—Any person that is determined by the Commission, in accordance with paragraphs (3) and (4) of section 503(b), to have violated this subsection shall be liable to the United States for a forfeiture penalty. A forfeiture penalty under this paragraph shall be in addition to any other penalty provided for by this Act. The amount of the forfeiture penalty determined under this paragraph shall not exceed \$10,000 for each violation, or 3 times that amount for each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of \$1,000,000 for any single act or failure to act.

“(ii) RECOVERY.—Any forfeiture penalty determined under clause (i) shall be recoverable pursuant to section 504(a).

“(iii) PROCEDURE.—No forfeiture liability shall be determined under clause (i) against any person unless such person receives the notice required by section 503(b)(3) or section 503(b)(4).

“(iv) 2-YEAR STATUTE OF LIMITATIONS.—No forfeiture penalty shall be determined or imposed against any person under clause (i) if the violation charged occurred more than 2 years prior to the date of issuance of the required notice or notice of apparent liability.

“(B) CRIMINAL FINE.—Any person who willfully and knowingly violates this subsection shall upon conviction thereof be fined not more than \$10,000 for each violation, or 3 times that amount for each day of a continuing violation, in lieu of the fine provided by section 501 for such a violation. This subparagraph does not supersede the provisions of section 501 relating to imprisonment or the imposition of a penalty of both fine and imprisonment.

“(6) ENFORCEMENT BY STATES.—

“(A) IN GENERAL.—The chief legal officer of a State, or any other State officer authorized by law to bring actions on behalf of the residents of a State, may bring a civil action, as *parens patriae*, on behalf of the residents of that State in an appropriate district court of the United States to enforce this subsection or to impose the civil penalties for violation of this subsection, whenever the chief legal officer or other State officer has reason to believe that the interests of the residents of the State have been or are being threatened or adversely affected by a violation of this subsection or a regulation under this subsection.

“(B) NOTICE.—The chief legal officer or other State officer shall serve written notice on the Commission of any civil action under subparagraph (A) prior to initiating such civil action. The notice shall include a copy of the complaint to be filed to initiate such civil action, except that if it is not feasible for the State to provide such prior notice, the State shall provide such notice immediately upon instituting such civil action.

“(C) AUTHORITY TO INTERVENE.—Upon receiving the notice required by subparagraph (B), the Commission may intervene in such civil action and upon intervening—

“(i) be heard on all matters arising in such civil action; and

“(ii) file petitions for appeal of a decision in such civil action.

“(D) CONSTRUCTION.—For purposes of bringing any civil action under subparagraph (A), nothing in this paragraph shall prevent the chief legal officer or other State officer from exercising the powers conferred on that officer by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence.

“(E) VENUE; SERVICE OR PROCESS.—

“(i) VENUE.—An action brought under subparagraph (A) shall be brought in a district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

“(ii) SERVICE OF PROCESS.—In an action brought under subparagraph (A)—

“(I) process may be served without regard to the territorial limits of the district or of the State in which the action is instituted; and

“(II) a person who participated in an alleged violation that is being litigated in the civil action may be joined in the civil action without regard to the residence of the person.

“(F) LIMITATION ON STATE ACTION WHILE FEDERAL ACTION IS PENDING.—If the Commission has instituted an enforcement action or proceeding for violation of this subsection, the chief legal officer or other State officer of the State in which the violation occurred may not bring an action under this section during the pendency of the proceeding against any person with respect to whom the Commission has instituted the proceeding.

“(7) DEFINITIONS.—For purposes of this subsection:

“(A) CALLER IDENTIFICATION INFORMATION.—The term ‘caller identification information’ means information provided by a caller identification service regarding the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service.

“(B) CALLER IDENTIFICATION SERVICE.—The term ‘caller identification service’ means any service or device designed to provide the user of the service or device with the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service. Such term includes automatic number identification services.

“(C) IP-ENABLED VOICE SERVICE.—The term ‘IP-enabled voice service’ means the provision of real-time 2-way voice communications offered to the public, or such classes of users as to be effectively available to the public, transmitted through customer premises equipment using TCP/IP protocol, or a successor protocol, for a fee (whether part of a bundle of services or separately) with interconnection capability such that the service can originate traffic to, or terminate traffic from, the public switched telephone network.

“(8) LIMITATION.—Notwithstanding any other provision of this section, subsection (f) shall not apply to this subsection or to the regulations under this subsection.”

By Mr. BURNS:

S. 2633. A bill to grant rights-of-way to owners of dams located in the Bitterroot National Forest in the State of Montana, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BURNS. Mr. President, I rise today to introduce the Bitterroot National Forest Dam and Reservoir Maintenance Act. There are 17 reservoirs in the Bitterroot National Forest and Selway-Bitterroot Wilderness Area. These reservoirs not only predate the 1964 Wilderness Act and creation of the Selway-Bitterroot Wilderness Area, many predate the designation of the Bitterroot National Forest. The reservoirs continued use is fundamental to a stable agricultural economy for the Bitterroot Valley in western Mon-

tana. In addition, these reservoirs provide multiple benefits to the people, economy, and natural environment of Montana in the form of ground water recharge, flood control, and increased late summer streamflows that support riparian and fishery habitat needs. In addition, the reservoirs ensure we maintain our open spaces by allowing sustainable family ranches and farms to continue instead of subdivisions.

When the Selway-Bitterroot Wilderness Area was adopted as the first congressionally designate wilderness area, access roads or trails were not specifically identified for access to these dams. Clearly the 1964 Wilderness Act does provide for some level of access to these existing reservoirs for inspection and maintenance. Subsequent wilderness legislation establishing wilderness areas after 1964 have excluded “cherry-stem” roads and trails to dams just like these in the Bitterroot thus avoiding the problem we have in Montana.

The Secretary of Agriculture, through the USDA-Forest Service, must provide access to these dams. Currently, the exact level of access is undefined and debated with each request. For each dam access request the Forest Service must comply with the National Environmental Policy Act, the Endangered Species Act, the Federal Dam Safety Act, and the Wilderness Act. To do so the agency must prepare an environmental assessment or environmental impact statement for the proposed access. This often requires months to complete and is subject to appeal and litigation by those opposed to motorized access to the dams, and in some cases those opposed to the use of the existing water rights.

This legislation will clarify that the administration of the reservoirs and rights of ways should reside with the State of Montana like all other water rights. The legislation also establishes right of ways for the reservoirs and access routes to the reservoirs that would pre-empt the Wilderness Act, and National Environmental Policy Act. This bill will allow for an efficient means for irrigation companies to access the reservoirs to complete inspections, and conduct safety and operation maintenance work in a timely manner.

I look forward to working with my Senate colleagues to secure passage of this important legislation.

By Mr. CRAIG:

S. 2634. A bill to amend title 38, United States Code, to strike the term of the positions Under Secretary for Health and the Under Secretary for Benefits and simplify appointments to such positions; to the Committee on Veterans' Affairs.

Mr. CRAIG. Mr. President, today I wish to introduce a simple, but I think an important piece of legislation which, if enacted, will affect just two positions at the Department of Veterans Affairs: the Under Secretary for Health and the Under Secretary for Benefits. My bill would abolish the 4-

year term limit on service in each position and remove the requirement that a search commission be assembled to identify candidates for either of the positions if a vacancy in the position occurs.

As some of my colleagues may know, VA has thirteen positions in its central office for which Presidential nomination and Senate confirmation are required. There are seven Assistant Secretaries, a General Counsel, three Under Secretaries, a Deputy Secretary, and, of course, a full Cabinet level Secretary. Only the Under Secretaries for Health and Benefits are given statutory terms of office. All of the other positions, two of which are superior offices and one of which is a fellow Under Secretary, serve at the pleasure of the President.

In addition, under current law, if a vacancy occurs in either one of the two offices I have just mentioned, the Secretary of Veterans Affairs must establish a commission made up of various interested individuals to recommend not less than three persons to the President for the job. If the President does not care for the list of persons provided by the commission, the President may request that the commission recommend additional individuals from which he can choose a nominee.

I believe the two changes I am proposing are warranted and deserve my colleagues' support for a number of reasons. First, and most important to me, is that the Constitution gives the President of the United States the power to nominate and with advice and consent of the Senate, appoint Officers of the United States. There is no requirement that any of the candidates be identified, vetted, or recommended by an extra-constitutional commission. In fact, recommendation and vetting is the power granted to the United States Senate through our advice and consent role.

I find it interesting that the President today can choose a nominee for Chief Justice of the United States, Attorney General, Secretary of State, Ambassador to the Court of St. James and other incredibly important high offices of this government without a statutorily required search commission. Yet these two Under Secretaries at VA must go through this vetting process before even being identified to the President for his consideration of a nomination.

I believe that it is our responsibility as elected representatives of the people to determine who is suitable for an appointment to a high office of public trust. The people, rightfully, hold us accountable for the performance of appointed officials. They do not hold commissions accountable. Certainly, the President and Senators are free to seek out the views of any number of interested parties before deciding whom to nominate or whether to vote to confirm that person. But those outside consultations should be encouraged and welcomed, not obliged by law.

The second reason I believe my colleagues should support this bill is that the language of the statute with respect to the commission and the term limits is at best unclear and at worst confusing.

The law requires the Secretary to establish a commission to identify potential nominees when "a vacancy in the position occurs or is anticipated". The law also allows the President to reappoint the current office occupant for like periods. This raises the vexing question of whether there is an anticipated vacancy, requiring the appointment of the search commission to identify potential nominees, just because a term is expiring. If the answer is yes, then I ask if that answer is different if the President intends to nominate the current office occupant for an additional term?

Clearly, it seems absurd to me to require a search commission to identify a suitable candidate for nomination if the President has already identified the current office occupant as his chosen nominee. Still, more confusing is what occurs if the President nominates the current office holder prior to the expiration of his or her term but then the term expires before the Senate has had the opportunity to act on the nomination. This scenario is actually not an absurd legal "what if" but an actual current problem.

Just a few weeks ago, the President nominated Daniel Cooper to serve a 4-year term as Under Secretary for Benefits. Mr. Cooper was already the Under Secretary at the time of his nomination. Thus, there was no vacancy in the office and none was anticipated since he was being offered as his own replacement. So, no search commission is required under law.

Yet, now Mr. Cooper's term has expired and the Senate has yet to act on his nomination. So, technically, there is now a vacancy requiring a search commission to identify a nominee. But, as I have just explained, the President has already nominated someone. So, with the concurrence of my ranking member, Senator AKAKA, I advised the White House that there was no need for a search commission. But, the fact that the conversation had to occur shows the need for a change in this law. Of course, my preferred course would be to just eliminate the law as I am now proposing.

Mr. Cooper's nomination has actually brought to light another reason that I believe we should eliminate the term limits on the positions. That is that the term adds a huge political element to the process of attempting to keep on a successful officeholder as in the case of Mr. Cooper. While not revealing any confidences or singling out individual Senators, I do not think my colleagues would be surprised to hear that since being nominated for an additional term Mr. Cooper has been subject to some political bargaining by Senators who seek to have him take some actions in his official capacity before they will

vote to keep him on in his job. I understand that happens often around here. And I don't begrudge it in general. But, I think the opportunities for such actions should be minimized to the extent possible, especially when there is no question as to the nominee's qualifications or successful performance in office. If he or she is doing well, then, under my bill, the President would presumably retain his or her services. If not, then he or she should be removed, immediately. Not at the end of a term.

That brings me to my final reason for this legislation. I simply believe that senior governmental officials should serve in those positions only so long as they hold the confidence of the President of the United States. If the President loses confidence in any of his senior leadership, he or she should remove those individuals from those posts.

I understand that there are those who believe that this action would make the positions inherently political. I offer two thoughts to those who hold this belief. First, in 1988, when VA was elevated to cabinet level status through Public Law 100-527, the law required that the President appoint individuals to these two offices "without regard to political affiliation or activity and solely on the basis of integrity and demonstrated ability." I am not proposing to change any of those requirements. Even if I was proposing such a change, certainly the Senate could impose such a condition prior to any confirmation.

Second, I firmly believe that some political responsibility also leads to greater performance by officeholders and accountability to Congressional oversight. I think you all know that improved performance and bureaucratic accountability at VA are annual demands of our Veterans service organizations. I believe this change will move us one step closer to addressing their concerns.

Mr. President, as I said at the outset of my statement, this is a simple bill. But, just like the old saying that if you watch the pennies the dollars will take care of themselves, I believe that if we make the simple, but necessary improvements to VA's operations and management structure, the entire system will improve on its own. I urge my colleagues to support this bill as one step towards overall improvement.

By Mr. WYDEN (for himself, Ms. SNOWE, Ms. CANTWELL, and Ms. COLLINS):

S. 2635. A bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters; to the Committee on Finance.

Mr. WYDEN. Mr. President, today I am pleased to be joined by Senators SNOWE, COLLINS and CANTWELL in introducing the "Bicycle Commuters Benefit Act of 2006".

I know that I am speaking for many people in this country who want to do something concrete about our Nation's



dependence on oil and gas. They do not think our national energy policy is doing enough. They are eager to do things that make them feel like they can take responsibility for overcoming their dependence on oil and gas. As gas prices continue to climb this spring and summer, more and more people are going to be looking for something that they can do to free themselves from this dependency. The bill I am introducing today gives Americans more incentive to give up the cars and trucks that they drive to and from work everyday and get on their bicycles instead.

According to recent Census reports, more than 500,000 people throughout the United States commute to work by bicycle. They are freeing themselves from sitting in traffic. They are saving energy and overcoming their dependence on oil and gas. They are getting exercise; avoiding obesity and helping us keep our air clean and safe to breathe.

Yet they are commuting by bicycle at their own expense. Their fellow employees who take mass transit to and from work have an incentive created in the Transportation Equity Act for the 21st Century that enables their employers to pay for their bus or subway ride. This incentive is great for mass transit commuters but it discourages people from riding their bikes to and from their jobs. The Bicycle Commuters Benefits Act of 2006 will eliminate this discrimination against bicycle commuters.

The bill extends the fringe benefit that employers can offer their employees for commuting by public transit, to those who ride their bicycles to and from their jobs. Our bill amends the tax code so that public and private employers can offer their employees a monthly benefit payment that will help them cover the costs of riding their bikes, instead of driving and parking their cars where they work. The bill also provides employers the flexibility to set their own level of benefit payment up to a specified cap amount. That way, employers and their employees can decide how much of an incentive they need to stop driving and start riding their bikes. Those who currently ride the bus and/or subway to work would also gain an extra incentive to ride their bikes. Employers can deduct the cost of their benefit payments from their taxable income. This reduces the taxes that they pay to the Federal Government. And, in turn, employees will receive anywhere from \$40-\$100 per month as a non-taxable benefit, to help them pay for the costs of riding their bikes.

I think that this is a fair and modest proposal that will reward employees who ride their bikes to and from their jobs.

Our Senate bill matches HR 807 that was introduced during the first session of the 109th Congress by my fellow Oregonian, Congressman EARL BLUMENAUER. He has 47 co-sponsors from

both sides of the aisle and every part of the United States eager to offer bicycle commuters the same incentive that I want to give commuters who take mass transit.

In addition, our bill is supported by many regional and national bicycling organizations such as Cycle Oregon, the Bicycle Transportation Alliance, the League of American Bicyclists, the Washington Area Bicyclist Association and hundreds of Capitol Hill employees who commute by bike to work every day.

When you think about it and you look around our cities, the taxpayers have paid for millions of dollars of bike trails in all of America's urban areas and major job markets. Now, bicycle commuters will have an extra incentive to use them to commute to and from their jobs.

One week from today, we will start celebrating May as "National Bike-to-Work" month. I can't think of any better way to commemorate this special month than by introducing this legislation. I look forward to working with our colleagues to see this legislation pass.

I ask unanimous consent that the bill be printed in the RECORD.

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

S. 2635

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Bicycle Commuters Benefits Act of 2006".

#### SEC. 2. EXTENSION OF TRANSPORTATION FRINGE BENEFIT TO BICYCLE COMMUTERS.

(a) IN GENERAL.—Paragraph (1) of section 132(f) of the Internal Revenue Code of 1986 (relating to general rule for qualified transportation fringe) is amended by adding at the end the following:

"(D) Bicycle commuting allowance."

(b) BICYCLE COMMUTING ALLOWANCE DEFINED.—Paragraph (5) of section 132(f) of such Code (relating to definitions) is amended by adding at the end the following:

"(F) BICYCLE COMMUTING ALLOWANCE.—The term 'bicycle commuting allowance' means an amount provided to an employee for transportation on a bicycle if such transportation is in connection with travel between the employee's residence and place of employment."

(c) LIMITATION ON EXCLUSION.—Paragraph (2) of section 132(f) of such Code is amended by striking "subparagraphs (A) and (B)" and inserting "subparagraphs (A), (B), and (D)".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2005.

#### SUBMITTED RESOLUTIONS

#### SENATE CONCURRENT RESOLUTION 89—HONORING THE 100TH ANNIVERSARY OF THE HISTORIC CONGRESSIONAL CHARTER OF THE NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION

Mr. GREGG submitted the following concurrent resolution; which was re-

ferred to the Committee on the Judiciary:

S. CON. RES. 89

Whereas the National Society of the Sons of the American Revolution (referred to in this preamble as the "Sons of the American Revolution") was—

- (1) founded on April 30, 1889; and
- (2) chartered by Congress 100 years ago on June 9, 1906;

Whereas the congressional charter was signed by President Theodore Roosevelt, who was a member of the Sons of the American Revolution;

Whereas the Sons of the American Revolution was conceived as a fraternal and civic society composed of lineal descendants of individuals who—

- (1) wintered at Valley Forge;
- (2) signed the Declaration of Independence;
- (3) fought during the American Revolutionary War;
- (4) served in the Continental Congress; or
- (5) supported the cause of American Independence;

Whereas 16 Presidents have been proud members of the Sons of the American Revolution;

Whereas the charter of the Sons of the American Revolution describes the objects and purposes of the Society as "... patriotic, historical and educational";

Whereas the Sons of the American Revolution is devoted to—

- (1) perpetuating the memory of the individuals who, by their services or sacrifices during the American Revolutionary War, achieved independence for the United States;
- (2) inspiring citizens to revere the principles that the forefathers incorporated into the Government of the United States; and
- (3) encouraging the development of historical research about the American Revolutionary War;

Whereas the Sons of the American Revolution has a long record of accomplishments in providing educational resources related to—

- (1) the American Revolutionary War; and
- (2) individuals who helped the original 13 British colonies gain sovereignty during the War for Independence;

Whereas, largely through the efforts of the Sons of the American Revolution during the late 1800s and early 1900s, the National Archives was established to gather the records of the individuals who served during the American Revolutionary War;

Whereas the Sons of the American Revolution advances its mission by commemorating battles and events that led to the formation of the United States;

Whereas the Sons of the American Revolution devotes a great deal of time, energy, and resources to working with children so that they may gain a better understanding of the history of the United States;

Whereas the Sons of the American Revolution is constructing a new facility adjacent to its national headquarters for the newly established Center for Advancing America's Heritage; and

Whereas approximately 27,000 members of the Sons of the American Revolution are organized in chapters throughout 50 States, the District of Columbia, and in the numerous countries throughout the world that helped the original 13 British colonies win independence as the United States: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

- (1) recognizes the 100th anniversary of the historic congressional charter of the National Society of the Sons of the American Revolution; and
- (2) honors and praises the National Society of the Sons of the American Revolution for—



(A) the work of the Society to perpetuate and honor the memory of the brave individuals who fought for freedom during the War for Independence; and

(B) the unfailing devotion of the Society to the youth of the United States.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3588. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 3589. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3590. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 3588. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

REPEAL OF PROVISIONS REQUIRING OUTREACH TO VETERANS ON BENEFITS AND SERVICES AVAILABLE TO VETERANS UNDER LAW

SEC. \_\_\_\_\_. Section 228 of The Military Quality of Life and Veterans Affairs Appropriations Act, 2006 (Public Law 109-114; 119 Stat. 2393) is repealed.

SA 3589. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 238, line 23, strike "Control and Prevention, and" and insert "Control and Prevention, \$65,000,000 shall be for the Smithsonian Institution to carry out global and domestic disease surveillance, and".

SA 3590. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 162, between lines 12 and 13, insert the following:

RAMAPO RIVER AT OAKLAND FLOOD CONTROL PROJECT

For an additional amount for the Corps of Engineers for the completion of the Ramapo River at Oakland flood control project in the State of New Jersey, \$2,500,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

#### NOTICES OF HEARINGS/MEETINGS

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Monday, April 24, 2006 at 2:30 p.m. in room SD-366 of the Dirksen Building.

The purpose of the hearing is to receive testimony regarding the economic and environmental issues associated with coal liquefaction technology and on implementation of the provisions of the Energy Policy Act of 2005 addressing coal gasification.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact John Peschke 202-224-4797 or Shannon Ewan at 202-224-7555.

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. SNOWE. Mr. President, the chair would like to inform the Members of the Committee that the Committee will hold a hearing on Wednesday, April 26, 2006 at 10:30 a.m. in Russell 428A to address the reauthorization of Finance and Entrepreneurial Development programs administered by the Small Business Administration.

#### AUTHORITIES FOR COMMITTEES TO MEET

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Monday, April 24, at 2:30 p.m. The purpose of this hearing is to receive testimony regarding the economic and environmental issues associated with coal liquefaction technology and on implementation of the provisions of the energy policy act of 2005 addressing coal liquefaction.

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

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d-276g, as amended, appoints the following Senators as members of the Senate Delegation to the Canada-U.S. Inter-parliamentary Group during the Second Session of the 109th Congress: the Honorable WAYNE ALLARD of Colorado and the Honorable GEORGE V. VOINOVICH of Ohio.

#### UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, as in executive session, I ask unanimous consent that immediately following morning business on Tuesday, the Senate proceed to executive session and to the consideration of Calendar No. 602, Gary Miller to be a U.S. District Judge for the Southern District of Texas; further, that there be 5 minutes of debate for each of the Senators from Texas and that following the use or yielding back of that time, the Senate proceed to a vote on the nomination; provided further that following the vote, the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

#### REFERRAL OF S. 2612

Mr. McCONNELL. Mr. President, I ask unanimous consent that S. 2612 be referred to the Judiciary Committee.

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

#### MEASURES PLACED ON THE CALENDAR—S. 2603 AND S. 2611

Mr. McCONNELL. Mr. President, I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report the bills by title.

The assistant legislative clerk read as follows:

A bill (S. 2603) to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

A bill (S. 2611) to provide for comprehensive immigration reform, and for other purposes.

Mr. McCONNELL. Mr. President, in order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection is heard.

Without objection, the bills will be placed on the calendar.

#### ORDERS FOR TUESDAY, APRIL 25, 2006

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. tomorrow, Tuesday, April 25. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business for up to 60 minutes, with the first 30 minutes under the control of the majority leader or his designee and the final 30 minutes under the control of the Democratic leader or his designee; further, that following the vote on the

district judge that was ordered earlier, the Senate then resume consideration of H.R. 4939, the emergency supplemental appropriations bill, for debate only until after the 2:15 recess. I further ask that the Senate stand in recess from 12:30 until 2:15 to accommodate the weekly policy luncheons.

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

#### PROGRAM

Mr. MCCONNELL. Mr. President and colleagues, the first vote of the week will be tomorrow morning at approximately 11 o'clock on a district judge. Following that vote, we will begin consideration of the emergency supplemental appropriations bill. Senators who intend to offer amendments to that bill are reminded to work with the bill managers. Additional votes obviously will occur, we hope, tomorrow afternoon.

#### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that the Senate stand in adjournment under the previous order following the remarks of Senator INHOFE and Senator SPECTER for up to 15 minutes each.

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

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

#### TRIBUTE TO FEDERAL JUDGE EDWARD R. BECKER

Mr. SPECTER. Mr. President, I have sought recognition to speak about the extraordinary career of Federal Judge Edward R. Becker who was appointed to the United States District Court for the Eastern District of Pennsylvania in 1970, was elevated to the Court of Appeals for the Third Circuit in 1982, was Chief Judge of the Circuit Court from February 1998 until May 2003, and continues to serve as a Senior Judge.

In addition to his 35-plus years on the Federal bench, he also has the distinction of being the 101st United States Senator. Some, who have laid claim to the position of 101st Senator, have enhanced their status. To identify Judge Becker as the 101st Senator is to enhance the status of the United States Senate.

Judge Becker became a member of the Senate's family by his negotiating, cajoling, and writing most of Senate Bill 852 dealing with asbestos reform.

At my request, he convened the so-called stakeholders—that is, the manufacturers, labor—AFL—CIO, insurers and trial lawyers—in his Philadelphia chambers for 2 days in August 2003 to preside over discussions leading to the structuring of the asbestos reform bill.

Thereafter, on about 50 occasions, frequently with my being present, he continued to preside over negotiations with stakeholders in meetings attended by 20 to 50 interested parties. Beyond that, he met with numerous individual Senators, representatives of the stakeholders on dozens of occasions, and continuously counseled Judiciary Committee staff for almost 3 years. When the legislation was in committee and on the Senate floor, Judge Becker was at my side continuously counseling on the next steps to be taken to promote the bill's passage.

He undertook this arduous extra assignment in addition to his judicial duties notwithstanding the fact that he was undergoing treatment for prostate cancer.

When told of Judge Becker's contribution to this important legislation, President George Bush inscribed a tribute to Judge Becker on the face of Senate Bill 852 designating it as the "Becker Bill".

I first met Ed Becker in the fall of 1950 when we rode the Frankford elevated train, public transportation, together for about an hour each morning from Northeast Philadelphia to the University of Pennsylvania. He graduated Phi Beta Kappa from Penn in 1954 and, again with academic distinction, from the Yale Law School in 1957, which we again attended together. We were colleagues in a celebrated debate against the Norfolk Massachusetts State Prison team in 1952 before approximately 800 inmates, truly a captive audience. The prison team took the affirmative on the subject: Resolved that the Communist Party should be outlawed. Editors from the then-five Boston newspapers voted 4 to 1 that the prisoners won the debate.

Following graduation from law school, he had a distinguished law practice in the partnership of Becker, Becker and Fryman, his father and brother-in-law. He was active in politics, becoming a Republican committeeman, as his father was before him. He worked the rowhouses in Northeast Philadelphia going door to door seeking new registrations and support for his Party. He undertook kamikaze candidacies for State Senate and City Council on the Republican ticket in Philadelphia, a city totally dominated by Democrats. He represented the Republican Party as counsel in complex court proceedings.

He was a lawyer's lawyer, just as he later became a judge's judge. I turned to him for counseling and representation when the Supreme Court of Pennsylvania on three occasions in 1967 ruled on my status as to be a candidate for mayor while continuing to serve as district attorney. The Philadelphia

Home Rule Charter prohibited any city officer from being a candidate for any other office. With his assistance, we won all three cases. If I had followed his political advice as well as his legal advice, I probably would have been elected mayor; but who knows what would have happened after that.

When appointed to the Federal Bench in 1970 at the age of 37, he merited the position both in terms of exceptional competency and extraordinary contribution to his party. No one in my experience has merited the appointment to the Federal bench more than Judge Becker on both counts.

Judge Becker and I have been good friends, really best friends, in the intervening years. Our wives were school-girl classmates. Joan Levy, now Specter, sat next to Flora Liman, now Becker in alphabetical order in Olney High School.

As Chief Judge of the Court of Appeals for the Third Circuit, he brought many innovations. In 2002, he was the recipient of the coveted Edward J. Devitt Distinguished Service to Justice Award with his selection as the most distinguished Article III Judge out of 862 then sitting "whose career has been exemplary, measured by their significant contributions to the administration of justice, the advancement of the rule of law, and the improvement of society as a whole."

He brought to the bench a prodigious work ethic. He is never without a stack of briefs which he reads whenever he has a moment to spare. At Philadelphia Eagles' football games, he would read those briefs during halftime preferring them to the dancing cheerleaders. He would even sneak a peak—I mean a peak at the briefs—during the incessant timeouts for the endless commercials.

Among his landmark decisions are three opinions adopted by the Supreme Court on cutting-edge issues. He pioneered new law on the reliability of scientific evidence which formed the basis for Justice Blackmun's decision in 1993 in *Daubert v. Merrell Dow Pharmaceuticals*. Similarly, he originated the rationale on class action certification adopted by Judge Ginsburg in 1995 in *Georgine v. Amchem Products*. When he disagreed with seven other Circuit Courts of Appeals, the Supreme Court followed his judgment on *ERISA Standards of Review in Firestone Tire & Rubber Co. v. Bruch*. He was consistently recognized by the University of Chicago Law Review as being among the three Circuit Judges most often cited by the Supreme Court.

His 2,000 judicial opinions, filling many volumes on law library shelves, are legendary—long, thorough, analytical with many footnotes. His masterful handling of Japanese electronics case produced four opinions exceeding 2,000 pages having ruled three times on complex evidentiary issues before granting summary judgment in a highly unusual case. His versatility was demonstrated when he once wrote an

opinion in rhyme. When he is not up to going to the courthouse these days, he participates by telephone on the oral arguments and the conferences where the three judge panel discuss the cases.

Among his many accomplishments is his talent to play by ear any song known in the American repertoire. The Supreme Court of the United States has chosen him as the Court's pianist for their periodic sing-alongs. Rivaling his attributes as a jurist, Justice David Souter wrote in May 2001 in a University of Pennsylvania Law Review "Tribute to the Honorable Edward R. Becker": "I've never heard anyone call for a tune the Judge didn't know; never have I seen him read a sheet of music." Edward R. Becker is truly the personification of the Renaissance man.

Recently, he undertook a new challenge by testifying and organizing a panel of judges to appear before the Judiciary Committee in support of the nomination of Third Circuit Judge Samuel Alito for the Supreme Court. He did so out of conviction that Judge Alito was being unfairly criticized. Based on working with him for over 15 years, he advised the Judiciary Committee that after oral arguments, when the three panel judges would retire to deliberate, Judge Alito had an open mind, no agenda and was a superb jurist. That panel of current and former Third Circuit judges, led by Judge Becker, provided important testimony for the Judiciary Committee, leading to Judge Alito's confirmation.

For a man with such achievements, Judge Becker remains the model of modesty and humility. He continues to live in an unpretentious house in a working-class neighborhood in Northeast Philadelphia where he moved with his parents when he was 3. Even as the Chief Judge of the Circuit, he continued to ride public transportation to the Federal Courthouse, surprising fellow riders to see a man of his prominence sitting among them. He is the quintessential family man, with an accomplished wife, three professional children and four adorable grandchildren.

When his friends enjoy a variety of cocktails, his favorite drink continues to be "Schuylkill punch," which translates into Philadelphia tap water.

When I was diagnosed with Hodgkin's last year, I followed his advice on how to cope. He was an inspiration and model to me.

Watching close friends suffer and die from cancer, and from my own experience with Hodgkin's, all of that has reinforced my determination to work to secure sufficient funding for the National Institutes of Health to conquer cancer and other maladies.

In 1970, President Nixon declared war against cancer. If the United States had approached that war with the same intensity we do other wars, the cure for cancer would have been found long ago.

Two years ago I saw my chief of staff, Carey Lackman, a beautiful young woman of 48, die from breast cancer. A few months later, I saw the same fate

for Paula Kline, the wife of my son's law partner.

Visiting Judge Becker at his home last Saturday, I saw a large stack of briefs on his desk and observed him carrying on his judicial duties from his living room with determination and gusto, notwithstanding his prostate cancer. From my own experience with Hodgkin's, I know cancer can be beaten. From watching Judge Becker, I have seen him beat cancer for more than 3 years.

My statement today has the dual purpose, No. 1, of recognizing and acknowledging the public service and contributions of a truly great American, and, No. 2, urging my Senate colleagues who have come to know, admire, and respect Judge Becker to support adequate funding to win the war against cancer.

I thank the Chair. In the absence of any Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. If the Senator will withhold, the Senator from Oklahoma is recognized.

Mr. SPECTER. Mr. President, may I express my regret that I don't have eyes in the back of my head.

Mr. INHOFE. I always thought you did.

Mr. SPECTER. The distinguished Senator from Oklahoma, Senator INHOFE, is standing right behind me. I should have felt the radiation of his powerful personality. I yield to my distinguished colleague.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I thank the senior Senator from Pennsylvania. Before he leaves the Chamber, I want to applaud the work Senator SPECTER has done in getting these judges confirmed. It has been heavy lifting. We all know that. We also know probably from looking back, when we look back 10 years or 20 years from now on accomplishments, that perhaps getting these judges confirmed will be the major accomplishment of this legislative session.

#### IRAQ UPDATE

Mr. INHOFE. Mr. President, I am always distressed with the media and the way they are misrepresenting what is going on in Iraq, and particularly the accomplishments this last weekend. It is hard to believe.

On Saturday, the Iraqi Parliament, which was elected last December, convened to fill the top Government leadership positions. Exemplifying the democratic traditions beginning to take root in Iraq, the Iraqi Parliament successfully negotiated these nominees, clearing the way for the first permanent, popularly elected Government in Iraq's history.

The first permanent, popularly elected Government in Iraq's history—that is mind boggling.

In addition, I want to commend our soldiers in the theater. Without their

brave efforts, this progress would have been impossible.

I just returned from my 11th trip to the Iraqi AOR. I come back, and I remember the stories that are told by our different troops there. Some of the things they come up with are amazing—the anecdotal things, stories that are comparable to the stories we heard back during World War II.

American soldiers continue to clear out terrorist strongholds, allowing democracy a chance to flourish. The accomplishments of American soldiers have permitted Iraqis the opportunity to vote and elect a parliament that has now produced leaders of this nation's national unity government. It has been a long road getting to this point, and we have further to go. There are some major hurdles these new leaders must keep in mind. These are Iraqi leaders. These are the elected leaders. For the first time in Iraq's history, they must build consensus for reigning in the militias, protecting critical infrastructure such as oil pipelines, preserving human rights for all Iraqi citizens, implementing necessary reforms to revive the civil economy, and, perhaps most importantly, the new leaders must inspire confidence in the permanent Government.

While what these seven nominees put forward on Saturday represents a huge political breakthrough, challenges lie ahead for both Iraq's new leadership and our troops stationed there. Our best men and women continue to serve valiantly in some of the most trying conditions. Some have been gravely wounded, and some have paid the ultimate price. The question you hear quite often is, they say, Is it worth it? It is impossible for me to answer that question on an individual basis, when you think about the depth of suffering of a wife or a child or a father, the loss of a loved one. I mourn that we have lost even one life, but I do not regret the cause in which that life is lost.

I will say that as America's elected leaders, we have been chosen to use our best judgment in these most difficult choices. Throughout history people have chosen to take an uncompromising stand in what they believe in. They have done this because they understand some things are so valuable that we must risk everything to preserve them.

Can the cost of preserving freedom ever be too great? That is a question I wrestle with day and night. As I do, I am sure other members of our Government and military leaders do the same.

I know freedom cannot be imposed, but I also know the thirst for it cannot be quenched. If September 11 showed us anything, it was that we affect and are affected by the rest of the world. Standing by and hoping for the best is not an option. When it comes to fighting terrorism around the world, we are involved, whether we like it or not, and the quicker we wake up to this reality, the better chance we have at setting

things on the right course. The American public must be as resolute in this mission as our troops on the ground.

President Bush has stood stalwartly behind our troops and the Iraqi people and measurable progress has been achieved. It would be appropriate to list a few of these. You don't get this from the media, so you are going to have to get it from the floor, from those who have been over there personally and witnessed things happening.

Iraq's first Ambassador to the United States in 15 years presented his credentials to Secretary of State Condoleezza Rice at a State Department ceremony on April 11.

The Independent Electoral Commission of Iraq calculated that nearly 11.9 million Iraqis—approximately 75 percent—voted in the December 2005 elections. This represents an increase of about 4 million voters from the January 2005 election.

Since June 2004, when the Coalition transferred sovereignty, Iraqi people elected an interim government in January 2005, drafted and ratified a constitution in October 2005, and elected a 4-year, constitutionally based Government in December 2005.

There have been strong, positive economic changes as well. Iraq's economy is recovering after 30 years of dictatorship and lack of infrastructure maintenance. In 2005, the Iraqi economy grew an estimated 3 percent in real terms. The International Monetary Fund anticipates the Iraqi economy will grow by more than 10 percent in 2006. Certainly the Presiding Officer, one of the greatest economists of this body, understands the significance of the accomplishments in the economy of Iraq.

Under Saddam Hussein's regime, Iraqis' standard of living deteriorated rapidly. Iraq's per capita income dropped from \$3,800 in 1980—higher than Spain at that time—to \$715 in 2002, which is lower than Angola. Today economic recovery is picking up, with gross domestic product growing from \$18.9 billion in 2002 to \$33.1 billion in 2005.

Before liberation, Iraq's cities suffered from inadequate sewage systems. The United States has helped Iraqis build or repair sewage treatment plants for 5.1 million Iraqis. U.S.-funded projects have improved access to clean water for 3.1 million people.

You almost have to go there and see these people, and see what they are doing now that they say they couldn't have done. It is very difficult for an American to walk through the streets—whether it is Tikrit, Fallujah, Baghdad, or anywhere else—without people running up to you and saying my daughter can now get married, our girls can now go to school, now we have water we can drink, now we have a sewage system that we haven't had since the end of the regime of Saddam Hussein.

I think the greatest miracle of Iraq which the "cut and run" caucus refuses to acknowledge has been the perform-

ance of the security forces. Coalition military commanders are focused on developing Iraqi police forces, and are helping Iraqis develop a disciplined force that protects the rights of all Iraqis. One-hundred thirty Iraqi Minister of Defense combat battalions are now rising up from just a handful in August 2004. Of the 110 bases operated by Coalition forces, 34 have been closed and transferred to the Iraqis. That is something we have to understand. We were manning 100 percent of the bases of operation, and a third are now being taken care of by the Iraqis.

Thirteen Iraqi brigade headquarters and fifty battalions have assumed battle space. They are taking care of their own battle space. Iraqi forces control 65 percent of Baghdad.

I recall meeting General Madhi in Fallujah. At that time he had been working as a brigade commander for Saddam Hussein. He hated Americans until Saddam came down and General Madhi became the brigade commander for security forces in Fallujah. He started training with the Marines in Fallujah. They call it embedded training. They get in there with him. They worked together and they became so close that when we rotated the Marines out of Fallujah, they got together and they cried.

That same general, General Madhi, was transferred to Baghdad where he took over the security, starting from the east to the western part of Baghdad, and now has control of 65 percent of the eastern part of Baghdad. We do not have Americans doing that. We have Iraqis doing that. There are more than 250,000 trained and equipped Iraqi security forces, up from 115,000 16 months ago.

I stood here 3 months ago and talked about my experiences with the commanders in the field. They have a good answer to the question that keeps being asked each Member of the Senate: When will they be on their own and handle their own security? How long will it be? Not many politicians want to give the answer to something like that. I don't mind doing it because I think it is a good idea of what the answer is.

I remember talking to the commanders in the field over the last several years and they have consistently said if we get to the point where we can have 11 divisions of Iraqis trained and equipped—that translates to 325,000—they will be ready to take over their own security. That does not mean all Americans will leave. We still have American troops and an American presence in Bosnia, Kosovo, Sinai, and other places, but they are not doing the security there.

At that time when we get to the point where they have 11 divisions, which should be by the end of this year, or at the very latest by midyear of the following year, they will be able to handle their own security.

Something heretofore considered to be virtually impossible is going to hap-

pen. One of the main problems with this war is how the media is focused on weapons of mass destruction. We never should have been talking about weapons of mass destruction. We know Saddam Hussein had weapons of mass destruction. We know that some 4,000 of their own people were killed with weapons of mass destruction. We know in the 8-year Iran-Iraq war, over 100,000 Iranians were killed with weapons of mass destruction. We know they had them. There is no question. That was not the important thing.

The important thing in Iraq is that the most sophisticated training was taking place, training people to be sophisticated terrorists in cities such as Samarra, Ramadi, and Salman Pak, where they had the major trading areas. They are not training anymore. One Iraqi defector, CAPT Sabah Khodada, observed foreign Arabs being trained in hijackings, kidnapping of airplanes, trains, public buses, planting explosives in cities, and suicide operations. It could very well be most likely that is where the training took place that caused their successful attack on America's soil on September 11. Very likely it was. That is what they were teaching at that time.

We went into Iraq and we confiscated 2 million "exploitable" documents that we are still analyzing. Some of the documents have already proven the existence of the camps.

I want to lay out the facts. We know Saddam was giving money to the Palestinian families of suicide bombers. We know Saddam violated numerous U.N. resolutions since the end of Operation Desert Storm. We know the air defense forces would regularly shoot at our airplanes. We know he tortured, abused, murdered, and massacred many thousands of his own people.

I ask a very important question. Where would we be now if we had not gone into Iraq? The answer will be left up to history to decide. Probably we will never know. We know we have not been attacked on our territory since September 11. My own personal belief is the work we have done, the successes in Iraq have been responsible for that great victory.

I returned from my 11th trip to the Iraqi AOR. I met with the people over there, including General Madhi. However, the cut-and-run caucus can only think of surrender. They are still out there. Recent casualty rates exposed the insurgents' true intentions.

A lot of people are concerned, as I am, about the Americans, but if you see what has happened in the first 3 months of this year, in January and February and March of this year, the insurgents, the terrorists have been able to successfully kill 112 U.S. forces. However, during that same period of time they have killed 2,720 Iraqi civilians and security forces. What a huge change from the past.

We need to judge the insurgencies not by what they claim but who they actually are attacking. This is an

enemy that we cannot surrender to or give ground to. Their objective is fear. Their method is death. They will never be appeased. If we were to withdraw early, we would abandon Iraq to violence, but we also would cause irreparable damage to this country.

It is not about Iraq, it is about defending America. We were attacked on our soil. The cut-and-run caucus is always there. Surrender is always their option. They are appeasers. An appeaser is someone who throws his friend to the alligators hoping they eat him last. No man lives when freedom fails. The best men rot in filthy jails. Those who yell, "appease, appease," are hanged by those they tried to please.

My wife and I have been married 46 years. We have 20 kids and grandchildren, and I say this: We are winning the war on terror, and winning it in their territory. I ask God to richly bless the decisionmakers and the troops.

#### GASOLINE PRICES

Mr. INHOFE. Mr. President, there have been several speeches today—I was not here, but I got a briefing—about the high gasoline prices, and I want to clarify some of the comments raised by the minority leader today and his Members in the press.

The minority is so eager to blame others for high gas prices they seem to ignore the fact that they do not bother to consult the media when they have a deadline. I am more interested in reducing high gasoline prices for American families than to bluster the selfish political advantage, unlike the minority.

I took the time to consider the non-partisan experts of the Energy Information Administration and what they had to say. According to the EIA, there are three reasons leading to high gasoline prices. First, the Nation has not fully recovered from hurricane damage. Twenty percent of the domestic oil production and three refineries, representing nearly 5 percent of refining capacity, remain offline. However, offshore production is resuming and refineries are restarting. The EIA points out that the industry delayed maintenance to maximize production following the hurricanes. Today they must switch over to summer blends.

Yet the focus is on the politics. The senior Senator from New York charged the refiners are purposely withholding capacity from traditionally operating at 90 percent to the current operation of 85 percent. In demanding an investigation, that Senator also implied that the refiners should not maintain their facilities to ensure a safe work environment for employees or they should not switch to special summer blends.

One thing was clear. The senior Senator from New York did not bother to consider the fact that nearly 5 percent of domestic refining capacity is still

offline due to hurricanes. Mr. President, 90 percent minus 5 percent equals 85 percent, as the investigation found.

Second, companies are increasing inventories to hedge against potential disruption in the future. Most of the time, the minority would call such risk management responsible but not when they celebrate the misfortune of the American people.

The third reason has to do with MTBE, and I won't get into that. I will only say this. I am the chairman of a committee that is called the Environment and Public Works Committee. It is our responsibility to handle most of the problems. We are in an energy crisis. There is no question about it. But for any Democrat to stand on the floor of this Senate and try to point the finger at Republicans for high gasoline prices is really absurd.

I have sat there and watched the votes take place. We are not able to vote on ANWR in northern Alaska. Right down party lines, Republicans are supporting it, the Alaskans are supporting it, the Democrats are opposing it. We are not able to go offshore and take advantage of the tremendous reserves that are there. It is right down party lines. Right down party lines they stopped us from being able to have tax incentives to go after marginal production.

I am from a State that has marginal production. There is a statistic that if we had all the marginal production flowing today that has been plugged in the last 10 years, it would be more than we are currently importing from Saudi Arabia.

Lastly, in the area of nuclear energy, it goes right down party lines.

I had a refinery bill that would have coupled with some of the closed military bases and said cities can use EDA grants to go in there and set up refineries and employ people and increase our refining capacity, and it was blocked right down party lines.

So the Democrats are clearly responsible for these problems we have in trying to increase the productivity, increase the production that is potentially out there today.

With that, Mr. President, I yield the floor.

#### ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:45 a.m. tomorrow.

Thereupon, the Senate, at 5:12 p.m., adjourned until Tuesday, April 25, 2006, at 9:45 a.m.

#### NOMINATIONS

Executive nominations received by the Senate April 24, 2006:

##### DEPARTMENT OF DEFENSE

ANITA K. BLAIR, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE MICHAEL L. DOMINGUEZ.

##### NATIONAL TRANSPORTATION SAFETY BOARD

MARK V. ROSENKER, OF MARYLAND, TO BE CHAIRMAN OF THE NATIONAL TRANSPORTATION SAFETY BOARD

FOR A TERM OF TWO YEARS, VICE ELLEN G. ENGLEMAN, TERM EXPIRED.

##### DEPARTMENT OF THE INTERIOR

DIRK KEMPTHORNE, OF IDAHO, TO BE SECRETARY OF THE INTERIOR, VICE GALE ANN NORTON, RESIGNED.

##### DEPARTMENT OF STATE

DANIEL S. SULLIVAN, OF ALASKA, TO BE AN ASSISTANT SECRETARY OF STATE (ECONOMIC AND BUSINESS AFFAIRS), VICE EARL ANTHONY WAYNE.

LESLIE V. ROWE, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO PAPUA NEW GUINEA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SOLOMON ISLANDS AND AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF VANUATU.

ROBERT S. FORD, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA.

ANNE E. DERSE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN.

##### EXECUTIVE OFFICE OF THE PRESIDENT

PAUL A. DENETT, OF VIRGINIA, TO BE ADMINISTRATOR FOR FEDERAL PROCUREMENT POLICY, VICE DAVID SAFAVIAN.

##### THE JUDICIARY

DANIEL PORTER JORDAN III, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, VICE TOM S. LEE, RETIRED.

PHILIP S. GUTIERREZ, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE TERRY J. HATTER, JR., RETIRED.

GUSTAVO ANTONIO GELPI, OF PUERTO RICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO, VICE HECTOR M. LAFFITTE, RETIRED.

##### DEPARTMENT OF JUSTICE

ERIK C. PETERSON, OF WISCONSIN, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF WISCONSIN FOR THE TERM OF FOUR YEARS, VICE J. B. VAN HOLLEN, RESIGNED.

##### FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED. FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

##### DEPARTMENT OF AGRICULTURE

ANITA KATIAL, OF ILLINOIS  
ERICH KUSS, OF NEW YORK  
MORGAN A. PERKINS, OF MARYLAND  
MARK A. PETRY, OF INDIANA  
SUSAN B. PHILLIPS, OF VIRGINIA  
KARINA RAMOS, OF VIRGINIA  
MICHAEL M. RIEDEL, OF MARYLAND  
CHARLES L. RUSH, OF FLORIDA  
JUSTINA L. TORRY, OF MISSOURI

##### DEPARTMENT OF COMMERCE

SANDILLO N. BANERJEE, OF WASHINGTON  
DANIEL T. CROCKER, OF CALIFORNIA  
MARY A. NANDI, OF NEW HAMPSHIRE

##### DEPARTMENT OF STATE

REX KENNETH MOSER, OF TEXAS

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

##### DEPARTMENT OF COMMERCE

HELEN L. PETERSON, OF CALIFORNIA  
SCOTT D. POZIL, OF WASHINGTON  
CHRISTINA A. SHARKEY, OF FLORIDA

##### DEPARTMENT OF STATE

COLLEEN ELIZABETH ALTSFOCK, OF WASHINGTON  
HEIDI R. AROLA, OF MINNESOTA  
ANTHONY WALTER BAIRD, OF NEW HAMPSHIRE  
JOSHUA NATHAN BAKER, OF FLORIDA  
NATALIE ASHTON BAKER, OF TEXAS  
MAY GANAL BAPTISTA, OF CALIFORNIA  
CHASE A. BEAMER, OF CALIFORNIA  
LAURA L. BIEDERACH, OF CALIFORNIA  
DANIEL R. BISCHOF, OF FLORIDA  
STEVEN ROBERTS BITNER, OF CALIFORNIA  
MICHAEL F. BRENNAN, OF TEXAS  
ROBERT CHRISTOPHER BRONK, OF NEW YORK  
BENJAMIN A. BROWN II, OF VIRGINIA  
GINGER MARIE CAMPBELL, OF CALIFORNIA  
SUSAN CAROL CHEATHAM, OF CALIFORNIA  
CHRISTOPHER J. DEGNAN, OF VIRGINIA  
ZOJA DERETIC, OF CALIFORNIA  
DANIEL J. ERNST, OF FLORIDA  
Y. ROBERT EWING, OF VIRGINIA  
SHARON K. FEATHERSTONE, OF VIRGINIA  
JAMES BRENNAN FENNELL, OF NEW JERSEY

MICHAEL S. FLORES, JR., OF CALIFORNIA  
J. DAVID GALBRAITH, OF CALIFORNIA  
GUSTAV GOGGER, JR., OF VIRGINIA  
JOELLEN GORG, OF OREGON  
KEVIN DANIEL GREEN, OF TEXAS  
ANTONE C. GREUBEL, OF INDIANA  
RAGINI GUPTA, OF NEW YORK  
SARAH ELIZABETH HAYES, OF FLORIDA  
CLAYTON PORTER HAYS, OF TEXAS  
MARTIN PATRICK HEALY, OF VIRGINIA  
JARAHN DAVONE HILLSMAN, OF CALIFORNIA  
DAVID ANDREW HOLMES, OF CALIFORNIA  
DESIRÉE L. HUMPHREYS, OF TEXAS  
JILL EILEEN HUTCHINGS, OF WASHINGTON  
STORM PETER JACKSON, OF NEW YORK  
KALI C. JONES, OF LOUISIANA  
RANDALL H. KAAILAU, OF HAWAII  
DANIEL KACHUR, OF OHIO  
MICHAEL KELLEHER, OF NEW YORK  
MICHAEL JOSEPH KELLY, OF VIRGINIA  
MICHAEL RICHARD KIDWELL, OF WASHINGTON  
DANIEL B. KING, OF NEW HAMPSHIRE  
LANCE B. KINNE, OF WISCONSIN  
MATTHEW W. LEHRFELD, OF OREGON  
ELIZABETH ANNE LEWIS, OF PENNSYLVANIA  
TACK LIM, OF CALIFORNIA  
L. ERIC LINDBERG, OF TEXAS  
NANCY ELLEN LONG, OF VIRGINIA  
MICHELLE GARCIA LOS BANOS, OF CALIFORNIA  
LAUREN HOPE LOVELACE, OF KENTUCKY  
MARGUERITE MACY, OF FLORIDA  
JON LATON MARTINSON, OF VIRGINIA  
MARLENE MARIE MENARD, OF TEXAS  
EDWARD JOSEPH MONSTER, OF FLORIDA  
JOHN STOKELY MORGAN, OF THE DISTRICT OF COLUMBIA  
MICHAEL EUGENE MUSSI, OF CALIFORNIA  
ROHIT S. NEPAL, OF NEW YORK  
DOROTHY MUTIO NGUTTER, OF MASSACHUSETTS  
ADEDEJI E OKEDIJI, OF TENNESSEE  
JARED SCOTT PENDLETON, OF CALIFORNIA  
KATHLEEN PEOPLES, OF THE DISTRICT OF COLUMBIA  
WILLIAM J. PIDGEON, OF FLORIDA  
MATTHEW D. PILCHER, OF ILLINOIS  
JASON P. REBHOLZ, OF NEW YORK  
KEN OBATA REIMAN, OF ARIZONA  
MARK ERIC RINCON, OF TEXAS  
THOMAS M. ROSENBERGER, OF TENNESSEE  
GEOFFREY F. SCHADRACK, OF NEW YORK  
JOHN M. SENIOR, OF LOUISIANA  
TEJAL NAVINCHANDRA SHAH, OF TEXAS  
BRIAN LEROY SIMMONS, OF FLORIDA  
NICHOLAS J.C. SNYDER, OF THE DISTRICT OF COLUMBIA  
DOUGLAS LEE SUN, OF MASSACHUSETTS  
ERICA NICOLE THIBAUT, OF MARYLAND  
DANIEL A. TRAVIS, OF CALIFORNIA  
TAHRA L. VOSE, OF MINNESOTA  
HOLLY BETH WAEGER MONSTER, OF FLORIDA  
BRIDGETTE L. WALKER, OF MARYLAND  
LISA BESS WISHMAN, OF SOUTH CAROLINA  
TONIANN WRIGHT, OF NEW JERSEY  
MEETA MAHENDRA YAJNIK, OF TEXAS

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED: CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

#### DEPARTMENT OF COMMERCE

JENNIFER KANE, OF THE DISTRICT OF COLUMBIA

#### DEPARTMENT OF STATE

ANDREA LEE ABBOTT, OF THE DISTRICT OF COLUMBIA  
BIANCA L. ADAIR, OF VIRGINIA  
ERIC B. ALDRICH, OF NEW YORK  
ROSARIO F.T. ALPINE, OF VIRGINIA  
MICHELE ASSAD, OF FLORIDA  
DOREEN PAGE BAILEY, OF TEXAS  
MICHELLE BEATRICE BALDWIN, OF VIRGINIA  
HANI BARAKAT, OF CALIFORNIA  
ELIZABETH A. BARGER, OF VIRGINIA  
CARISSA BARKER, OF VIRGINIA  
LAURA ANITA BARKER, OF VIRGINIA  
AMY REBECCA BASKIN, OF NEW YORK  
AARON K. BECHINI, OF VIRGINIA  
CHRIS BEENHOUWER, OF NEW MEXICO  
JAMES BRADLEY BEERS, OF THE DISTRICT OF COLUMBIA  
ALYCIA J. BENNETT, OF VIRGINIA  
JEFFREY A. BENNETT, OF VIRGINIA  
CARLTON BENSON, OF WASHINGTON  
ALEX MICHAEL BERENBERG, OF HAWAII  
AARON D. CHERTOFF BERMAN, OF THE DISTRICT OF COLUMBIA  
JOHN ROBERT BIEBER, OF VIRGINIA  
ANTHONY N. BISHOP, OF VIRGINIA  
J. NATHAN ELAND, OF LOUISIANA  
KRIS L. BODINE, OF VIRGINIA  
RACHEL LYNN BOREK, OF VIRGINIA  
COLLEEN BORLEY, OF VIRGINIA  
JOSEPH BOSKI, OF CONNECTICUT  
MARIE A. BOTSFORD, OF WEST VIRGINIA  
JOSEPH LOUIS BRACKETT, JR., OF VIRGINIA  
DIANE N. BRANT, OF WASHINGTON  
ANDRO L. CADIEUX, OF THE DISTRICT OF COLUMBIA  
SETH R. CAPRON, OF THE DISTRICT OF COLUMBIA  
SHEILA M. CAREY, OF FLORIDA  
AGNES MARIE CARTER, OF MARYLAND  
SEAN C. CELY, OF OREGON  
KEVIN MAXWELL CHALKER, OF THE DISTRICT OF COLUMBIA  
MARK PHILLIP CHAMBERLIN, OF VIRGINIA  
ANNA L. CHAMBERS, OF VIRGINIA  
NANCY NIM-CHEE CHEN, OF THE DISTRICT OF COLUMBIA  
HEATHER FRANCES ELGIN COLE, OF MARYLAND

MICHAEL A. COMPTON, OF VIRGINIA  
SEAN A. COSTANZO, OF THE DISTRICT OF COLUMBIA  
KIM C. CRAWFORD, OF FLORIDA  
ELIZABETH F.M. CROSSON, OF VIRGINIA  
VIRGINIA L. CURRAN, OF VIRGINIA  
CHRISTOPHER C. CURTIN, OF VIRGINIA  
JANINE ELIZABETH DADE, OF VIRGINIA  
JOHN S. DALE, OF VIRGINIA  
NICHOLAS DAVATELLIS, OF FLORIDA  
GLEN S. DAVIS, OF CALIFORNIA  
NICOLE DAVIS, OF NEW MEXICO  
STEVEN C. DAVIS, OF VIRGINIA  
GRANT T. DAY, OF VIRGINIA  
BARBARA L. DELEO, OF THE DISTRICT OF COLUMBIA  
JORGE DEL MORAL, OF FLORIDA  
GARY C. DEMACK, OF CALIFORNIA  
MARY B. DERMER, OF VIRGINIA  
SHEILA DIXON, OF THE DISTRICT OF COLUMBIA  
AMY N. DOVE, OF TEXAS  
EDWARD A. DUNN, OF NEW YORK  
ALICIA K. EDWARDS, OF VIRGINIA  
CHARLES M. EHRENRIED, OF VIRGINIA  
ROBERT J. EMERTON, OF VIRGINIA  
WIDA FARYAR, OF VIRGINIA  
CHARLES ANTHONY FERNANDEZ, OF VIRGINIA  
BENJAMIN C. FOWLE, OF VIRGINIA  
DANETTE MICHELLE FREDERICK, OF VIRGINIA  
PETER J. FRICKE, OF MINNESOTA  
DAVID R. FULLER, OF MISSOURI  
CARRIE GIARDINO, OF MASSACHUSETTS  
STEVEN GUY MATTHEW GILLEN, OF VIRGINIA  
JOHN S. GILLGREN, OF VIRGINIA  
LESLIE K. GOLDSMITH, OF MARYLAND  
ALISON JO GOLDSSTEIN, OF INDIANA  
DICK MALONE GREENLEE, OF VIRGINIA  
ANDREW A. GRIFFIN, OF ILLINOIS  
JAMES MARSHALL GROUNDS, OF OHIO  
SARAH KATHRYN GROW, OF WASHINGTON  
DEREK STEVEN HABLE, OF VIRGINIA  
PATRICK JOSEPH HALEY, OF VIRGINIA  
ANDREW HARRIS, OF VIRGINIA  
SOPHIA L. HARRIS, OF MARYLAND  
ELIZABETH A. HARTWICK, OF VIRGINIA  
EDWARD JASON HARTWICK, OF WISCONSIN  
GREGORY E. HEEREN, OF ILLINOIS  
FRANK J. HERBERT, OF CALIFORNIA  
RYAN HILLSBERG, OF VIRGINIA  
AYANNA BAJITA DORETHA HOBBS, OF THE DISTRICT OF COLUMBIA  
LAURA L. HOCHLA, OF NEW MEXICO  
SARAH ANNE HOOVER, OF VIRGINIA  
LISA M. HORNER, OF THE DISTRICT OF COLUMBIA  
M. SHANE HOUGH, OF VIRGINIA  
L. SE E. HOWELL, OF THE DISTRICT OF COLUMBIA  
CHRISTINA L. HOWLAND, OF VIRGINIA  
JEFFREY A. HULSE, OF WASHINGTON  
LAURA M. JAROSZEWSKI, OF VIRGINIA  
LESLIE ELIZABETH JELLOCK, OF VIRGINIA  
MICHAEL PATRICK JENSEN, OF VIRGINIA  
MITZI D. JEREOS, OF VIRGINIA  
LORI ANNE JOHNSON, OF COLORADO  
PATRICE D. JOHNSON, OF ILLINOIS  
STACEY LEANNE JONES, OF CALIFORNIA  
JONATHAN M. KAYES, OF VIRGINIA  
JASON L. KELLEY, OF THE DISTRICT OF COLUMBIA  
GEORGE C. KENNEDY, OF VIRGINIA  
LIV IRENE KILPATRICK, OF OREGON  
KEVIN JOHN KRISKO, OF VIRGINIA  
CHRISTINA MELHORN LANDI, OF VIRGINIA  
ROBERT SCOTT LATOURETTE, OF VIRGINIA  
CRAIG P. LAUSIER, OF VIRGINIA  
JENNIFER E. LAWSON, OF MASSACHUSETTS  
ANDREW C. LITTON, OF VIRGINIA  
ALLEN LIU, OF MARYLAND  
EMILY J. MAKELY, OF VIRGINIA  
LAURA MANTHEY, OF MARYLAND  
DUBRAVKA MARIC, OF VIRGINIA  
ANGEL LEANN MATTIMORE, OF THE DISTRICT OF COLUMBIA  
JUSTIN D. MCCARTHY, OF VIRGINIA  
KELLY DIONNE MCCARTHY, OF VIRGINIA  
PATRICE A. MCCARTHY, OF VIRGINIA  
DENISE M. MCNAIR, OF CALIFORNIA  
RAMON MENENDEZ-CARREIRA, OF FLORIDA  
MIKEL WILLIAM MEYERS, OF MARYLAND  
MICHELLE MILAN, OF VIRGINIA  
MARK H. MITCHELL, OF VIRGINIA  
LESLIE ANNE MOELLER, OF ILLINOIS  
ALAN MOK, OF VIRGINIA  
JENNIFER A. MOORE, OF VIRGINIA  
TYREL W. MOXEY, OF VIRGINIA  
RACHEL LUCILLE MUELLER, OF VIRGINIA  
ROBERTA R. MULHOLLAND, OF MARYLAND  
BRENDAN PATRICK MULLARKEY, OF VIRGINIA  
JAMES MULLINS, OF TEXAS  
DENNIS R. MURPHY, OF VIRGINIA  
MARIA MUSSLER, OF VIRGINIA  
WENDY P. NASSMACHNER, OF COLORADO  
CYNTHIA D. NICEWARNER, OF WEST VIRGINIA  
SUSAN MICHELLE NIMMER, OF VIRGINIA  
JESSICA ELIZABETH NORRIS, OF INDIANA  
JAMES D. O'CONNOR, OF VIRGINIA  
CHRISTOPHER L. OLSON, OF THE DISTRICT OF COLUMBIA  
WILLIAM J. OWEN II, OF VIRGINIA  
ADAM D. PERRIN, OF VIRGINIA  
MARK DAVID PERRY, OF NEW HAMPSHIRE  
DOUGLAS DAVID PETERSEN, OF THE DISTRICT OF COLUMBIA  
DANIEL AUSTIN PHELPS, OF ARIZONA  
KATHERINE K. PHIFER, OF THE DISTRICT OF COLUMBIA  
PHYLLIS M. PICKARD, OF VIRGINIA  
JOHN D. PITTS, OF VIRGINIA  
CHRISTINE H. PORTER, OF VIRGINIA  
GRIFFITH TIMOTHY POUND, OF VIRGINIA  
LISA KNOTT POVOLNI, OF TEXAS  
MICHAEL SCOTT PRESSEY, OF VIRGINIA  
WILLIAM H. QUICK, OF TEXAS

RABIA Y. QURESHI, OF OHIO  
JAMES W. RAWLINGS, JR., OF MISSISSIPPI  
KATE RICHE, OF VIRGINIA  
JAMES B. RICKER, OF THE DISTRICT OF COLUMBIA  
ULLA M. RICKERT, OF MARYLAND  
BRIAN KELLY RIGSBY, OF VIRGINIA  
CHRISTOPHER D. ROBERTI, OF VIRGINIA  
CHRISTOPHER S. ROSE, OF WASHINGTON  
ERIC A. ROSEMAN, OF VIRGINIA  
MANUEL RUBIO, OF FLORIDA  
ASPEN H. RUSSELL, OF THE DISTRICT OF COLUMBIA  
APRIL C. SCARROW, OF TEXAS  
JOHN M. SCHUCH, OF NEW YORK  
CATHERINE SCHULZE, OF VIRGINIA  
KAIA SCHWARTZ, OF THE DISTRICT OF COLUMBIA  
JOSE DANIEL J. SILVA, OF CALIFORNIA  
PATRICK C. SMITH, OF PENNSYLVANIA  
GARY RAY SOMBKE, OF VIRGINIA  
WENDY REBECCA STANCER, OF CALIFORNIA  
DANIEL J. STEWART, OF VIRGINIA  
DEVON T. STREED, OF OREGON  
CHRISTOPHER J. STRICKLAND, OF VIRGINIA  
MICHAEL T. STROBEL, OF VIRGINIA  
ANDREW WILLIAM SULLIVAN, OF VIRGINIA  
WM. NEIL SUMRALL, OF VIRGINIA  
JOHN SURFACE, OF VIRGINIA  
JEROME TAAFFE, OF VIRGINIA  
ANTONIO CARLOS TAVARES, OF MARYLAND  
DAVID TAYLOR, OF MARYLAND  
SEAN MACGREGOR TEAGUE, OF THE DISTRICT OF COLUMBIA  
WANDA J. THOMPCKINS, OF NORTH CAROLINA  
STACY B. THURMAN, OF VIRGINIA  
ROBERT CHRISTOPHER TOWNLEY, OF VIRGINIA  
TIMOTHY D. TREE, OF VIRGINIA  
AMY MEDLOCK TRIMBLE, OF VIRGINIA  
CAITLIN BETH TURNACIOGLU, OF MARYLAND  
MATTHEW R. TYSON, OF VIRGINIA  
EBRU URAS, OF MICHIGAN  
ANDY UTSCHIG, OF WISCONSIN  
NATALIE ANGELA FAIRBANKS VAN DER HORST, OF VIRGINIA  
JANINA KARINE VAN LOENEN, OF VIRGINIA  
VAUGHN L. WARD, OF VIRGINIA  
JAMES A. WATERMAN, OF WISCONSIN  
MELISSA M. WATSON, OF VIRGINIA  
WILLIAM H. WEBB, OF TENNESSEE  
JEROME A. WEDDLE, OF CALIFORNIA  
DANIEL WERBEL-SANBORN, OF VIRGINIA  
JOEL WIEBERT, OF MARYLAND  
KATHERINE M. WIEHAGEN, OF THE DISTRICT OF COLUMBIA  
MARY T. WILSON, OF VIRGINIA  
ROY WILLIAM WILSON, OF THE DISTRICT OF COLUMBIA  
AMY K. WINCHESTER, OF THE DISTRICT OF COLUMBIA  
HEATHER A. WINGARD, OF VIRGINIA  
VICTORIA SUSAN WOLF, OF PENNSYLVANIA  
CHESTER WOMACK, OF VIRGINIA  
BRIAN KEITH WOOLSHLEGER, OF MARYLAND  
MARK WUEBBELS, OF ARIZONA  
STEVE S. YANG, OF VIRGINIA  
DONNY HEEKYUNG YOO, OF ALABAMA  
JONATHAN LEE YOO, OF WASHINGTON  
AMANDA H. ZAFIAN, OF NEW YORK  
ELIZABETH A. ZELLE, OF ILLINOIS  
DAVID M. ZIMMERMAN, OF MARYLAND

#### INTERNATIONAL BROADCASTING BUREAU

WILFRED H. COOPER, OF VIRGINIA  
WALTER D. PATTERSON, OF SOUTH CAROLINA

SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

#### DEPARTMENT OF THE TREASURY

MAUREEN GREWE, OF MARYLAND

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

ASIF J. CHAUDHRY, OF WASHINGTON  
CAREER MEMBERS OF THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:  
WAYNE P. MOLSTAD, OF VIRGINIA  
SCOTT R. REYNOLDS, OF PENNSYLVANIA

#### IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT AS DIRECTOR, AIR NATIONAL GUARD AND FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 10506 AND 601:

#### To be lieutenant general

MAJ. GEN. CRAIG R. MCKINLEY, 0000

#### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. STEPHEN M. SPEAKES, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be major general

BRIG. GEN. RONALD D. SILVERMAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. MICHAEL A. RYAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COLONEL JOSEPH ANDERSON, 0000  
COLONEL ALLISON T. AYCOCK, 0000  
COLONEL ROBERT B. BROWN, 0000  
COLONEL EDWARD C. CARDON, 0000  
COLONEL LYNN A. COLLYAR, 0000  
COLONEL GENARO J. DELLAROCO, 0000  
COLONEL RICHARD T. ELLIS, 0000  
COLONEL WILLIAM F. GRIMSLEY, 0000  
COLONEL MICHAEL T. HARRISON, SR., 0000  
COLONEL DAVID R. HOGG, 0000  
COLONEL REUBEN D. JONES, 0000  
COLONEL STEPHEN R. LANZA, 0000  
COLONEL MARY A. LEGERE, 0000  
COLONEL MICHAEL S. LINNINGTON, 0000  
COLONEL XAVIER P. LOBETO, 0000  
COLONEL ROGER F. MATHEWS, 0000  
COLONEL BRADLEY W. MAY, 0000  
COLONEL JAMES C. MCCOYVILLE, 0000  
COLONEL PHILIP E. MCGHEE, 0000  
COLONEL JOHN R. MCMAHON, 0000  
COLONEL JENNIFER L. NAPPER, 0000  
COLONEL JAMES C. NIXON, 0000  
COLONEL ROBERT D. OGG, JR., 0000  
COLONEL HECTOR E. PAGAN, 0000  
COLONEL DAVID D. PHILLIPS, 0000  
COLONEL CURTIS D. POTTS, 0000  
COLONEL DAVID E. QUANTOCK, 0000  
COLONEL MICHAEL S. REPASS, 0000  
COLONEL BENNET S. SACOLICK, 0000  
COLONEL JEFFREY G. SMITH, JR., 0000  
COLONEL THOMAS W. SPOEHR, 0000  
COLONEL KURT J. STEIN, 0000  
COLONEL FRANK D. TURNER III, 0000  
COLONEL KEITH C. WALKER, 0000  
COLONEL PERRY L. WIGGINS, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. ALAN T. BAKER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. MICHAEL H. MITTELMAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. MATTHEW L. NATHAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. MARK A. HANDLEY, 0000  
CAPT. CHRISTOPHER J. MOSSEY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. WILLIAM A. BROWN, 0000  
CAPT. KATHLEEN M. DUSSAULT, 0000  
CAPT. STEVEN J. ROMANO, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be captain*

ROBERT J. TATE, 0000

*To be lieutenant commander*

RONALD G. TERRELL, 0000  
FERDINAND G. HAFNER, 0000  
RENE LAVERDE, 0000  
EDWARD A. SYLVESTER, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT AS REGULAR OFFICERS IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be commander*

WILLIAM L. YARDE, 0000

*To be lieutenant commander*

STEVEN A. BLAUSTEIN, 0000  
SHAWN S. CLAUSSEN, 0000  
BRUCE R. DESCHERE, 0000

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

*To be lieutenant commander*

GREGORY G. ALLGAIER, 0000  
ROBERT C. BOYER, 0000  
ROBERT T. BRYANS, 0000  
RUSSELL J. CALDWELL, 0000  
WILLIAM CHAMBERS, 0000  
GARY M. CHASE, 0000  
MICHAEL S. DAVIS, 0000  
WILLIAM M. DAVIS, 0000  
MICHAEL F. DELANEY, 0000  
THEODORE E. ESSENFELD, 0000  
MATTHEW D. FANNING, 0000  
EDWARD K. FLOYD, 0000  
DANIEL F. GERAGHTY, 0000  
GEOFFREY A. GORMAN, 0000  
AMY E. GRAHAM, 0000  
BLAIR H. GUY II, 0000  
WILLIAM HENDERSHOT, 0000  
ROSEMARY HENSON, 0000  
MANUEL HERNANDEZ, 0000  
KENNETH L. HOLLAND, 0000  
WILLIAM S. HORTON, 0000  
ROBERT S. HUSCHAK, 0000

JOHN C. LEPAK, 0000  
ANDRE B. LESTER, 0000  
LEONARD J. LONG, 0000  
CHARLES H. MAHER, 0000  
JOHN M. MANN, 0000  
MICHAEL B. MARTINEZ, JR., 0000  
GINA L. MCCAIN, 0000  
KARRICK S. MCDERMOTT, 0000  
BRADLEY J. MCINNIS, 0000  
ETHAN D. MITCHELL, 0000  
JOHN C. MOE, 0000  
PATRICK R. MURPHY, 0000  
JOHN D. NAYLOR, 0000  
DANIEL K. NEICE, 0000  
STEPHEN R. OKRESIK, 0000  
MIKAL J. PHILLIPS, 0000  
MARK A. QUINN, 0000  
MICHAEL J. RAK, 0000  
KELAND T. REGAN, 0000  
JOHN M. RHODES, 0000  
TODD A. SANTALA, 0000  
ALBERT C. SEEMAN, 0000  
RICHARD E. SESSOMS, JR., 0000  
PETER M. SIWEK, 0000  
ROBERT W. SPEIGHT, 0000  
LINDA C. STONE, 0000  
EDWARD D. SUNDBERG, 0000  
CORA C. TAYLOR, 0000  
CARLOS URBIZU, 0000  
AARON T. WASHINGTON, 0000  
TIMOTHY J. YANIK, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be colonel*

CHANTEL NEWSOME, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

*To be major*

STEVEN L. ALGER, 0000  
PEGGY L. DICKSON, 0000  
ALEXANDER M. KASIRI, 0000  
JAMES B. KOPP, 0000  
EVERETT S. ONG, 0000  
RACHELLE PAULKAGIRI, 0000

WITHDRAWAL

Executive Message transmitted by the President to the Senate on April 24, 2006 withdrawing from further Senate consideration the following nomination:

JOHN G. EMLING, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, WHICH WAS SENT TO THE SENATE ON FEBRUARY 27, 2006.



# EXTENSIONS OF REMARKS

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 25, 2006 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### APRIL 26

9:30 a.m.

#### Environment and Public Works

Business meeting to consider the nominations of Richard Capka, of Pennsylvania, to be Administrator of the Federal Highway Administration, Department of Transportation, and James B. Gulliford, of Missouri, to be Assistant Administrator for Toxic Substances, and William Ludwig Wehrum, Jr., of Tennessee, to be an Assistant Administrator, both of the Environmental Protection Agency, and a proposal to amend Committee Rule 7(d) relative to the naming of public buildings and facilities.

SD-628

#### Foreign Relations

To hold hearings to examine United States-India atomic energy cooperation, focusing on strategic and non-proliferation implications.

SD-419

#### Judiciary

To hold hearings to examine the future of the music industry in the digital radio revolution, focusing on parity, platforms, and protection issues.

SD-226

10 a.m.

#### Agriculture, Nutrition, and Forestry

To hold hearings to examine the state of the biofuels industry.

SR-328A

#### Appropriations

##### Defense Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2007 for National Guard and Reserve.

SD-192

#### Finance

To hold hearings to examine authorizations of customs and trade functions.

SD-215

#### Commerce, Science, and Transportation Technology, Innovation, and Competitive- ness Subcommittee

To hold hearings to examine fostering innovation in math and science education.

SD-562

10:30 a.m.

#### Appropriations

##### Legislative Branch Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Government Accountability Office and other issues.

SD-138

#### Small Business and Entrepreneurship

To hold hearings to examine the reauthorization of the Finance and Entrepreneurial Development programs administered by the Small Business Administration.

SR-428A

2 p.m.

#### Appropriations

##### Commerce, Justice, Science and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2007 for the National Aeronautics and Space Administration.

SD-192

2:30 p.m.

#### Homeland Security and Governmental Affairs

##### Federal Financial Management, Govern- ment Information, and International Security Subcommittee

To hold hearings to examine ensuring early diagnosis and access to treatment for HIV/AIDS, focusing on how federal funding is being distributed to provide AIDS drugs and HIV testing opportunities in the United States.

SD-342

#### Commerce, Science, and Transportation Global Climate Change and Impacts Sub- committee

To hold hearings to examine certain marine and terrestrial systems.

SD-562

### APRIL 27

9:30 a.m.

#### Judiciary

Business meeting to consider pending calendar business.

SD-226

#### Appropriations

##### Transportation, Treasury, the Judiciary, and Housing and Urban Development, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Internal Revenue Service, Department of the Treasury.

SD-138

10 a.m.

#### Armed Services

To hold a closed briefing on operations and intelligence.

SR-222

#### Commerce, Science, and Transportation Disaster Prevention and Prediction Sub- committee

To hold hearings to examine drought issues.

SD-562

#### Veterans' Affairs

Business meeting to consider the nomination of Daniel L. Cooper, of Pennsylvania, to be Under Secretary for Benefits of the Department of Veterans Affairs; to be followed by a hearing on issues relating to VA research.

SR-418

#### Joint Economic Committee

To hold hearings to examine the current economic outlook.

Room to be announced

10:30 a.m.

#### Appropriations

##### Legislative Branch Subcommittee

To resume hearings to examine the progress of the Capitol Visitor Center construction.

SD-116

2:30 p.m.

#### Judiciary

To hold hearings to examine renewing the temporary provisions of the Voting Rights Act.

SD-226

#### Foreign Relations

##### Western Hemisphere, Peace Corps and Nar- cotics Affairs Subcommittee

To hold hearings to examine the progress of implementing the Western Hemisphere Travel Initiative.

SD-419

#### Intelligence

Closed business meeting to consider pending calendar business.

SH-219

### MAY 1

2:30 p.m.

#### Energy and Natural Resources

To resume hearings to examine the economic and environmental issues associated with coal gasification technology and on implementation of the provisions of the Energy Policy Act of 2005 addressing coal gasification.

SD-366

### MAY 2

9:30 a.m.

#### Agriculture, Nutrition, and Forestry

To hold hearings to examine the implementation of the peanut provisions of the Farm Security and Rural Investment Act of 2002.

SH-216

#### Judiciary

To hold hearings to examine Federal Bureau of Investigation oversight.

SD-226

4 p.m.

#### Judiciary

To hold hearings to examine certain judicial and executive nominations.

SD-226

### MAY 3

10:30 a.m.

#### Appropriations

##### Legislative Branch Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Government Printing Office, Congressional Budget Office, and Office of Compliance.

SD-138

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

MAY 10

10 a.m.

Agriculture, Nutrition, and Forestry  
To hold hearings to examine the implementation of the sugar provisions of the Farm Security and Rural Investment Act of 2002.

SR-328A

MAY 17

10 a.m.

Commerce, Science, and Transportation  
Technology, Innovation, and Competitiveness Subcommittee  
To hold hearings to examine accelerating the adoption of health information technology.

Room to be announced

MAY 24

10:30 a.m.

Appropriations  
Legislative Branch Subcommittee  
To resume hearings to examine the progress of construction on the Capitol Visitor Center.

SD-138

JUNE 14

10 a.m.

Commerce, Science, and Transportation  
Technology, Innovation, and Competitiveness Subcommittee  
To hold hearings to examine alternative energy technologies.

Room to be announced

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S3405–S3433*

**Measures Introduced:** Fifteen bills and one resolution were introduced, as follows: S. 2621–2635, and S. Con. Res. 89. **Pages S3419–20**

**Measures Reported:**

Reported on Thursday, April 20, during the adjournment:

S. 476, to authorize the Boy Scouts of America to exchange certain land in the State of Utah acquired under the Recreation and Public Purposes Act, with an amendment in the nature of a substitute. (S. Rept. No. 109–231)

S. 1131, to authorize the exchange of certain Federal land within the State of Idaho, with an amendment in the nature of a substitute. (S. Rept. No. 109–232)

S. 1288, to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System, with amendments. (S. Rept. No. 109–233)

S. 1346, to direct the Secretary of the Interior to conduct a study of maritime sites in the State of Michigan, with an amendment in the nature of a substitute. (S. Rept. No. 109–234)

S. 1378, to amend the National Historic Preservation Act to provide appropriation authorization and improve the operations of the Advisory Council on Historic Preservation, with amendments. (S. Rept. No. 109–235)

S. 1829, to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands. (S. Rept. No. 109–236)

S. 1830, to amend the Compact of Free Association Amendments Act of 2003, with amendments. (S. Rept. No. 109–237)

S. 1913, to authorize the Secretary of the Interior to lease a portion of the Dorothy Buell Memorial Visitor Center for use as a visitor center for the Indiana Dunes National Lakeshore, with an amendment in the nature of a substitute. (S. Rept. No. 109–238)

S. 1970, to amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with that trail, with an amendment in the nature of a substitute. (S. Rept. No. 109–239)

S. 2253, to require the Secretary of the Interior to offer the 181 Area of the Gulf of Mexico for oil and gas leasing. (S. Rept. No. 109–240)

H.R. 318, to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System. (S. Rept. No. 109–241)

H.R. 326, to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and for other purposes. (S. Rept. No. 109–242)

H.R. 409, to provide for the exchange of land within the Sierra National Forest, California, with an amendment in the nature of a substitute. (S. Rept. No. 109–243)

H.R. 562, to authorize the Government of Ukraine to establish a memorial on Federal land in the District of Columbia to honor the victims of the manmade famine that occurred in Ukraine in 1932–1933. (S. Rept. No. 109–244)

H.R. 1129, to authorize the exchange of certain land in the State of Colorado, with an amendment in the nature of a substitute. (S. Rept. No. 109–245)

H.R. 1728, to authorize the Secretary of the Interior to study the suitability and feasibility of designating portions of Ste. Genevieve Country in the State of Missouri as a unit of the National Park System. (S. Rept. No. 109–246)

H.R. 2107, to amend Public Law 104–329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund. (S. Rept. No. 109–247)

H.R. 3443, to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District. (S. Rept. No. 109–248)

**Page S3419**

Reported on today:

S. 2197, to improve the global competitiveness of the United States in science and energy technology, to strengthen basic research programs at the Department of Energy, and to provide support for mathematics and science education at all levels through the resources available through the Department of Energy, including at the National Laboratories, with an amendment in the nature of a substitute. (S. Rept. No. 109–249)

S. 2245, to establish an Indian youth telemental health demonstration project. (S. Rept. No. 109–250) **Page S3419**

**Emergency Supplemental Appropriations—Agreement:** A unanimous-consent agreement was reached providing that following the vote on the nomination of Gray Hampton Miller (listed below), on Tuesday, April 25, 2006, Senate resume consideration of H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, for debate only until after the 2:15 p.m. recess. **Pages S3427–28**

**Bill Referral—Agreement:** A unanimous-consent agreement was reached providing that S. 2612, to provide for comprehensive immigration reform, be referred to the Committee on the Judiciary. **Page S3427**

**Nomination Agreement:** A unanimous-consent agreement was reached providing that following morning business on Tuesday, April 25, 2006, Senate begin consideration of the nomination of Gray Hampton Miller, to be United States District Judge for the Southern District of Texas; that Senators Hutchison and Cornyn be allotted five minutes each for debate, and that upon the use, or yielding back of time, Senate vote on confirmation of the nomination. **Page S3427**

#### Appointments:

**Canada-U.S. Interparliamentary Group:** The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appointed the following Senators as members of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the Second Session of the 109th Congress: Senators Allard and Voinovich. **Page S3427**

**Nominations Received:** Senate received the following nominations:

Anita K. Blair, of Virginia, to be an Assistant Secretary of the Air Force.

Mark V. Rosenker, of Maryland, to be Chairman of the National Transportation Safety Board for a term of two years.

Dirk Kempthorne, of Idaho, to be Secretary of the Interior.

Daniel S. Sullivan, of Alaska, to be an Assistant Secretary of State (Economic and Business Affairs).

Leslie V. Rowe, of Washington, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands and Ambassador to the Republic of Vanuatu.

Robert S. Ford, of Maryland, to be Ambassador to the People's Democratic Republic of Algeria.

Anne E. Derse, of Maryland, to be Ambassador to the Republic of Azerbaijan.

Paul A. Denett, of Virginia, to be Administrator for Federal Procurement Policy.

Daniel Porter Jordan III, of Mississippi, to be United States District Judge for the Southern District of Mississippi.

Philip S. Gutierrez, of California, to be United States District Judge for the Central District of California.

Gustavo Antonio Gelpi, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

Erik C. Peterson, of Wisconsin, to be United States Attorney for the Western District of Wisconsin for the term of four years.

1 Air Force nomination in the rank of general.

38 Army nominations in the rank of general.

8 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, Navy. **Pages S3431–33**

**Nominations Withdrawn:** Senate received notification of withdrawal of the following nomination:

John G. Emling, of Pennsylvania, to be an Assistant Secretary of Commerce, which was sent to the Senate on February 27, 2006. **Page S3433**

**Messages From the House:** **Page S3418**

**Measures Placed on Calendar:** **Page S3418**

**Executive Communications:** **Pages S3418–19**

**Additional Cosponsors:** **Pages S3420–22**

**Statements on Introduced Bills/Resolutions:** **Pages S3422–27**

**Additional Statements:** **Pages S3416–18**

**Amendments Submitted:** **Page S3427**

**Notices of Hearings/Meetings:** **Page S3427**

**Authorities for Committees to Meet:** **Page S3427**

**Adjournment:** Senate convened at 2 p.m., and adjourned at 5:12 p.m., until 9:45 a.m., on Tuesday, April 25, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3428.)

## Committee Meetings

(Committees not listed did not meet)

### COAL LIQUEFACTION/GASIFICATION

*Committee on Energy and Natural Resources:* Committee held a hearing to examine the economic and environmental issues associated with coal liquefaction technology and on the implementation of the provisions of the Energy Policy Act of 2005 addressing coal

gasification, receiving testimony from Clarence L. Miller, Director, Office of Sequestration, Hydrogen, and Clean Coal Fuels, Office of Fossil Energy, Department of Energy; Arie Geertsema, University of Kentucky Center for Applied Energy Research, Lexington; David G. Hawkins, Natural Resources Defense Council, Washington, D.C.; D. Hunt Ramsbottom, Rentech, Inc., Los Angeles, California; and James F. Roberts, Foundation Coal Corporation, Linthicum Heights, Maryland.

Hearings continue on Monday, May 1.

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# House of Representatives

## Chamber Action

The House was not in session today. The House is scheduled to meet at 2 p.m. on Tuesday, April 25, 2006.

## Committee Meetings

### HUMAN RIGHTS IN CHINA

*Committee on International Relations:* On April 19, the Subcommittee on Africa, Global Human Rights and International Operations held a hearing entitled "Human Rights in China: Improving or Deteriorating Conditions?" Testimony was heard from public witnesses.

H.J. Res. 82, providing for the reappointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution. Signed on April 13, 2006. (Public Law 109-217)

H.R. 4979, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify the preference for local firms in the award of certain contracts for disaster relief activities. Signed on April 20, 2006. (Public Law 109-218)

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## CONGRESSIONAL PROGRAM AHEAD

*Week of April 25 through April 29, 2006*

### Senate Chamber

On *Tuesday*, at approximately 10:45 a.m., Senate will begin consideration of the nomination of Gray Hampton Miller, to be United States District Judge for the Southern District of Texas, with a vote on confirmation of the nomination to occur at approximately 11 a.m.; following which, Senate will resume consideration of H.R. 4939, Emergency Supplemental Appropriations, for debate only until after the 2:15 p.m. recess.

During the balance of the week, Senate may consider any other cleared legislative and executive business.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Agriculture, Nutrition, and Forestry:* April 26, to hold hearings to examine the state of the biofuels industry, 10 a.m., SR-328A.

*Committee on Appropriations:* April 26, Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2007 for National Guard and Reserve, 10 a.m., SD-192.

April 26, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Government Accountability Office and other issues, 10:30 a.m., SD-138.

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## NEW PUBLIC LAWS

*(For last listing of Public Laws, see DAILY DIGEST, p. D 333)*

H.R. 1259, to award a congressional gold medal on behalf of the Tuskegee Airmen, collectively, in recognition of their unique military record, which inspired revolutionary reform in the Armed Forces. Signed on April 11, 2006. (Public Law 109-213)

S. 2116, to transfer jurisdiction of certain real property to the Supreme Court. Signed on April 11, 2006. (Public Law 109-214)

S. 2120, to ensure regulatory equity between and among all dairy farmers and handlers for sales of packaged fluid milk in federally regulated milk marketing areas and into certain non-federally regulated milk marketing areas from federally regulated areas. Signed on April 11, 2006. (Public Law 109-215)

H.J. Res. 81, providing for the appointment of Phillip Frost as a citizen regent of the Board of Regents of the Smithsonian Institution. Signed on April 13, 2006. (Public Law 109-216)

April 26, Subcommittee on Commerce, Justice, Science and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the National Aeronautics and Space Administration, 2 p.m., SD-192.

April 27, Subcommittee on Transportation, Treasury, the Judiciary, and Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Internal Revenue Service, Department of the Treasury, 9:30 a.m., SD-138.

April 27, Subcommittee on Legislative Branch, to resume hearings to examine the progress of the Capitol Visitor Center construction, 10:30 a.m., SD-116.

*Committee on Armed Services:* April 27, to hold a closed briefing on operations and intelligence, 10 a.m., SR-222.

*Committee on Banking, Housing, and Urban Affairs:* April 25, to hold hearings to examine current securities issues, 10 a.m., SD-538.

*Committee on Commerce, Science, and Transportation:* April 25, Subcommittee on Science and Space, to hold hearings to examine certain NASA activities, 2:30 p.m., SD-562.

April 26, Subcommittee on Technology, Innovation, and Competitiveness, to hold hearings to examine fostering innovation in math and science education, 10 a.m., SD-562.

April 26, Subcommittee on Global Climate Change and Impacts, to hold hearings to examine certain marine and terrestrial systems, 2:30 p.m., SD-562.

April 27, Subcommittee on Disaster Prevention and Prediction, to hold hearings to examine drought issues, 10 a.m., SD-562.

*Committee on Environment and Public Works:* April 26, business meeting to consider the nominations of Richard Capka, of Pennsylvania, to be Administrator of the Federal Highway Administration, Department of Transportation, and James B. Gulliford, of Missouri, to be Assistant Administrator for Toxic Substances, and William Ludwig Wehrum, Jr., of Tennessee, to be an Assistant Administrator, both of the Environmental Protection Agency, and a proposal to amend Committee Rule 7(d) relative to the naming of public buildings and facilities, 9:30 a.m., SD-628.

*Committee on Finance:* April 25, to hold hearings to examine the social and economic effects of the methamphetamine epidemic on America's child welfare system, 10:30 a.m., SD-215.

April 26, Full Committee, to hold hearings to examine authorizations of customs and trade functions, 10 a.m., SD-215.

*Committee on Foreign Relations:* April 26, to hold hearings to examine United States-India atomic energy cooperation, focusing on strategic and nonproliferation implications, 9:30 a.m., SD-419.

April 27, Subcommittee on Western Hemisphere, Peace Corps and Narcotics Affairs, to hold hearings to examine the progress of implementing the Western Hemisphere Travel Initiative, 2:30 p.m., SD-419.

*Committee on Homeland Security and Governmental Affairs:* April 25, Subcommittee on Federal Financial Management, Government Information, and International Security,

to hold hearings to examine the scope of illicit activity funding the current regime of North Korea, 2:30 p.m., SD-342.

April 26, Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine ensuring early diagnosis and access to treatment for HIV/AIDS, focusing on how federal funding is being distributed to provide AIDS drugs and HIV testing opportunities in the United States, 2:30 p.m., SD-342.

*Committee on the Judiciary:* April 25, to hold hearings to examine immigration issues, focusing on economic impacts, 9:30 a.m., SD-226.

April 25, Full Committee, to hold hearings to examine pending judicial nominations, 2:15 p.m., SD-226.

April 26, Full Committee, to hold hearings to examine the future of the music industry in the digital radio revolution, focusing on parity, platforms, and protection issues, 9:30 a.m., SD-226.

April 27, Full Committee, business meeting to consider pending calendar business, 9:30 a.m., SD-226.

April 27, Full Committee, to hold hearings to examine renewing the temporary provisions of the Voting Rights Act, 2:30 p.m., SD-226.

*Committee on Small Business and Entrepreneurship:* April 26, to hold hearings to examine the reauthorization of the Finance and Entrepreneurial Development programs administered by the Small Business Administration, 10:30 a.m., SR-428A.

*Committee on Veterans' Affairs:* April 27, business meeting to consider the nomination of Daniel L. Cooper, of Pennsylvania, to be Under Secretary for Benefits of the Department of Veterans Affairs; to be followed by a hearing on issues relating to VA research, 10 a.m., SR-418.

### House Committees

*Committee on Agriculture,* April 26, Subcommittee on General Farm Commodities and Risk Management, hearing to review the Federal Crop Insurance Program, 11:30 a.m., 1300 Longworth.

*Committee on Appropriations,* April 26, Subcommittee on Energy and Water Development, and Related Agencies, on Oversight of Reform of the DOE Nuclear Weapons Complex, 10 a.m., 2362B Rayburn.

April 26, Subcommittee on Foreign Operations, Export Financing, and Related Programs, on USAID, 10 a.m., 2359 Rayburn.

April 26, Subcommittee on Science, the Departments of State, Justice, Commerce, and Related Agencies, on Bureau of Alcohol, Tobacco, Firearms and Explosives, 10 a.m., H-309 Capitol.

April 27, Subcommittee on Science, the Departments of State, Justice, Commerce, and Related Agencies, on SEC, 10 a.m., H-309 Capitol.

*Committee on Armed Services,* April 26, Subcommittee on Military Personnel, to mark up H.R. 5122, National Defense Authorization Act for Fiscal Year 2007, 1 p.m., 2118 Rayburn.

April 26, Subcommittee on Strategic Forces, to mark up H.R. 5122, National Defense Authorization Act for Fiscal Year 2007, 11:30 a.m., 2212 Rayburn.

April 26, Subcommittee on Tactical Air and Land Forces, to mark up H.R. 5122, National Defense Authorization Act for Fiscal Year 2007, 10 a.m., 2118 Rayburn.

April 27, Subcommittee on Projection Forces, to mark up H.R. 5122, National Defense Authorization Act for Fiscal Year 2007, 11 a.m., 2212 Rayburn.

April 27, Subcommittee on Readiness, to mark up H.R. 5122, National Defense Authorization Act for Fiscal Year 2007, 9 a.m., 2118 Rayburn.

April 27, Subcommittee on Terrorism, Unconventional Threats and Capabilities, to mark up H.R. 5122, National Defense Authorization Act for Fiscal Year 2007, 1 p.m., 2118 Rayburn.

*Committee on Education and the Workforce*, April 26, hearing entitled "Gulf Coast Recovery: Facing Challenges and Coming Back Stronger in Education," 10 a.m., 2175 Rayburn.

April 27, Subcommittee on Workforce Protections, hearing entitled: Examining the Use of Non-Consensus Standards in Workplace Health and Safety," 10:30 a.m., 2175 Rayburn.

*Committee on Energy and Commerce*, April 26, to mark up the Communications Opportunity, Promotion, and Enhancement Act, 10 a.m., 2123 Rayburn.

April 27, Subcommittee on Energy and Air Quality, hearing on Pipeline Safety: A Progress Report Since the Enactment of the Pipeline Safety Improvement Act of 2002, 10 a.m., 2322 Rayburn.

April 27, Subcommittee on Health, hearing entitled "Reauthorizing the Ryan White CARE Act: How to Improve the Program to Ensure Access to Care," 9 a.m., 2123 Rayburn.

*Committee on Financial Services*, April 25, Subcommittee on Housing and Community Opportunity, hearing on H.R. 5039, Saving America's Rural Housing Act of 2006, 2 p.m., 2128 Rayburn.

April 26, Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises, hearing entitled "America's Capital Markets: Maintaining Our Lead in the 21st Century," 10 a.m., 2128 Rayburn.

April 26, Subcommittee on Housing and Community Opportunity, hearing entitled "Title Insurance: Cost and Competition," 2 p.m., 2128 Rayburn.

April 27, Subcommittee on Domestic and International Monetary Policy, Trade and Technology, hearing entitled "CFIUS and the Role of Foreign Direct Investment in the United States," 11 a.m., 2128 Rayburn.

*Committee on Government Reform*, April 25, Subcommittee on Federal Workforce and Agency Organization, hearing entitled "Yucca Mountain: Broken Management, Broken Quality Assurance, Broken Project," 2 p.m., 2154 Rayburn.

April 25, Subcommittee on National Security, Emerging Threats and International Relations, hearing entitled "A New Assessment of Iraq," 10 a.m., 2154 Rayburn.

April 26, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing entitled "Transit Zone Operations: Can We Sustain Record Seizures and Declining Resources," 2 p.m., 2203 Rayburn.

April 26, Subcommittee on Federal Workforce and Agency Organization, hearing entitled "Adding a Real

Estate Investment Trust (REIT) Index Option to the Thrift Savings Plan: Considering the Views and Advisory Role of the Employee Thrift Advisory Council (ETAC)," followed by a mark up of H.R. 1578, Real Estate Investment Thrift Savings Act, 2 p.m., 2154 Rayburn.

April 27, full Committee, hearing entitled "Financial Friendly Fire: A Review of Persistent Military Pay Problems," 10 a.m., 2154 Rayburn.

April 28, hearing entitled "Making the Grade? Examining District of Columbia Public Schools Reform Proposals," 10 a.m., 2154 Rayburn.

*Committee on Homeland Security*, April 25, Subcommittee on Emergency Preparedness, Science and Technology, hearing entitled "The State of Interoperable Communications: Perspectives on Federal Coordination of Grants, Standards and Technology," 2 p.m., 311 Cannon.

April 26, full Committee, to mark up H.R. 4954, SAFE Port Act, 10 a.m., 311 Cannon.

April 27, Subcommittee on Intelligence, Information Sharing and Terrorism, executive, briefing on the GAO report Information Sharing: The Federal Government Needs to Establish Policies and Processes for Sharing Terrorism-Related and Sensitive but Unclassified Information (GAO-06-385), 10 a.m., 311 Cannon.

*Committee on International Relations*, April 26, hearing on Iraq: Update on U.S. Policy, 10:30 a.m., 2172 Rayburn.

April 26, Subcommittee on Africa, Global Human Rights and International Operations, hearing on the Endangered Children of Northern Uganda, 2 p.m., 2200 Rayburn.

April 26, Subcommittee on the Middle East and Central Asia, to continue hearings on U.S. Policy in Central Asia: Balancing Priorities (Part II), 2 p.m., 2255 Rayburn.

April 26, Subcommittee on Western Hemisphere, hearing on U.S.-Mexico Relations, 2 p.m., 2172 Rayburn.

April 27, full Committee, hearing on United Nations Reform: Improving Internal Oversight Within the UN, 1 p.m., 2172 Rayburn.

April 27, Subcommittee on Asia and the Pacific and the Subcommittee on Africa, Global Human Rights and International Operations, joint hearing on North Korea: Human Rights Update and International Abduction Issues, 10 a.m., 2172 Rayburn.

*Committee on the Judiciary*, April 25, Task Force on Telecom and Antitrust, oversight hearing on Network Neutrality: Competition, Innovation and Nondiscriminatory Access, 4 p.m., 2141 Rayburn.

April 26, Subcommittee on Commercial and Administrative Law, oversight hearing on the Department of Justice: Executive Office for United States Attorneys, Civil Division, Environment and Natural Resources Division, Executive Office for United States Trustees, and Office of the Solicitor General, 2 p.m., 2141 Rayburn.

April 27, Subcommittee on the Constitution, oversight hearing on the Constitution and Line Item Veto, 2 p.m., 2141 Rayburn.

April 27, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on Patent Harmonization, 9 a.m., 2141 Rayburn.



*Committee on Resources*, April 27, oversight hearing on The Report by the Administration's Task Force on Puerto Rico's Status, 10 a.m., 1324 Longworth.

April 27, Subcommittee on Forests and Forest Health, oversight hearing on the GAO Report on Promoting Woody Biomass for Energy and Other Uses, 1 p.m., 1334 Longworth.

April 27, Subcommittee on National Parks, hearing on the following bills: H.R. 1796, Mississippi River Trail Study Act; H.R. 3085, to amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with that trail; and H.R. 4612 Wright Brothers-Dunbar National Historic Park Designation Act, 2:30 p.m., 1324 Longworth.

*Committee on Rules*, April 25, to consider H.R. 5020, Intelligence Authorization Act for Fiscal Year 2007, 5 p.m., H-313 Capitol.

*Committee on Science*, April 27, hearing on H.R. 5143, H-Prize Act of 2006, 9:30 a.m., 2318 Rayburn.

*Committee on Small Business*, April 26, hearing entitled "Cutting Our Trade Deficit: Can the U.S. Muster Its Diverse Trade Promotion Operations to Make an Impact?" 2 p.m., 2360 Rayburn.

April 27, Subcommittee on Workforce Empowerment and Government Programs, hearing entitled "Healthcare and Small Business: Proposals That Will Help Lower Costs and Cover the Uninsured," 10:30 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, April 26, Subcommittee on Aviation, oversight hearing on Air

Traffic Control Modernization: The Present and Future, 2 p.m., 2167 Rayburn.

April 26, Subcommittee on Railroads, oversight hearing on the U.S. Rail Capacity Crunch, 10 a.m., 2167 Rayburn.

April 27, Subcommittee on Coast Guard and Maritime Transportation, oversight hearing on Implementation of the Oil Pollution Act, 10 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs*, April 26, oversight hearing on Corporate Commitment to Hiring Veterans, 10:30 a.m., 334 Cannon.

April 27, Subcommittee on Economic Opportunity, hearing on the following: H.R. 4791, Disabled Veterans Adaptive Housing Improvement Act; the Veterans Employment State Grant Improvement Act of 2006; the GI Bill Flexibility Act of 2006; the Veterans and Credentialing Act of 2006; and a proposal to amend to H.R. 3082, Veterans-Owned Small Business Promotion Act of 2005, 1:30 p.m., 334 Cannon.

*Permanent Select Committee on Intelligence*, April 27, executive, briefing on Global Updates/Hotspots, 9 a.m., H-405 Capitol.

### Joint Meetings

*Commission on Security and Cooperation in Europe*: April 25, to hold hearings to examine the consequences of the Chernobyl disaster 20 years later, and the response of the affected countries and the international community, 2 p.m., 2226 RHOB.

*Joint Economic Committee*: April 27, to hold hearings to examine the current economic outlook, 10 a.m., Room to be announced.

*Next Meeting of the SENATE*

9:45 a.m., Tuesday, April 25

*Next Meeting of the HOUSE OF REPRESENTATIVES*

2 p.m., Tuesday, April 25

## Senate Chamber

**Program for Tuesday:** After the transaction of any morning business (not to extend beyond 60 minutes), Senate will begin consideration of the nomination of Gray Hampton Miller, to be United States District Judge for the Southern District of Texas, with a vote on confirmation of the nomination to occur at approximately 11 a.m.; following which, Senate will resume consideration of H.R. 4939, Emergency Supplemental Appropriations, for debate only until after the 2:15 p.m. recess.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)*

## House Chamber

**Program for Tuesday:** To be announced.



## Congressional Record

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