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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. GINGREY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 13, 2006.

I hereby appoint the Honorable PHIL GINGREY to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God of the universe, we praise You and thank You as the 109th Congress gathers to resume its work in serving this Nation. Grant all the Members of this assembly wisdom, prudence and courage as these words of Moses are taken to heart and You pour forth Your spirit upon two new Members as well:

"If you will only obey the Lord your God by diligently observing all the commandments that I enjoin on you today, the Lord your God will raise you high above all the nations of the Earth. Every blessing shall come upon you and overwhelm you, if only you obey the Lord your God."

With renewed faith, we place all our trust in You, and give You glory, Lord, by our words and deeds both now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE 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.

NO SUBSTITUTE FOR VICTORY

(Mr. POE asked and was given permission to address the House for 1 minute.

Mr. POE. Mr. Speaker, as the war wages on in the deserts of Iraq, there is talk of a new direction. There are only three options: one, retreat because the fight is a bit rough-going. Two, stalemate. A Vietnam-type politically correct draw. Three, victory.

Mr. Speaker, there is no substitute for victory. Let the generals finish the job, win and bring our troops home. Abandoning Iraq is not in the best interest of the United States. If we sneak out now, who is to say the Iranians and their rogue dictator will not come in and make Iraq a puppet nation of their radicalism.

Confront the armed militias who murder Iraqis in the name of religion, like al-Sa'dr's Mahdi army. The thugs who roam the streets are not engaged in civil war, but terror and anarchy and murder.

The question I was asked when I was in Iraq by Iraqi citizens was, is America going to leave like in 1991 before the war is won? While American politicians are debating that question, turn the U.S. military loose on the enemy and let our troops decide that question with total victory.

And that's just the way it is.

AMERICA'S NEED FOR FUEL INDEPENDENCE

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, at one time the United States of America overwhelmingly was an agrarian country, but today only 2 percent of the population are farmers. Yet those 2 percent feed all 100 percent of us and a great portion of the rest of the world as well.

Now, when it comes to energy, however, we import 60 percent; yet America consumes 25 percent of the world's oil. We need, for the sake of national security, fuel independence. In 2004, we bought over \$100 billion of oil from non-democratic countries, countries like Saudi Arabia, Iran, Iraq, Russia, Venezuela, countries that are not always with the United States on a lot of matters and particularly on their votes in the U.N.

When we do this, we are funding both sides in the war on terrorism. We need to move towards alternatives: biofuel, ethanol, hydrogen. These technologies are already out there; we just need to have a national commitment to have fuel independence.

I have proposed a bill, H.R. 4409, which is cosponsored by Mr. ENGEL of New York, that moves us in that direction in 20 years. I urge my colleagues to join us and take a good serious look at fuel independence.

CONGRATULATING THE HOUSTON DYNAMO

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, soccer anyone? Mr. Speaker, I rise today to congratulate the Houston Dynamo, located in the 18th Congressional District, who are now the 2006

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Major League Soccer Cup champions, as they won it just yesterday in front of thousands of soccer fans at Pizza Hut Park. The Houston Dynamo emerged victorious against the New England Revolution.

A bet was made with the mayor of the City of Houston and the mayor of Boston now has to pay up, legally. The win was with a score of 4-3 on penalty kicks after the team played to a 1-1 draw through regulation and extra time.

This is a young team that moved from San Jose, and we in Houston are enthusiastic and absolutely dynamic about the Dynamo. Congratulations to Kelly Gray, Stuart Holden, Dwayne De Rosario and Brian Ching who successfully converted from the penalty spot in the shoot-out. Brian Ching was recognized as the match's most valuable player.

This is the Dynamo's first season in Houston. They have surely made a warm welcome for themselves. The team is led by 2005 Major League Soccer Coach of the Year, Dominic Kinnear. Let me acknowledge Dynamo investor-operator Philip Anschutz for the time and commitment he has given to U.S. soccer and the City of Houston.

Let me also thank Oliver Luck and all of the management team family. I also congratulate the players and their families for making the transition from their other city to Houston, Texas. Let me also say that the Dynamo are great civic leaders and participants. I am delighted that they are going to be involved with our school districts in Houston, the North Forest Independent School District to be able to uplift those students and let them know that staying in school is the right thing to do.

Soccer, anyone? The Houston Dynamo, they are the Major League Soccer Cup winners of 2006. We are proud of them. I yield back knowing that we can play soccer in Houston, Texas.

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow for morning hour debate, thereafter to resume its session at 11 a.m.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:20 p.m. today.

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 409) to provide for the exchange of land within the Sierra National Forest, California, and for other purposes. The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

This Act may be cited as the "Sierra National Forest Land Exchange Act of 2006".

In this Act:

(1) COUNCIL.—The term "Council" means the Sequoia Council of the Boy Scouts of America.

(2) FEDERAL LAND.—The term "Federal land" means the parcel of land comprising 160 acres and located in E½SW¼ and W½SE¼, sec. 30, T. 9 S., R. 25 E., Mt. Diablo Meridian, California.

(3) NON-FEDERAL LAND.—The term "non-Federal land" means a parcel of land comprising approximately 80 acres and located in N½NW¼, sec. 29, T. 8 S., R. 26 E., Mt. Diablo Meridian, California.

(4) PROJECT NO. 67.—The term "Project No. 67" means the hydroelectric project licensed pursuant to the Federal Power Act (16 U.S.C. 791a et seq.) as Project No. 67.

(5) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(a) EXCHANGE AUTHORIZED.—

(1) IN GENERAL.—If, during the 1-year period beginning on the date of enactment of this Act, the owner of the non-Federal land offers to convey to the United States title to the non-Federal land and to make a cash equalization payment of \$50,000 to the United States, the Secretary shall convey to the owner of the non-Federal land, all right, title, and interest of the United States in and to the Federal land, except as provided in subsection (d), subject to valid existing rights, and under such terms and conditions as the Secretary may require.

(2) CORRECTION AND MODIFICATION OF LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—The Secretary, in consultation with the owner of the non-Federal land, may agree to make corrections to the legal descriptions of the Federal land and non-Federal land.

(B) MODIFICATIONS.—The Secretary and the owner of the non-Federal land may agree to make minor modifications to the legal descriptions if the modifications do not affect the overall value of the exchange by more than 5 percent.

(b) VALUATION OF LAND TO BE CONVEYED.—For purposes of this section, during the period referred to in subsection (a)(1)—

(1) the value of the non-Federal land shall be considered to be \$200,000; and

(2) the value of the Federal land shall be considered to be \$250,000.

(c) ADMINISTRATION OF LAND ACQUIRED BY UNITED STATES.—On acquisition by the Secretary, the Secretary shall manage the non-Federal land in accordance with—

(1) the Act of March 1, 1911 (commonly known as the "Weeks Act") (16 U.S.C. 480 et seq.); and

(2) any other laws (including regulations) applicable to the National Forest System.

(d) CONDITIONS ON CONVEYANCE OF FEDERAL LAND.—The conveyance by the Secretary under subsection (a) shall be subject to the conditions that—

(1) the recipient of the Federal land convey all 160 acres of the Federal land to the Council not later than 120 days after the date on which the recipient receives title to the Federal land;

(2) in accordance with section 4(a), the Secretary grant to the owner of Project No. 67 an easement; and

(3) in accordance with section 4(b), the owner of Project No. 67 has the right of first refusal regarding any reconveyance of the Federal land by the Council.

(e) DISPOSITION AND USE OF CASH EQUALIZATION FUNDS.—

(1) IN GENERAL.—The Secretary shall deposit the cash equalization payment received under subsection (a)(1) in the fund established by Public Law 90-171 (commonly known as the "Sisk Act") (16 U.S.C. 484a).

(2) USE.—Amounts deposited under paragraph (1) shall be available to the Secretary until expended, without further appropriation, for the acquisition of land and any interests in land for the National Forest System in the State of California.

(f) COST COLLECTION FUNDS.—

(1) IN GENERAL.—The owner of the non-Federal land shall pay to the Secretary all direct costs associated with processing the land exchange under this section.

(2) COST COLLECTION ACCOUNT.—

(A) IN GENERAL.—Any amounts received by the Secretary under paragraph (1) shall be deposited in a cost collection account.

(B) USE.—Amounts deposited under subparagraph (A) shall be available to the Secretary until expended, without further appropriation, for the costs associated with the land exchange.

(C) REFUND.—The Secretary shall provide to the owner of the non-Federal land a refund of any amounts remaining in the cost collection account after completion of the land exchange that are not needed to cover expenses of the land exchange.

(g) LAND AND WATER CONSERVATION FUND.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of the Sierra National Forest shall be considered to be the boundaries of the Sierra National Forest as of January 1, 1965.

In accordance with the agreement entered into by the Forest Service, the Council, and the owner of Project No. 67 entitled the "Agreement to Convey Grant of Easement and Right of First Refusal" and executed on April 17, 2006—

(1) the Secretary shall grant an easement to the owner of Project No. 67; and

(2) the Council shall grant a right of first refusal to the owner of Project No. 67.

In exercising any discretion necessary to carry out this Act, the Secretary shall ensure that the public interest is well served.

Section 210(d) of the Energy Policy Act of 2005 (42 U.S.C. 15855(d)) is amended by striking "\$50,000,000 for each of the fiscal years 2006 through 2016" and inserting "\$50,000,000 for fiscal year 2006 and \$35,000,000 for each of fiscal years 2007 through 2016".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentlewoman from South Dakota (Ms. HERSETH) each will control 20 minutes. The Chair recognizes the gentleman from California.

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RADANOVICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 409 provides for the exchange of land within the Sierra National Forest in California. This bill originally passed the House of Representatives on September 20, 2005, but was recently amended by the Senate.

The land exchange portion of the bill remains unchanged and would exchange 160 acres of Forest Service property, of which only 15 acres is above water, for 80 acres of private land surrounded by national forest. The land owner has agreed to pay the difference of \$50,000 to the Forest Service to finalize the land transfer.

After the completion of the exchange, the land owner will then convey the property to the Sequoia Council Boy Scouts who have run a camp on the land under a special use permit for the last 30 years.

The Senate amendment reduces funding for a biomass grant program authorized by the Energy Policy Act of 1995 to pay, in part, for the funding authorized by the unrelated package of other energy and natural resource-related bills.

This biomass grant program was originally authorized at \$50 million per year, but only received \$4 million in funding this year. The Resources Committee has been very supportive of biomass funding to help reduce hazardous fuels and create valuable byproducts for otherwise unmerchantable woody debris.

And while the Senate's reduction in authorization funding is somewhat distressing, the Resources Committee agrees to pass this bill with the understanding that both the House and the Senate work together to increase the amount appropriated for biomass grants in the future. This would, in turn, reduce the cost of removing hazardous fuels from the forest and save taxpayer dollars.

Mr. Speaker, I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Ms. HERSETH. Mr. Speaker, I yield myself such time as I may consume.

(Ms. HERSETH asked and was given permission to revise and extend her remarks.)

Ms. HERSETH. Mr. Speaker, as Mr. RADANOVICH explained, H.R. 409 directs the Secretary of Agriculture to exchange 160 acres of Federal land in the Sierra National Forest at Shaver Lake for an 80-acre inholding also in the Sierra National Forest.

H.R. 409 also requires that the owners of the non-Federal land make a \$50,000 cash equalization payment and convey the Federal land to the Sequoia Council of the Boy Scouts of America within 120 days of receiving it.

Furthermore, an amendment to H.R. 409 made by the other body makes

changes to the biomass grants under the Energy Policy Act of 2005.

Mr. Speaker, we have no objections to H.R. 409.

Mr. Speaker, I yield back the balance of my time.

Mr. RADANOVICH. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 409.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

TRAIL OF TEARS STUDY ACT

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (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 for other purposes.

The Clerk read as follows:

Senate amendment:

On page 3, strike lines 1 through 3 and insert the following:

"(iv) The related campgrounds located along the routes and land components described in clauses (i) through (iii).

"(D) No additional funds are authorized to be appropriated to carry out subparagraph (C). The Secretary may accept donations for the Trail from private, nonprofit, or tribal organizations."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentlewoman from South Dakota (Ms. HERSETH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RADANOVICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3085, introduced by Congressman ZACH WAMP of Tennessee and amended by the Senate, would amend the National Trails System Act to update a feasibility study originally prepared for the Trail of Tears in 1987.

This new study would examine new trail segments, land components and

campgrounds associated with the trail, particularly Bell and Bengé Segments.

As my colleagues are aware, the Trail of Tears National Historic Trail encompasses the primary water route and northern land route used during the forced removal of the Cherokee Nation from its homelands in the southeast United States to Indian Territory, which is present-day Oklahoma.

Mr. Speaker, I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Ms. HERSETH. Mr. Speaker, I yield myself such time as I may consume.

(Ms. HERSETH asked and was given permission to revise and extend her remarks.)

Ms. HERSETH. Mr. Speaker, the majority has already explained the purpose of H.R. 3085, which was introduced by our colleague from Tennessee, Representative ZACH WAMP. H.R. 3085 passed the Senate this past July and has been returned to us with an amendment from the Senate.

Mr. Speaker, while the amendment made to H.R. 3085 is, in our view, unnecessary, the overall bill is a good one and we have no objection to the adoption of the legislation by the House today.

□ 1415

Mr. Speaker, I reserve the balance of my time.

Mr. RADANOVICH. Mr. Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Speaker, I just want to thank Chairman POMBO, Chairman RADANOVICH, Ranking Member HERSETH, all of the staffs involved for their work through the Resources Committee and subcommittees on this bill. I would also like to thank my Senate cosponsors, Senator COBURN, Senator FRIST, and majority leader Senator ALEXANDER for their involvement as well. I am very proud to be the lead sponsor of H.R. 3085. Completing the story of the Cherokee removal is an important issue for Congress to address. I urge all of my colleagues to vote for it.

I understand we are going to have a recorded vote on this. We are under suspensions, and I am going to need the votes. I am going to ask everyone to come and vote for this.

It has been cosponsored by 20 of my colleagues, all from districts and States in which the additional components are located. I would also like to add that S. 970, the Senate companion bill, was sponsored by COBURN, FRIST, and ALEXANDER.

As a consequence of the Indian Removal Act of 1830, a detachment led by John Bengé traveled 734 miles starting at Fort Payne, Alabama, continuing through Tennessee, Kentucky, Missouri, Arkansas, and Oklahoma.

The treaty party group led by John A. Bell traveled 765 miles starting at Charleston, Tennessee, traveling through Arkansas, collectively passing through 10 counties in Tennessee eventually.

Also included are 29 forts and the emigration depots located near Fort Payne, Alabama; Ross' Landing, present-day Chattanooga, Tennessee; and Fort Cass, present-day Charleston, Tennessee, where the Cherokee initially were taken after being rounded up from their homes.

Consequently, the intent of H.R. 3085 is to study an expansion of the current Trail of Tears National Historic Trail, which Congress designated in 1987, to include these additional documented components in the National Trails System Act. The proposed additions have been documented by National Park Service historians, military journals, and newspaper accounts.

The bill directs the Secretary of the Interior to complete within 6 months the remaining criteria necessary to determine the designation of additional routes to the Trail of Tears National Historic Trail.

Even today, many interpretation activities along the Trail of Tears seek to remember the historic routes taken by the Benge detachment and the Bell Treaty Party as we are considering inclusion in the National Trails System.

I want to be very clear that it is my intent that this legislation respect private property rights absolutely. I believe the National Park Service has demonstrated strong partnerships geared towards respecting the private property of citizens in its administering of the current Trail of Tears National Historic Trail and will continue to do so upon the addition of the routes.

The designation and interpretation of the sites and trails associated with the Cherokee removal will enhance public understanding of American history. Our greatness as a Nation is our ability to look at our own history objectively and in proper perspective, being mindful of the errors of the past in order to not repeat them. Through this legislation we will honor the historic footsteps taken by the Cherokee and celebrate our future as we remember the past.

Finally, because of historical significance, H.R. 3085 enjoys broad support not only within Congress but also within the Cherokee Nation, Eastern Band of Cherokee and associated trail organizations such as the Trail of Tears Association. The legislation is a wonderful example of how we can better understand a national event through commemoration of the Cherokees' story.

I want to thank principle chief of the Cherokee Nation, Chad Smith; principle chief of the Eastern Band of the Cherokee Nation, Michell Hicks; and everyone at the National and State Trail of Tears Associations, especially Dr. Duane King and Jack Baker.

In closing, Mr. Speaker, let me say that basically in the last 20 years, we have been missing a big piece of the Trail of Tears. It was enacted by statute 20 years ago, but it was very incomplete. Two major trails were never

added, and now that we have that documentation, it is important for history, it is important for the Cherokee Nation, it is important for the future of our country to understand what happened and where this happened, where we forcibly removed thousands upon thousands of Cherokee and forced them to their new land in Oklahoma, many dying along the way.

It is a tragic story, but it is one that cannot be swept under the rug. The Cherokee are a proud people, and I am very proud of the Cherokee blood in my veins, and I urge all of my colleagues to join me today in honoring the Cherokee Nation in this great story of Native Americans who were forced from their homeland but have survived and are even stronger today because of the challenges they have been through and to make this wrong right in the history of America.

Ms. HERSETH. Mr. Speaker, I would just like to congratulate the gentleman from Tennessee for his hard work on this important legislation and for his statement on the floor today, and I yield back the balance of my time.

Mr. RADANOVICH. Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3085.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

Mr. RADANOVICH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

IDAHO LAND ENHANCEMENT ACT

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1131) to authorize the exchange of certain Federal land within the State of Idaho, and for other purposes.

The Clerk read as follows:

S. 1131

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 "Idaho Land Enhancement Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) **AGREEMENT.**—The term "Agreement" means the agreement executed in April 2005 entitled "Agreement to Initiate, Boise Foot-hills—Northern Idaho Land Exchange", as modified by the agreement executed in March 2006 entitled "Amendment No. 1", and entered into by—

(A) the Bureau of Land Management;

(B) the Forest Service;

(C) the State; and

(D) the City.

(2) **BUREAU OF LAND MANAGEMENT LAND.**—The term "Bureau of Land Management land" means the approximately 605 acres of land administered by the Bureau of Land Management (including all appurtenances to the land) that is proposed to be acquired by the State, as identified in exhibit A2 of the Agreement and as generally depicted on the maps.

(3) **BOARD.**—The term "Board" means the Idaho State Board of Land Commissioners.

(4) **CITY.**—The term "City" means the city of Boise, Idaho.

(5) **FEDERAL LAND.**—The term "Federal land" means the Bureau of Land Management land and the National Forest System land.

(6) **MAPS.**—The term "maps" means maps 1 through 7 entitled "Parcel Identification Map: Idaho Lands Enhancement Act Land Exchange" and dated February 28, 2006.

(7) **NATIONAL FOREST SYSTEM LAND.**—The term "National Forest System land" means the approximately 7,220 acres of land (including all appurtenances to the land) that is—

(A) administered by the Secretary of Agriculture in the Idaho Panhandle National Forests and the Clearwater National Forest;

(B) proposed to be acquired by the State;

(C) identified in exhibit A2 of the Agreement; and

(D) generally depicted on the maps.

(8) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(9) **STATE.**—The term "State" means the State of Idaho, Department of Lands.

(10) **STATE LAND.**—The term "State land" means the approximately 11,815 acres of land (including all appurtenances to the land) administered by the State that is proposed to be acquired by the United States, as identified in exhibit A1 of the Agreement and as generally depicted on the maps.

SEC. 3. LAND EXCHANGE.

(a) **IN GENERAL.**—In accordance with the Agreement and this Act, if the State offers to convey the State land to the United States, the Secretary and the Secretary of Agriculture shall—

(1) accept the offer; and

(2) on receipt of title to the State land, simultaneously convey to the State the Federal land.

(b) **VALID EXISTING RIGHTS.**—The conveyance of the Federal land and State land shall be subject to all valid existing rights.

(c) **EQUAL VALUE EXCHANGE.**—

(1) **IN GENERAL.**—The value of the Federal land and State land to be exchanged under this Act—

(A) shall be equal; or

(B) shall be made equal in accordance with subsection (d).

(2) **APPRAISALS.**—The value of the Federal land and State land shall be determined in accordance with appraisals—

(A) conducted in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice;

(B) reviewed by an interdepartmental review team comprised of representatives of Federal and State agencies; and

(C) approved by the Secretary or the Secretary of Agriculture, as appropriate.

(3) **TERM OF APPROVAL.**—The term of approval of the appraisals by the interdepartmental review team is extended to September 13, 2008.

(d) **CASH EQUALIZATION.**—

(1) **IN GENERAL.**—If the value of the Federal land and State land is not equal, the value may be equalized by the payment of cash to

the United States or to the State, as appropriate, in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(2) DISPOSITION AND USE OF PROCEEDS.—

(A) USE OF PROCEEDS.—Any cash equalization payments received by the United States under paragraph (1) shall be deposited in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”) (16 U.S.C. 484a).

(B) USE OF PROCEEDS.—Amounts deposited under subparagraph (A) shall be available to the Secretary of Agriculture, without further appropriation and until expended, for the acquisition of land and interests in land for addition to the National Forest System in the State.

(c) TIMING.—It is the intent of Congress that the land exchange authorized and directed by this Act shall be completed not later than 180 days after the date of enactment of this Act.

(f) RIGHTS-OF-WAY.—

(1) RIGHTS-OF-WAY TO NATIONAL FOREST SYSTEM LAND.—The Secretary of Agriculture, under the authority of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), shall convey to the State any easements or other rights-of-way to National Forest System land that are—

(A) appropriate to provide access to the National Forest System land acquired by the State; and

(B) agreed to by the Secretary of Agriculture and the State.

(2) RIGHTS-OF-WAY TO STATE LAND.—The State shall convey to the United States any easements or other rights-of-way to land owned by the State that are—

(A) appropriate to provide access to the State land acquired by the United States; and

(B) agreed to by—

(i) the Secretary or the Secretary of Agriculture; and

(ii) the State.

(g) COSTS.—The City, either directly or through a collection agreement with the Secretary and the Secretary of Agriculture, shall pay the administrative costs associated with the conveyance of the Federal land and State land, including the costs of any field inspections, environmental analyses, appraisals, title examinations, and deed and patent preparations.

SEC. 4. MANAGEMENT OF FEDERAL LAND.

(a) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—There is transferred from the Secretary to the Secretary of Agriculture administrative jurisdiction over the land described in paragraph (2).

(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1) is the approximately 2,110 acres of land that is administered by the Bureau of Land Management and located in Shoshone County, Idaho, as generally identified in exhibit A3 of the Agreement.

(3) WILDERNESS STUDY AREAS.—Any land designated as a Wilderness Study Area that is transferred to the Secretary of Agriculture under paragraph (1) shall be managed in a manner that preserves the suitability of land for designation as wilderness until Congress determines otherwise.

(b) ADDITIONS TO THE NATIONAL FOREST SYSTEM.—The Secretary of Agriculture shall administer any land transferred to, or conveyed to the United States for administration by, the Secretary of Agriculture in accordance with—

(1) the Act of March 1, 1911 (commonly known as the “Weeks Act”) (16 U.S.C. 480 et seq.); and

(2) the laws (including regulations) applicable to the National Forest System.

(c) LAND TO BE MANAGED BY THE SECRETARY.—The Secretary shall administer any State land conveyed to the United States under this Act for administration by the Secretary in accordance with—

(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) other applicable laws.

(d) LAND AND WATER CONSERVATION FUND.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of the Idaho Panhandle National Forests and the Clearwater National Forest shall be considered to be the boundaries of the Idaho Panhandle National Forests and the Clearwater National Forest, respectively, as of January 1, 1965.

SEC. 5. MISCELLANEOUS PROVISIONS.

(a) LEGAL DESCRIPTIONS.—The Secretary, the Secretary of Agriculture, and the Board may modify the descriptions of land specified in the Agreement to—

(1) correct errors; or

(2) make minor adjustments to the parcels based on a survey or other means.

(b) REVOCATION OF ORDERS.—Subject to valid existing rights, any public land orders withdrawing any of the Federal land from appropriation or disposal under the public land laws are revoked to the extent necessary to permit disposal of the Federal land.

(c) WITHDRAWALS.—

(1) FEDERAL LAND.—Subject to valid existing rights, pending completion of the land exchange, the Federal land is withdrawn from—

(A) all forms of location, entry, and patent under the mining and public land laws; and

(B) disposition under the mineral leasing laws and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.).

(2) STATE LAND.—Subject to valid existing rights, the land transferred to the United States under this Act is withdrawn from—

(A) all forms of location, entry, and patent under the mining and public land laws; and

(B) disposition under the mineral leasing laws and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.).

(3) EFFECT.—Nothing in this section precludes the Secretary or the Secretary of Agriculture from using common varieties of mineral materials for construction and maintenance of Federal roads and facilities on the State land acquired under this Act. Passed the Senate September 29, 2006.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentlewoman from South Dakota (Ms. HERSETH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent that all Members may be given 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RADANOVICH. Mr. Speaker, I yield myself as much time as I may consume.

The Boise foothills provide a beautiful, open-space backdrop for the city of Boise. For decades, community members have sought a way to protect open space, and in May 2001, the citizens of Boise approved a tax to secure open space in the foothills.

Roughly 7,700 acres of land in the Boise foothills is owned by the State of Idaho. The State is required to manage these lands to maximize revenue, which would likely lead to development. S. 1131, introduced by Senator LARRY CRAIG in the Senate and Congressman BUTCH OTTER in the House, would remedy this problem by codifying an agreement produced collaboratively by the city of Boise and the State of Idaho and the Forest Service and the Bureau of Land Management. The agreement would exchange Idaho State endowment lands on an equal-value basis with other Federal and State lands across a broad area in the State.

I urge support of this important measure.

Mr. Speaker, I reserve the balance of my time.

Ms. HERSETH. Mr. Speaker, I yield myself such time as I may consume.

(Ms. HERSETH asked and was given permission to revise and extend her remarks.)

Ms. HERSETH. Mr. Speaker, this land exchange reflects an agreement reached between the Forest Service, Bureau of Land Management, Idaho Department of Lands, and the city of Boise.

The city of Boise has significant interest in preserving the Boise foothills for open space. However, the State of Idaho has a constitutional mandate to maximize revenue on their State lands and cannot manage State lands in the Boise foothills for open space.

Therefore, S. 1131 transfers 11,815 acres of lands from the Idaho Department of Lands to the Forest Service and Bureau of Land Management to be managed for open space preservation for the benefit of the city of Boise. The State Department of Lands will acquire 7,220 acres of National Forest System lands that are timber-producing lands and 605 acres of lands from the Bureau of Land Management.

Mr. Speaker, we have no objections to S. 1131.

Mr. OTTER. Mr. Speaker, I rise today in support of S. 1131 the Idaho Land Enhancement Act. This legislation directs the Secretaries of Agriculture and Interior to exchange land with the State of Idaho, including key parcels in the Boise Foothills and North Idaho.

Protecting the Boise Foothills from unchecked development has long been a priority for residents of Boise, Idaho. In May 2001 the citizens of Boise, in one of the highest voter turnouts in city history, elected to tax themselves in order to provide funding to secure permanent public open space in the Boise Foothills. The land exchange before you today is a key component of that effort.

The exchange concept was developed between the Idaho Department of Lands, the Bureau of Land Management and the U.S. Forest Service with the assistance of the City of Boise. It uses both Bureau of Land Management and Forest Service acreage to balance an exchange with Idaho State Endowment lands on an equal-value basis. Bureau of Land Management, Forest Service and Idaho Department of Lands staff have identified parcels

that help reduce threats to federal forests and grasslands identified by the Chief of the Forest Service while conveying land to the State of Idaho that help the State's endowment fund beneficiaries.

I introduced identical legislation H.R. 2718, and I appreciate all of the assistance we got from the House Resources Committee in moving this bill through the process. This land exchange is an agreement on which everyone wins. The state of Idaho gets more timberland; the schools get more timber revenue; the people of the Boise area get more open space; and the state and federal agencies involved get a higher level of management efficiency.

I would appreciate your support of this small but important piece of legislation.

Ms. HERSETH. Mr. Speaker, I yield back the balance of my time.

Mr. RADANOVICH. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the Senate bill, S. 1131.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

PITKIN COUNTY LAND EXCHANGE ACT OF 2006

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1129) to authorize the exchange of certain land in the State of Colorado.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pitkin County Land Exchange Act of 2006".

SEC. 2. PURPOSE.

The purpose of this Act is to authorize, direct, expedite, and facilitate the exchange of land between the United States, Pitkin County, Colorado, and the Aspen Valley Land Trust.

SEC. 3. DEFINITIONS.

In this Act:

(1) ASPEN VALLEY LAND TRUST.—

(A) IN GENERAL.—The term "Aspen Valley Land Trust" means the Aspen Valley Land Trust, a nonprofit organization as described in section 501(c)(3) of the Internal Revenue Code of 1986.

(B) INCLUSIONS.—The term "Aspen Valley Land Trust" includes any successor, heir, or assign of the Aspen Valley Land Trust.

(2) COUNTY.—The term "County" means Pitkin County, a political subdivision of the State of Colorado.

(3) FEDERAL LAND.—The term "Federal land" means—

(A) the approximately 5.5 acres of National Forest System land located in the County, as generally depicted on the map entitled "Ryan Land Exchange-Wildwood Parcel Conveyance to Pitkin County" and dated August 2004;

(B) the 12 parcels of National Forest System land located in the County totaling approximately 5.92 acres, as generally depicted on maps 1 and 2 entitled "Ryan Land Exchange-Smuggler Mountain Patent Remnants Conveyance to Pitkin County" and dated August 2004; and

(C) the approximately 40 acres of Bureau of Land Management land located in the County, as generally depicted on the map entitled "Ryan Land Exchange-Crystal River Parcel Conveyance to Pitkin County" and dated August 2004.

(4) NON-FEDERAL LAND.—The term "non-Federal land" means—

(A) the approximately 35 acres of non-Federal land in the County, as generally depicted on the map entitled "Ryan Land Exchange-Ryan Property Conveyance to Forest Service" and dated August 2004; and

(B) the approximately 18.2 acres of non-Federal land located on Smuggler Mountain in the County, as generally depicted on the map entitled "Ryan Land Exchange-Smuggler Mountain-Grand Turk & Pontiac Claims Conveyance to Forest Service" and dated August 2004.

(5) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

SEC. 4. LAND EXCHANGE.

(a) IN GENERAL.—If the County offers to convey to the United States title to the non-Federal land that is acceptable to the Secretary, the Secretary and the Secretary of the Interior shall—

(1) accept the offer; and

(2) on receipt of acceptable title to the non-Federal land, simultaneously convey to the County, or at the request of the County, to the Aspen Valley Land Trust, all right, title, and interest of the United States in and to the Federal land, except as provided in section 5(d), subject to all valid existing rights and encumbrances.

(b) TIMING.—It is the intent of Congress that the land exchange directed by this Act shall be completed not later than 1 year after the date of enactment of this Act.

SEC. 5. EXCHANGE TERMS AND CONDITIONS.

(a) EQUAL VALUE EXCHANGE.—The value of the Federal land and non-Federal land—

(1) shall be equal; or

(2) shall be made equal in accordance with subsection (c).

(b) APPRAISALS.—The value of the Federal land and non-Federal land shall be determined by the Secretary through appraisals conducted in accordance with—

(1) the Uniform Appraisal Standards for Federal Land Acquisitions;

(2) the Uniform Standards of Professional Appraisal Practice; and

(3) Forest Service appraisal instructions.

(c) EQUALIZATION OF VALUES.—

(1) SURPLUS OF NON-FEDERAL LAND.—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land, the County shall donate to the United States the excess value of the non-Federal land, which shall be considered to be a donation for all purposes of law.

(2) SURPLUS OF FEDERAL LAND.—

(A) IN GENERAL.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land, the value of the Federal land and non-Federal land may, as the Secretary and the County determine to be appropriate, be equalized by the County—

(i) making a cash equalization payment to the Secretary;

(ii) conveying to the Secretary certain land located in the County, comprising approximately 160 acres, as generally depicted on the map entitled "Sellar Park Parcel" and dated August 2004; or

(iii) using a combination of the methods described in clauses (i) and (ii).

(B) DISPOSITION AND USE OF PROCEEDS.—

(i) DISPOSITION OF PROCEEDS.—Any cash equalization payment received by the Secretary under clause (i) or (iii) of subparagraph (A) shall be deposited in the fund established by Public Law 90-171 (commonly known as the "Sisk Act") (16 U.S.C. 484a).

(ii) USE OF PROCEEDS.—Amounts deposited under clause (i) shall be available to the Secretary, without further appropriation, for the

acquisition of land or interests in land in Colorado for addition to the National Forest System.

(d) CONDITIONS ON CERTAIN CONVEYANCES.—

(1) CONDITIONS ON CONVEYANCE OF CRYSTAL RIVER PARCEL.—

(A) IN GENERAL.—As a condition of the conveyance of the parcel of Federal land described in section 3(3)(C) to the County, the County shall agree to—

(i) provide for public access to the parcel; and

(ii) require that the parcel shall be used only for recreational, fish and wildlife conservation, and public open space purposes.

(B) REVERSION.—At the option of the Secretary of the Interior, the parcel of land described in section 3(3)(C) shall revert to the United States if the parcel is used for a purpose other than a purpose described in subparagraph (A)(ii).

(2) CONDITIONS ON CONVEYANCE OF WILDWOOD PARCEL.—In the deed of conveyance for the parcel of Federal land described in section 3(3)(A) to the County, the Secretary shall, as determined to be appropriate by the Secretary, in consultation with the County, reserve to the United States a permanent easement for the location, construction, and public use of the East of Aspen Trail.

SEC. 6. MISCELLANEOUS PROVISIONS.

(a) INCORPORATION, MANAGEMENT, AND STATUS OF ACQUIRED LAND.—

(1) IN GENERAL.—Land acquired by the Secretary under this Act shall become part of the White River National Forest.

(2) MANAGEMENT.—On acquisition, land acquired by the Secretary under this Act shall be administered in accordance with the laws (including rules and regulations) generally applicable to the National Forest System.

(3) LAND AND WATER CONSERVATION FUND.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-9), the boundaries of the White River National Forest shall be deemed to be the boundaries of the White River National Forest as of January 1, 1965.

(b) REVOCATION OF ORDERS AND WITHDRAWAL.—

(1) REVOCATION OF ORDERS.—Any public orders withdrawing any of the Federal land from appropriation or disposal under the public land laws are revoked to the extent necessary to permit disposal of the Federal land.

(2) WITHDRAWAL OF FEDERAL LAND.—On the date of enactment of this Act, if not already withdrawn or segregated from entry and appropriation under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.), the Federal land is withdrawn, subject to valid existing rights, until the date of the conveyance of the Federal land to the County.

(3) WITHDRAWAL OF NON-FEDERAL LAND.—On acquisition of the non-Federal land by the Secretary, the non-Federal land is permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.).

(c) BOUNDARY ADJUSTMENTS.—The Secretary, the Secretary of the Interior, and the County may agree to—

(1) minor adjustments to the boundaries of the parcels of Federal land and non-Federal land; and

(2) modifications or deletions of parcels and mining claim remnants of Federal land or non-Federal land to be exchanged on Smuggler Mountain.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentlewoman from South Dakota (Ms. HERSETH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RADANOVICH. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 1129, introduced by Representative MARK UDALL, would authorize a small land exchange in Pitkin County, Colorado, between the Bureau of Land Management, the U.S. Forest Service, and Pitkin County. This bill was passed by the House of Representatives on December 6, 2005, but was recently amended by the Senate. The amendment simply removed a provision of the bill encumbering the land known as the Crystal River parcel with a conservation easement.

The remaining portion of the bill would transfer 35 acres, once part of the Ryan Ranch in the White River National Forest to the Forest Service. This property is nearly surrounded by public land and valued by the community as open space. In exchange, Pitkin County would acquire 5.5 acres known as the Wildwood parcel from the Forest Service and a total of 45.92 acres from the Bureau of Land Management consisting of mining claims and land along the Crystal River.

The exchange is strongly supported by local officials and would help to consolidate public and private ownership in Pitkin County.

Mr. Speaker, I reserve the balance of my time.

Ms. HERSETH. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1129 authorizes the exchange of certain lands between the Forest Service, Bureau of Land Management, and Pitkin County in Colorado.

One of the properties the Forest Service will acquire is a 35-acre parcel referred to as the Ryan property, which is one of the scenic gems of the Roaring Fork Valley. At the urging of the Forest Service, in 2000 Pitkin County and the Aspen Valley Land Trust acquired the Ryan property to protect it from development until a land exchange transferring it to Forest Service ownership could be arranged. Five years later, H.R. 1129 accomplishes that goal.

We would like to recognize Representative MARK UDALL for his leadership on H.R. 1129, as well as cosponsor Representative JOHN SALAZAR.

Mr. Speaker, we support H.R. 1129.

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of the motion to concur in the Senate amendment to H.R. 1129, the Pitkin County Land Exchange Act and to express my thanks to Chairman POMBO and Ranking Member RAHALL for making it possible for the House to consider it today.

The bill provides for completion of a land exchange that involves Pitkin County, Colo-

rado, on the one hand and two federal agencies—the Forest Service and BLM—on the other.

Under the exchange, the county will transfer two parcels to the Forest Service—a 35-acre tract known as the “Ryan property” near the ghost town of Ashcroft; and addition about 18.2 acres of patented mining claims on Smuggler Mountain near Aspen, Colorado.

In return, the Federal Government would transfer to the county—

A 5.5 acre tract south of Aspen known as the “Wildwood” parcel, which the county will transfer to private ownership after reserving a permanent public easement for a trail;

About 5.92 acres in 12 scattered locations on Smuggler Mountain that abut or are near lands now owned by the county;

And, finally, a 40-acre tract of BLM land along the Crystal River, which will be subject to a permanent conservation easement limiting future use to recreational, fish and wildlife, and open space purposes.

The bill requires standard appraisals of all properties involved. It provides that if the lands going to the county are worth less than what the county is giving to the Federal Government, the county will waive additional payment, while if the lands provide by the county are worth less than those the county is to receive, the county will either pay cash to equalize or will convey an additional tract of about 160 acres, in the Sellers’ Meadow area near Hagerman Pass, to make up the difference.

The Resources Committee made some technical changes suggested by the administration and the county and the House passed the bill as so amended last year.

On September 29th, the Senate by unanimous consent passed an amended version of the House-passed bill, adding some provisions regarding public access to and future use of the lands to be acquired by the county and making a number of other, technical changes.

The Senate’s changes are consistent with the original intent of the legislation and are acceptable to the county. Accordingly, I urge the House to concur in the Senate amendment and so to send the bill to the President for signing into law.

Ms. HERSETH. Mr. Speaker, I yield back the balance of my time.

Mr. RADANOVICH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1129.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

LOWER FARMINGTON RIVER AND SALMON BROOK WILD AND SCENIC RIVER STUDY ACT OF 2005

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 435) to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Con-

necticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

The Clerk read as follows:

S. 435

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 “Lower Farmington River and Salmon Brook Wild and Scenic River Study Act of 2005”.

SEC. 2. DESIGNATION OF ADDITIONAL SEGMENT OF FARMINGTON RIVER AND SALMON BROOK IN CONNECTICUT FOR STUDY FOR POTENTIAL ADDITION TO NATIONAL WILD AND SCENIC RIVERS SYSTEM.

(a) DESIGNATION.—Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end the following:

“(139) LOWER FARMINGTON RIVER AND SALMON BROOK, CONNECTICUT.—The segment of the Farmington River downstream from the segment designated as a recreational river by section 3(a)(156) to its confluence with the Connecticut River, and the segment of the Salmon Brook including its mainstream and east and west branches.”.

(b) TIME FOR SUBMISSION.—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary of the Interior shall submit to Congress a report containing the results of the study required by the amendment made by subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentlewoman from South Dakota (Ms. HERSETH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. RADANOVICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Senate 435, introduced by Senator LIEBERMAN of Connecticut and a companion to H.R. 1344 sponsored by our colleague NANCY JOHNSON, would study a segment of Farmington River and Salmon Brook in Connecticut for potential addition to the National Wild and Scenic River System.

I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Ms. HERSETH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the majority has already explained the purpose of S. 435, which passed the Senate in December 2005. The legislation is nearly identical to a bill which has already passed the House. Since S. 435 simply authorizes a study of a proposed river designation, we have no objection to the adoption of the legislation by the House today.

Mr. Speaker, I reserve the balance of my time.

□ 1430

Mr. RADANOVICH. Mr. Speaker, I yield 5 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. I thank the gentleman. Mr. Speaker, I rise today in strong support of S. 435,

the Lower Farmington River and Salmon Brook Wild and Scenic River Study Act of 2005. Once passed, the bill will designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System. I would like to thank the chairman of the Resources Committee, Mr. POMBO, for bringing this legislation to the floor and for working with me to ensure that this important study can commence promptly.

The bill commissions a feasibility study to evaluate whether the Lower Farmington River and the Salmon Brook qualify as a Wild and Scenic Partnership River within the National Park Service's Wild and Scenic Rivers System. The Lower Farmington River is defined as the 40-mile stretch between the end of the west branch of the Farmington River in Canton, Connecticut, and the Rainbow Dam in Windsor, and the Salmon Brook, an additional 32-mile stretch in the top 12 in the State of Connecticut for diversity of aquatic insects it hosts. The study area crosses both the Fifth and First Congressional Districts. The Farmington River and Salmon Brook's recreational and environmental contributions to our State are well-known and a valuable resource for future generations.

The 14 miles of the Farmington River's west branch, designated as a Wild and Scenic Partnership River in 1994, is a resounding environmental and economic success story. Partnership designation for the west branch has fostered public-private partnerships to preserve the area's environment and heritage while yielding economic benefits to river towns. Its designation has preserved it as a home to trout, river otter, and bald eagle populations; and historic structures still grace its banks. Fishermen, hikers, canoeists, and kayakers enjoy the river year-round.

I hope to see the rest of the Farmington River, as well as Salmon Brook, enjoy similar success. This new initiative is an ideal way to showcase the whole river's unique cultural and recreational resources. The direct economic impact of the final designation is estimated at \$3 million and an additional \$9 million in total economic impact from recreational users.

This legislation has broad bipartisan support at the local, State, and Federal level, and I urge my colleagues' support for the bill.

Ms. HERSETH. Mr. Speaker, I would like to congratulate the gentlewoman from Connecticut for her hard work and bipartisanship in advancing this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. RADANOVICH. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the Senate bill, S. 435.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

PACTOLA RESERVOIR REALLOCATION AUTHORIZATION ACT OF 2005

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 819) to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes.

The Clerk read as follows:

S. 819

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 "Pactola Reservoir Reallocation Authorization Act of 2005".

SEC. 2. FINDINGS.

Congress finds that—

(1) it is appropriate to reallocate the costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes; and

(2) section 302 of the Department of Energy Organization Act (42 U.S.C. 7152) prohibits such a reallocation of costs without congressional approval.

SEC. 3. REALLOCATION OF COSTS OF PACTOLA DAM AND RESERVOIR, SOUTH DAKOTA.

The Secretary of the Interior may, as provided in the contract of August 2001 entered into between Rapid City, South Dakota, and the Rapid Valley Conservancy District, reallocate, in a manner consistent with Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)), the construction costs of Pactola Dam and Reservoir, Rapid Valley Unit, Pick-Sloan Missouri Basin Program, South Dakota, from irrigation purposes to municipal, industrial, and fish and wildlife purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentlewoman from South Dakota (Ms. HERSETH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent that all Members may be given 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RADANOVICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Senate 819, introduced by Senator TIM JOHNSON of South Dakota, reallocates the costs of the Pactola Dam and Reservoir to reflect growing municipal needs for water. As Rapid City's municipal water needs are growing at a rapid rate and demand for local irrigation water decreases, this legislation appropriately reallocates the costs associated with the changing water needs. This bill is a win for the citizens of Rapid City and a win for the American taxpayer, and I urge my colleagues to support this commonsense legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. HERSETH. Mr. Speaker, I yield myself such time as I may consume.

(Ms. HERSETH asked and was given permission to revise and extend her remarks.)

Ms. HERSETH. Mr. Speaker, I strongly support S. 819, sponsored by Senator TIM JOHNSON, which is the counterpart to legislation I sponsored which passed this body earlier this year. This bill authorizes the Secretary of the Interior to reallocate the construction costs of Pactola Dam and Reservoir. This important water supply project is located just 15 miles west of Rapid City in my home State of South Dakota.

The water supply needs of the Rapid City area have changed dramatically since the Bureau of Reclamation built Pactola Dam 50 years ago. Rapid City is the second largest city in South Dakota, and there is no doubt this metropolitan area will continue to enjoy strong economic and population growth. The cost reallocation authorized in this legislation will simply allow the Secretary of the Interior to modernize the financial structure of the project to reflect the changing water supply needs of this area of my State.

I want to thank Chairman RADANOVICH, Ranking Member NAPOLITANO, and committee staff for working with me to advance the House counterpart of this legislation, and I urge my colleagues to support S. 819.

Mr. Speaker, I reserve the balance of my time.

Mr. RADANOVICH. Mr. Speaker, the Pactola Dam, located near Rapid City, South Dakota, stores water from Rapid Creek and is part of the Pick-Sloan Missouri Basin Program. This bill authorizes reallocation of a portion of the construction costs of the Pactola Dam and Reservoir from irrigation purposes to municipal and industrial and fish and wildlife purposes.

The effort to reallocate Pactola Dam costs stems from the population growth around Rapid City, with corresponding increases in demand for M&I water and decreases in demand for irrigation water. Pactola Dam originally provided water storage for flood control, irrigation, and M&I uses. A 40-year water service contract between the Bureau of Reclamation and Rapid City for M&I water expired in 1991.

Water for Rapid City has been subsequently provided under annual contracts. A second 40-year contract between reclamation and the Rapid Valley Conservancy District for irrigation water expired in 2001. The district decided not to renew this contract due to decreased irrigation demand and sufficient alternative water sources. Since the district no longer needs Pactola water, repayment of construction costs originally allocated to irrigation can be reallocated to M&I uses and fish and wildlife purposes. Under law, Congress must authorize this reallocation.

As I close with the Resources Committee issues today, Mr. Speaker, I want to thank Lisa Pittman, our chief counsel on the Resources Committee, for all her hard work during the 109th Congress.

Thank you, Lisa.

Mr. Speaker, I yield back the balance of my time.

Ms. HERSETH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the Senate bill, S. 819.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

Mr. RADANOVICH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the 6 bills just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

REAUTHORIZING LAKE PONTCHARTRAIN BASIN RESTORATION PROGRAM

Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6121) to amend the Federal Water Pollution Control Act to reauthorize a program relating to the Lake Pontchartrain Basin, and for other purposes.

The Clerk read as follows:

H.R. 6121

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

SECTION 1. LAKE PONTCHARTRAIN BASIN RESTORATION REAUTHORIZATION.

The first section 121 of the Federal Water Pollution Control Act (33 U.S.C. 1273) (relat-

ing to Lake Pontchartrain Basin) is amended in subsection (f) by striking "2005" and inserting "2011".

SEC. 2. TECHNICAL CORRECTION.

The second section 121 of the Federal Water Pollution Control Act (33 U.S.C. 1274) (relating to wet weather watershed pilot projects) is redesignated as section 122.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Oregon (Mr. BLUMENAUER) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of H.R. 6121, to reauthorize the Lake Pontchartrain Basin Restoration Program.

The Lake Pontchartrain Basin is a 5,000 square mile watershed encompassing 16 parishes in Louisiana and four Mississippi counties. The area comprises the largest estuary in the gulf coast region and one of the largest estuaries in these United States.

In 2000, Congress added section 121 to the Clean Water Act to establish a Lake Pontchartrain Basin Restoration Program within EPA. The program authorizes the Environmental Protection Agency to help people in Louisiana and Mississippi address pollution problems affecting Lake Pontchartrain. Now it is time to reauthorize the Lake Pontchartrain Basin Program.

H.R. 6121, introduced by Mr. BAKER, would reauthorize the Lake Pontchartrain Basin Restoration Program for an additional 5 years. I would like to commend Representative BAKER for his efforts to restore the ecological health of Lake Pontchartrain, and I urge all Members to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I yield myself such time as I may consume, and I too rise in support of H.R. 6121, the reauthorization of the Lake Pontchartrain Basin Program. My good friend and colleague from Wisconsin gave a clear and convincing summary of what the bill is about, and I see no reason to actually prolong this. I agree with the sentiment, and I strongly support it.

Mr. Speaker, I yield back the balance of my time.

Mr. PETRI. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr.

PETRI) that the House suspend the rules and pass the bill, H.R. 6121.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SENATOR WILLIAM V. ROTH, JR. BRIDGE

Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1140) to designate the State Route 1 Bridge in the State of Delaware as the "Senator William V. Roth, Jr. Bridge".

The Clerk read as follows:

S. 1140

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

SECTION 1. DESIGNATION OF SENATOR WILLIAM V. ROTH, JR. BRIDGE.

The State Route 1 Bridge over the Chesapeake and Delaware Canal in the State of Delaware is designated as the "Senator William V. Roth, Jr. Bridge".

SEC. 2. REFERENCES.

Any reference in a law (including regulations), map, document, paper, or other record of the United States to the bridge described in section 1 shall be considered to be a reference to the Senator William V. Roth, Jr. Bridge.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Oregon (Mr. BLUMENAUER) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume.

This bill will designate the State Route 1 bridge in the State of Delaware as the Senator William V. Roth, Jr. Bridge.

Senator Roth began his public service when he was elected to the House in 1966. He served two terms in the House before being elected to the Senate in 1970, where he served for 30 years. During that time, Bill Roth rose to the chairmanship of the Senate Committee on Governmental Affairs and the Senate Finance Committee. Senator Roth was a well-known fiscal conservative who is probably best known outside his home State of Delaware as the creator of the individual retirement account that bears his name, the Roth IRA.

I would note that the Senate passed this bill by unanimous consent last year, and our colleague, Representative MIKE CASTLE, has introduced an identical bill here in the House. Mr. Speaker, I urge my colleagues to support S.

1140. Naming this bridge after Senator Roth is a fitting tribute to his many years of public service.

Mr. Speaker, I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I yield myself such time as I may consume, and I too rise in support of S. 1140.

I appreciate the clear analysis from my friend from Wisconsin. I would have just one other element to add, and that is that I think it is particularly fitting and appropriate for our committee to advance this and to commemorate Senator Roth. He was keenly interested in environmental protection in the course of his career and was one of the most aggressive and active supporters of Amtrak, at a time when, as my colleague and friend mentioned, Senator Roth was a fiscal conservative to the bone.

□ 1445

But he was very clear that investment in a national rail passenger service, Amtrak, was good sound fiscal investment. It was good for the environment. It was good for transportation. I am only sorry that it is not a railroad bridge that we are naming after Senator Roth, but I am proud to support this legislation.

Mr. CASTLE. Mr. Speaker, I rise today in strong support of S. 1140, legislation to name the State Route 1 Bridge over the Chesapeake and Delaware Canal in Delaware after the late Senator William V. Roth, Jr.

S. 1140 passed the Senate unanimously in June 2005, and as the sponsor of the House companion, H.R. 2800, I am pleased to join Senators CARPER and BIDEN in offering my full support for S. 1140 and to encourage its adoption by the House today.

A leader and dedicated public servant, Senator Roth served honorably during his years in Congress and set a tremendous example for future generations of Americans. Best known for creating the successful "Roth IRA," Senator Roth also fought hard in Congress to improve the quality of transportation in the State of Delaware. In the early 1990s, Senator Roth played an important role in helping to build the State Route 1 Bridge in New Castle County, Delaware.

Senator Roth was first elected to the House in 1966, serving two terms, before being elected to the Senate, where he served for 30 years. He also won the Bronze Star for his service in the U.S. Army during World War II. He died in 2003 at the age of 82.

Nothing in my mind would serve as a better tribute to Senator Roth's many years of dedicated public service than to rename this bridge, a true architectural gem in Delaware, in his honor.

I urge all my colleagues to join me in supporting S. 1140.

Mr. BLUMENAUER. I yield back the balance of my time.

Mr. PETRI. I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and pass the Senate bill, S. 1140.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

ANIMAL ENTERPRISE TERRORISM ACT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3880) to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror.

The Clerk read as follows:

S. 3880

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 "Animal Enterprise Terrorism Act".

SEC. 2. INCLUSION OF ECONOMIC DAMAGE TO ANIMAL ENTERPRISES AND THREATS OF DEATH AND SERIOUS BODILY INJURY TO ASSOCIATED PERSONS.

(a) IN GENERAL.—Section 43 of title 18, United States Code, is amended to read as follows:

"§ 43. Force, violence, and threats involving animal enterprises

"(a) OFFENSE.—Whoever travels in interstate or foreign commerce, or uses or causes to be used the mail or any facility of interstate or foreign commerce—

"(1) for the purpose of damaging or interfering with the operations of an animal enterprise; and

"(2) in connection with such purpose—

"(A) intentionally damages or causes the loss of any real or personal property (including animals or records) used by an animal enterprise, or any real or personal property of a person or entity having a connection to, relationship with, or transactions with an animal enterprise;

"(B) intentionally places a person in reasonable fear of the death of, or serious bodily injury to that person, a member of the immediate family (as defined in section 115) of that person, or a spouse or intimate partner of that person by a course of conduct involving threats, acts of vandalism, property damage, criminal trespass, harassment, or intimidation; or

"(C) conspires or attempts to do so; shall be punished as provided for in subsection (b).

"(b) PENALTIES.—The punishment for a violation of section (a) or an attempt or conspiracy to violate subsection (a) shall be—

"(1) a fine under this title or imprisonment not more than 1 year, or both, if the offense does not instill in another the reasonable fear of serious bodily injury or death and—

"(A) the offense results in no economic damage or bodily injury; or

"(B) the offense results in economic damage that does not exceed \$10,000;

"(2) a fine under this title or imprisonment for not more than 5 years, or both, if no bodily injury occurs and—

"(A) the offense results in economic damage exceeding \$10,000 but not exceeding \$100,000; or

"(B) the offense instills in another the reasonable fear of serious bodily injury or death;

"(3) a fine under this title or imprisonment for not more than 10 years, or both, if—

"(A) the offense results in economic damage exceeding \$100,000; or

"(B) the offense results in substantial bodily injury to another individual;

"(4) a fine under this title or imprisonment for not more than 20 years, or both, if—

"(A) the offense results in serious bodily injury to another individual; or

"(B) the offense results in economic damage exceeding \$1,000,000; and

"(5) imprisonment for life or for any terms of years, a fine under this title, or both, if the offense results in death of another individual.

"(c) RESTITUTION.—An order of restitution under section 3663 or 3663A of this title with respect to a violation of this section may also include restitution—

"(1) for the reasonable cost of repeating any experimentation that was interrupted or invalidated as a result of the offense;

"(2) for the loss of food production or farm income reasonably attributable to the offense; and

"(3) for any other economic damage, including any losses or costs caused by economic disruption, resulting from the offense.

"(d) DEFINITIONS.—As used in this section—

"(1) the term 'animal enterprise' means—

"(A) a commercial or academic enterprise that uses or sells animals or animal products for profit, food or fiber production, agriculture, education, research, or testing;

"(B) a zoo, aquarium, animal shelter, pet store, breeder, furrier, circus, or rodeo, or other lawful competitive animal event; or

"(C) any fair or similar event intended to advance agricultural arts and sciences;

"(2) the term 'course of conduct' means a pattern of conduct composed of 2 or more acts, evidencing a continuity of purpose;

"(3) the term 'economic damage'—

"(A) means the replacement costs of lost or damaged property or records, the costs of repeating an interrupted or invalidated experiment, the loss of profits, or increased costs, including losses and increased costs resulting from threats, acts or vandalism, property damage, trespass, harassment, or intimidation taken against a person or entity on account of that person's or entity's connection to, relationship with, or transactions with the animal enterprise; but

"(B) does not include any lawful economic disruption (including a lawful boycott) that results from lawful public, governmental, or business reaction to the disclosure of information about an animal enterprise;

"(4) the term 'serious bodily injury' means—

"(A) injury posing a substantial risk of death;

"(B) extreme physical pain;

"(C) protracted and obvious disfigurement; or

"(D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty; and

"(5) the term 'substantial bodily injury' means—

"(A) deep cuts and serious burns or abrasions;

"(B) short-term or nonobvious disfigurement;

"(C) fractured or dislocated bones, or torn members of the body;

"(D) significant physical pain;

"(E) illness;

"(F) short-term loss or impairment of the function of a bodily member, organ, or mental faculty; or

"(G) any other significant injury to the body.

"(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed—

"(1) to prohibit any expressive conduct (including peaceful picketing or other peaceful

demonstration) protected from legal prohibition by the First Amendment to the Constitution;

“(2) to create new remedies for interference with activities protected by the free speech or free exercise clauses of the First Amendment to the Constitution, regardless of the point of view expressed, or to limit any existing legal remedies for such interference; or

“(3) to provide exclusive criminal penalties or civil remedies with respect to the conduct prohibited by this action, or to preempt State or local laws that may provide such penalties or remedies.”.

(b) CLERICAL AMENDMENT.—The item relating to section 43 in the table of sections at the beginning of chapter 3 of title 18, United States Code, is amended to read as follows:

“43. Force, violence, and threats involving animal enterprises.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 3880 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 3880, the Animal Enterprise Terrorism Act.

In recent years, some animal rights activist groups have employed violence and intimidation against enterprises that use or sell animals or animal products for food, agriculture, research testing or entertainment uses. In 1992, the Animal Enterprise Protection Act was enacted to provide additional authority to prosecute extremists whose attacks create damages or research losses of at least \$10,000.

However, the last several years have seen an increase in the number and the severity of criminal acts and intimidation against those engaged in animal enterprises. These groups have attacked not only employees of companies conducting research, but also those with any remote link to such research or activities. This has included employees of banks, underwriters, insurance companies, investors, university research facilities, and even the New York Stock Exchange.

Victims have experienced threatening letters, e-mails and phone calls, repeated organized protests at their homes and the blanketing of their neighborhoods with defamatory literature. Some of the more violent acts by these groups include arson, pouring acid on cars, mailing razor blades, and defacing victims' homes.

Many of the actions that the groups have engaged in are not addressed by the current animal enterprise terrorism statute, 18 United States Code 43. This legislation would expand the reach of Federal criminal law to specifically address the use of force, violence or threats against not only animal enterprise organizations, but also those who do business with them. S. 3880 would make it a Federal crime to intentionally damage the property of a person or entity having a connection to, relationship with, or transactions with an animal enterprise. The bill would also make it a criminal act to intentionally place a person or family member in reasonable fear of death or serious bodily injury because of their relationship with an animal enterprise.

Additionally, the legislation expands the definition of economic damage to include loss of property, the costs incurred because of a lost experiment or lost profits. It also includes a definition of the term “economic disruption” to mean losses or increased costs resulting from threats, acts of violence, property damage, trespass, harassment, or intimidation against a person or entity because of their relationship with an animal enterprise. This does not include a lawful boycott.

Finally, an amendment to S. 3880 incorporated during floor consideration in the other body addresses concerns that were raised about the bill's potential impact on lawful protests. S. 3880 clarifies that nothing in this bill shall be construed to prohibit any expressive conduct protected by the first amendment, nor shall it criminalize non-violent activities designed to change public policy or private conduct.

Before closing, I would like to recognize the efforts of my colleague from Wisconsin, Mr. PETRI, who introduced a similar measure in this body and has helped raise awareness of this important issue. I believe this bill can help protect law-abiding citizens who are engaged in lawful activities such as research, farming sales, or manufacturing that involves animals or animal products.

I urge my colleagues to support S. 3880, so we may send this important legislation to the President for his signature.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 3880 is a companion bill to H.R. 4239, the Animal Enterprise Terrorism Act. It reflects a compromise bill arrived at after considerable effort of a bipartisan group involving both House and Senate Judiciary Committee staff over several months.

From hearings in the House and from other reports, we have learned that current Federal law designed to protect animal enterprises have been proven to be reasonably effective in protecting animal enterprises. However, serious gaps and loopholes have been identified

in current law with respect to protecting employees and associates of animal enterprises. Present law protects employees of an animal enterprise, but we have found that employees, board members and family members of businesses and nonprofits affiliated with or doing business with such enterprises are complaining that they are now being stalked, harassed, intimidated or threatened, with some individuals even being physically assaulted, and had their homes, businesses or cars vandalized. Since the Animal Enterprise Terrorism law was enacted in 1992, there have been some 1,100 complaints of such incidents, with property losses reported of being more than \$120 million. Those complaining include farmers, scientists, biomedical and biotechnology industries, research universities, teaching hospitals, financial institutions, magazines, newspapers and other advertising groups and others who are viewed as assisting or enabling targeted animal enterprises.

The evidence is that in many instances extremist elements among the animal rights groups are taking advantage of the fact that the animal enterprise laws do not cover affiliates and associates by using threats, harassment, intimidation and fear and other extreme tactics to pressure them into severing their activities with such enterprises.

S. 3880 is designed to cover these gaps or loopholes by providing to employees, businesses and associates of animal enterprises similar protections to those already covered. In other words, the bill prevents a person from doing indirectly to an animal enterprise what they are prohibited to do directly.

Now, citizens engaging in legitimate animal enterprise activities and anyone associated with them are entitled to be protected from criminal acts and to be able to go about their daily activities free from threats to their person or property and that of their family and associates. State laws are generally good at providing those protections. However, the interstate nature of the planning and execution of the criminal harassment tactics used by some individuals or groups skilled at exploiting gaps or weaknesses in the laws have made it difficult for States to get at problems effectively. That is why this bill is deemed necessary.

While we must protect those engaged in animal enterprises, we must also protect the right of those engaged in first amendment freedoms of expression regarding such enterprises. It goes without saying that first amendment freedoms of expression cannot be defeated by statute. However, to reassure anyone concerned with the intent of this legislation, we have added in the bill assurances that it is not intended as a restraint on freedoms of expression such as lawful boycotting, picketing or otherwise engaging in lawful advocacy for animals.

In addition, we also wanted to recognize that there are some who conscientiously believe that it is their duty to peacefully protest the operation of animal enterprises to the extent of engaging in civil disobedience. If a group's intention were to stage a sit-in or lie-down or to block traffic to a targeted facility, they certainly run the risk of arrest for whatever traffic, trespass or other laws they may be breaking. But they should not be held more accountable for business losses due to causes such as delivery trucks being delayed any more than a boycott or protest against any other business.

To violate the provision of the bill, one must travel or otherwise engage in interstate activity with the intent to cause damage or loss to an animal enterprise. While the losses of profits, lab experiments or other intangible losses are included, it must be proved that such losses were specifically intended for the law to be applied. If there is no damage or economic loss, or damage or loss is less than \$10,000, the offense is a misdemeanor, not a felony.

This bill does not satisfy everyone, but it does represent a reasonable compromise in protecting employees and associates of animal enterprises while avoiding violation of first amendment freedoms.

Mr. Speaker, I reserve the balance of my time.

MR. SENSENBRENNER. Mr. Speaker, I yield 6 minutes to my colleague from Wisconsin (Mr. PETRI).

Mr. PETRI. Mr. Speaker, I would like to express my support for the bill before us, the Animal Enterprise Terrorism Act, which is the Senate version of legislation I introduced earlier this Congress. The bipartisan legislation that passed the Senate by unanimous consent amends the existing animal enterprise terrorism statute which has been law since 1992. It extends existing protections for animal enterprises to individuals, businesses and agencies including farmers, scientists, biomedical and biotechnical industries, research universities, teaching hospitals, financial institutions and others who have associations with animal enterprise.

This legislation is in response to rising incidents of violence and threats against these entities as a way to adversely impact animal enterprises without directly violating the existing Animal Enterprise Terrorism Act. The bill before us clarifies that it is a crime to damage or interfere with animal enterprise and expands parameters in existing law to cover threats, harassment and other illegal activities against those who are connected with such enterprises, not just the enterprises themselves. The law increases criminal penalties based on the level of violence or property loss, while specifically exempting from its coverage all first amendment protected activities.

Between January of 1990 and June of 2004, extremist movements such as the Animal Liberation Front, Stop Huntingdon Animal Cruelty, and the Envi-

ronmental Liberation Front committed more than 1,100 acts of terrorism, causing more than \$120 million in damage. Animal rights extremists advance their cause through direct action, which includes death threats, vandalism, animal releases and bombings. Their actions are calculated to aggressively intimidate and harass those identified as targets.

The FBI considers these extremist groups among its most serious domestic threats. Current Federal law including the Animal Enterprise Protection act is inadequate to address the threats and violence committed by animal rights extremists.

In my own State of Wisconsin, mink farmers and biomedical researchers have experienced their own share of intimidation, harassment and vandalism at the hands of animal rights extremists. Farmers have had their properties raided, causing thousands of dollars of damage.

Scientists around the State have received, in the mail or at their home, razor blades with letters stating that they were laced with the AIDS virus. Personal information such as home addresses, phone numbers, and photographs of researchers have been posted on extremist Web sites. Many of these same scientists report death threats and home visits by animal rights extremists who, through their terrorism, have a goal of driving the scientists out of their research, research which has and will continue to improve human health and quality of life.

□ 1500

The House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on the act in May of this year. At the hearing, a primate researcher from the University of Wisconsin, Madison, testified about the harassment and intimidation which she has experienced.

She has even considered leaving the Parkinson's research field and fears others may do so in the current environment. This statement has proven to be true. Just this past August, a researcher at UCLA halted his primate research because of the repeated harassments by animal rights extremists. The bill will provide Federal authorities with the necessary tools to help prevent and better investigate and prosecute ecoterror cases.

This legislation is widely supported by those in agriculture, biomedical and biotechnology industries, as well as many research universities, teaching hospitals and other research institutes. Enactment of this legislation will enhance the ability of law enforcement and the Justice Department to protect law-abiding American citizens from violence and the threat of violence posed by animal rights extremists.

I would like to take this opportunity to thank my colleague, Chairman SENSENBRENNER, Subcommittee Chairman COBLE, Ranking Member CONYERS, Subcommittee Ranking Member ROBERT

SCOTT, Senator INHOFE and Senator FEINSTEIN for their support in moving this bill forward.

Mr. Speaker, I also have a letter from Advance Publications that details some of the violent and threatening acts made against editors of their magazines, such as Vogue, because of the fashion industry's use of fur or animal products that would be covered under this legislation.

ADVANCE PUBLICATIONS, INC.,
Staten Island, NY, November 13, 2006.

Re Animal Enterprise Terrorism Act S. 3880

Hon. THOMAS E. PETRI,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN PETRI: I write to support the passage of the Animal Enterprise Terrorism Act, S. 3880. Advance Publications is engaged throughout the United States in the publication of newspapers, business journals, and consumer magazines and websites on a variety of topics. Advance Publications is also affiliated with Bright House Networks, an operator of cable television systems in numerous states. For your information, a representative listing of Advance's publications and of the locations of Bright House Networks' cable systems is attached.

Our interest in this bill arises from the unfortunate fact that at least one of our publications, Vogue magazine, and its editor, Anna Wintour, have been repeatedly targeted by animal activists who disagree with Vogue magazine's decision to publish editorial content about, and carry advertising for, fur and other animal products, and its support for fashion designers who may use fur. These opponents are, of course, entitled to express their views, but their opposition often takes the form of physical attacks on Ms. Wintour and her home, threats and efforts to harm her, stalking her on the streets and at industry events, and even at a memorial service for her deceased father, and at least one actual physical invasion of Vogue's offices (which put numerous persons in fear, behind locked doors), as well as other attempts to do so.

While fortunately Ms. Wintour has not yet sustained any serious lasting injuries, she has suffered physical pain from those attacks (for example, from a "flour bomb" thrown in her eyes, the effects of which hurt and hampered her for days) and has often with good cause been concerned for her safety and the safety of her family. Indeed, when Ms. Wintour is appearing in public as part of her job (for example, at fashion shows or fashion industry events), we now feel we must provide guards, sometimes armed, to protect her. On a number of occasions we are convinced, had it not been for the presence of these unusual safeguards, Ms. Wintour could have been injured by the efforts to make physical attacks on her. We are of course concerned that these extreme activists will step up the severity of their attacks because their efforts have so far been unsuccessful at silencing Vogue.

We understand that among the arguments made in opposition to the AETA are alleged concerns that it may infringe on First Amendment rights. Our business is wholly dependent upon respect for First Amendment rights, and we are second to none in our defense of such rights. We have closely examined the AETA with this in mind, and we do not agree that the AETA, especially with the "rules of construction" that were added to it, in any way would inhibit or punish free speech or other First Amendment rights.

If anything, the opposite is the case. The real chilling effect on First Amendment rights comes about when editors and others

are put in fear of physical, violent attack because of what they publish or say. It is the violent animal activists who diminish free speech and free press by threatening and attacking editors, publications, and telecasters.

We strongly believe that enactment of S. 3880 will serve to deter many persons from engaging in these and worse violent and threatening acts in the future. In addition, the new law will give prosecutors a powerful new tool to go after those who continue to commit these acts.

Please let me know if we can provide any further information that would be helpful to you.

Very truly yours,

S.I. NEWHOUSE, Jr.,
Chairman.

ADVANCE PUBLICATIONS INC.—REPRESENTATIVE
NEWSPAPERS AND MAGAZINES (PUBLISHED BY
SUBSIDIARIES AND AFFILIATES)

I. Daily Newspapers

Alabama: The Birmingham News, The Huntsville Times, Mobile Register.

Louisiana: The Times-Picayune. (New Orleans).

Massachusetts: The Union News/Sunday Republican (Springfield).

Michigan: The Ann Arbor News, The Bay City Times, The Flint Journal, The Grand Rapids Press, Jackson Citizen Patriot, Kalamazoo Gazette, The Muskegon Chronicle, The Saginaw News.

Mississippi: Mississippi Press (Pascagoula).
New Jersey: Bridgeton News, The Jersey Journal (Jersey City), The Star Ledger (Newark), Today's Sunbeam (Salem), The Times of Trenton, Gloucester County Times, (Woodbury).

New York: Staten Island Advance, The Post-Standard (Syracuse).

Ohio: Plain Dealer (Cleveland).

Oregon: The Oregonian (Portland).

Pennsylvania: The Express-Times (Easton), The Patriot-News (Harrisburg).

II. Consumer Magazines

The Condé Nast Publications: Allure, Architectural Digest, Bon Appétit, Bride's, Condé Nast Traveler, Details, Domino, Elegant Bride, Glamour, Golf Digest, Golf for Women, Gourmet, GQ, House & Garden, Jane, Lucky, Modern Bride, Self, Teen Vogue, The New Yorker, Vanity Fair, Vogue, W, Wired.

Parade Publications: Parade.

III. Cable Systems

Bright House Networks: Bakersfield, CA; Birmingham, AL; Central Florida; Detroit Suburbs, MI; Indianapolis, IN; Tampa Bay, FL.

IV. Business Journals

American City Business Journals Inc. Group:

Alabama: Birmingham Business Journal.

Arizona: The Business Journal Phoenix.

California: East Bay Business Times (Oakland), Sacramento Business Journal, San Francisco Business Times, Silicon Valley/San Jose Business Journal.

Colorado: Denver Business Journal.

District of Columbia: Washington Business Journal.

Florida: The Business Journal Serving Jacksonville and Northeast Florida, South Florida Business Journal (Miami), Orlando Business Journal, The Business Journal Tampa Bay.

Georgia: Atlanta Business Chronicle.

Hawaii: Pacific Business News (Honolulu).

Kansas: The Business Journal Serving Metropolitan Kansas City, Wichita Business Journal.

Kentucky: Business First: Greater Louisville's Definitive Source of Local Business.

Massachusetts: Boston Business Journal.

Maryland: Baltimore Business Journal.

Minnesota: City Business: The Business Journal (Minneapolis/St. Paul).

Missouri: St. Louis Business Journal.

New Mexico: New Mexico Business Weekly (Albuquerque).

New York: The Business Review Serving New York's Capital Region (Albany), Business First: Western New York's Business Newspaper (Buffalo).

North Carolina: The Business Journal Serving Charlotte and the Metropolitan Area, The Business Journal Serving the Greater Triad Area (Greensboro Winston-Salem), The Business Journal Serving The Triangle's Business Communities (Raleigh).

Ohio: Business Courier Serving the Cincinnati-Northern Kentucky Region, Columbus Business First (Columbia), Dayton Business Journal.

Oregon: Business Journal Portland.

Pennsylvania: Philadelphia Business Journal, Pittsburgh Business Times.

Tennessee: Memphis Business Journal, Nashville Business Journal.

Texas: Austin Business Journal, Dallas Business Journal, Houston Business Journal, San Antonio Business Journal.

Washington: Puget Sound Business Journal (Seattle).

Wisconsin: The Business Journal Serving Milwaukee.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Would the distinguished gentleman from Wisconsin yield for a question?

Mr. SENSENBRENNER. Certainly.

Mr. KUCINICH. Mr. SENSENBRENNER, as I am reading through this act and looking at the types of injuries that would occur to people, it occurs to me that there are existing Federal statutes which come into play with respect to inflicting bodily harm on individuals. Why are we creating a specific classification here?

Mr. SENSENBRENNER. Would the gentleman yield?

Mr. KUCINICH. Please.

Mr. SENSENBRENNER. The reason the bill is before us is that the current statute is drafted too narrowly and does not deal with threats by animal rights extremists in inflicting bodily harm, for example, against the publisher of Vogue magazine, because they put ads in depicting people wearing furs.

Mr. KUCINICH. Well, reclaiming my time, I certainly stand with every Member of this House in defense of the rights of individuals to be free of bodily harm or injury under all and any circumstances. I think it would be a little bit easier for some of us to support this legislation.

Mr. SENSENBRENNER. Well, will the gentleman yield?

Mr. KUCINICH. I certainly will yield.

Mr. SENSENBRENNER. The reason the bill is before us is that the current statute does not extend the reach of the Federal criminal law to those who do business with animal enterprise organizations, and the bill will make it a specific crime to intentionally damage the property of a person or entity having the connection to or relationship with or transactions with an animal

enterprise. That is not in the current law now.

Mr. KUCINICH. Reclaiming my time, and I thank the gentleman for pointing that out. However, I must say that the reach of the Federal law includes any place which does Federal research, and all these universities are involved in research projects as universities who are supporting this bill.

I cannot see why we need to have a specific law with this regard. I mean, just as we need to protect peoples' right to conduct their work without fear of assault, so too this Congress has yet to address some fundamental ethical principles with respect to animals. How should animals be treated humanely? This is a debate that hasn't come here.

There are some specific principles with respect to humane treatment of animals. My concern about this bill is that it could have a chilling effect on people who, the law says, well, their first amendment rights are protected. But the law also is written in such a way as to have a chilling effect on the exercise of the constitutional rights of protest, and so for that reason, I can't support this. I think that it would be important for this Congress to look at the claims of people who are sincere advocates of animal rights.

I am not talking about people who would threaten anyone with death because they don't agree with them, but there are individuals who love animals, who don't want to see animals hurt, who have a point and a right to speak out. I think for that reason, this bill has not yet reached its maturity.

I think I understand what the sponsors of this bill are trying to do, but I don't think that the end that it is going to, you are hoping to achieve, that you are going to reach, because unless this Congress makes a clear statement about ethical principles with respect to animals, and how we treat animals, how are animals treated in research, these are really serious questions that millions and millions of Americans care about.

So I understand the intent here. But I just think that you have got to be very careful about painting everyone with the broad brush of terrorism who might have a legitimate objection to a type of research or treatment of animals that is not humane. So, again, I wanted to express this note of caution about this legislation, but notwithstanding that there are specific statements about protection of the first amendment. This bill is written in such a way as to have a chilling effect on the exercise of peoples' first amendment rights.

Mr. SENSENBRENNER. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman from Wisconsin has 11 minutes.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am afraid that my distinguished colleague from Ohio hasn't

read the bill, so I will read it for him. At the end of page 7 in the Senate-passed bill, there is a subsection (e) called "rules of construction," which says, in part: nothing in this section shall be construed, one, to prohibit any expressive conduct, including peaceful picketing or other peaceful demonstration, protected from legal prohibition by the first amendment to the Constitution.

Two, to create new remedies for interference with activities protected by the free speech or free exercise clause of the first amendment to the Constitution regardless of the point of view expressed or to limit any existing legal remedies for such interference.

That means that if somebody wishes to peacefully protest research on animals, they can do so, as the statute, with the amendment that was adopted on the floor in the other body, specifically prohibits a prosecution for that.

Now, let's look at what the people this bill has been designed to go after have been saying:

"I don't think you would have to kill too many researchers. I think that for 5 lives, 10 lives, 15 human lives, we could save 1 million, 2 million or 10 million nonhuman lives." Animal Liberation Press Officer Jerry Vlasak at the 2003 National Animal Rights Conference in Los Angeles.

Second: "Arson property destruction, burglary and theft are 'acceptable crimes' when used for the animal cause." That quote was from Alex Pacheco, who is the director of PETA.

Third: "I wish we all would get up and go into the labs and take the animals out or burn them down." That is Ingrid Newkirk, president of PETA at the National Animal Rights Convention '97, June 27, 1997.

"Get arrested. Destroy the property of those who torture animals. Liberate those animals interned in the hellholes our society tolerates." That is Jerry Vlasak of the Animal Defense League again on an Internet post of June 21, 1996.

"We have found that civil disobedience and direct action has been powerful in generating massive attention in our communities . . . and has been very effective in traumatizing our targets." J.P. Goodwin, Committee to Abolish the Fur Trade at the National Animal Rights Convention in Los Angeles June 27, 1997.

Or: "In a war you have to take up arms, and people will get killed, and I can support that kind of action by petrol bombing and bombs under cars, and probably at a later stage, the shooting of vivisectionists on their doorsteps. It is a war, and there is no other way you can stop vivisectionists." Tim Daley, British Animal Liberation Front leader.

Finally, another one from Jerry Vlasak: "If they won't stop when you ask them nicely, they don't stop when you demonstrate to them what they are doing is wrong, then they should be stopped using whatever means are necessary."

This bill is designed to criminalize whatever means are necessary outside the Constitution.

Mr. KUCINICH. Would the gentleman yield?

Mr. SENSENBRENNER. I am happy to yield.

Mr. KUCINICH. I thank the gentleman. To calm the gentleman's concerns, I have read the bill, and I underlined the sections that I expressed concern about. I am concerned about, as you are, anyone who wants to commit violence against anyone. Remember, I am the author of the bill to create a Department of Peace and Nonviolence. I share your concern about violence. I am suggesting that carving out a special section of law here has a chilling effect.

Mr. SENSENBRENNER. Reclaiming my time, again, I will reread page 7, lines 10 through 21 of the bill that was passed by the other body that says nothing in this section shall be construed to prohibit any expressive conduct, including peaceful picketing or other peaceful demonstration protected from legal prohibition by the first amendment to the Constitution.

Two, to create new remedies for interference with activities protected by the free speech or free exercise clause of the first amendment to the Constitution, regardless of the point of view expressed or to limit any existing legal remedies for such interference, unquote.

Now, what this section says is that nothing in the bill, absolutely nothing in the bill shall be construed to restrict what I have just read. This bill should pass. We should reject the red herrings that we are hearing from the gentleman from Ohio and other opponents.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Again, I applaud the gentleman from Wisconsin for his commitment to protecting people from harm. I would like to read the next paragraph that he didn't get to, because it raises a question about why this bill is necessary: nothing in this section shall be construed, number 3, to provide exclusive criminal penalties or civil remedies with respect to the conduct prohibited by this action.

So what is this all about? This bill, in effect, does provide exclusive criminal penalties for a certain type of conduct, and yet the drafting of this bill makes section 3, under rules of construction, totally contradictory. This says there aren't any exclusive penalties, but the whole of the bill maintains and establishes exclusive penalties. So this is why bringing up a bill like this under suspension, no matter how well intentioned it may be, is problematic.

This bill has an inherent flaw that I am pointing out. In addition, when that flaw is held up against the constitutional mandate to protect freedom

of speech, what we have done here is we have crippled free expression.

I am not and never have been in favor of anyone using a cloak of free speech to commit violence. The Supreme Court Justice said, your right to swing your fist ends at the tip of my nose. No one has the right to yell "fire" in a crowded theater. We have heard those kinds of admonitions.

On the other hand, the chairman's recitation of the statements of animal rights activists, statements that I, myself, would disagree with, those statements, in and of themselves, are constitutionally protected speech.

□ 1515

Yet under this bill they suddenly find themselves shifting into an area of doubt, which goes back to my initial claim that this bill was written to have a chilling effect upon a specific type of protest.

Again, I am not for anyone abusing their rights by damaging another person's property or person, but I am for protecting the first amendment and not creating a special class of violations for a specific type of protest.

Mr. SCOTT of Virginia. Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of my time.

I would just like to sum up that on October 30 the American Civil Liberties Union sent a letter to the gentleman from Michigan (Mr. CONYERS), my ranking member, and myself, not opposing this legislation. They did ask for minor changes, but they did not express one concern about constitutionally protected first amendment rights being infringed upon or jeopardized in any way by this bill.

Now, if there ever was an organization that really goes all the way on one side in interpreting the first amendment as liberally as it can, it is the American Civil Liberties Union. My friend from Ohio, whom I have a great respect for, is even outside the definition of the first amendment that the ACLU has eloquently advanced in the halls of this Capitol for decades and will do so for decades to come.

This is a good bill. I think that all of the fears that the gentleman from Ohio has placed on the record are ill-founded by practically everybody who has looked through this bill, including the ACLU. All I need to do is go back to the quotes that I cited a couple of minutes ago to show why this bill is vitally necessary.

I urge a "yes" vote on the bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 3880.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

EXTENDING PERMANENT NORMAL TRADE RELATIONS TO VIETNAM

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5602) to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam, as amended.

The Clerk read as follows:

H.R. 5602

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) In July 1995, President Bill Clinton announced the formal normalization of diplomatic relations between the United States and Vietnam.

(2) Vietnam has taken cooperative steps with the United States under the United States Joint POW/MIA Accounting Command (formerly the Joint Task Force-Full Accounting) established in 1992 by President George H.W. Bush to provide the fullest possible accounting of MIA and POW cases.

(3) In 2000, the United States and Vietnam concluded a bilateral trade agreement that included commitments on goods, services, intellectual property rights, and investment. The agreement was approved by joint resolution enacted pursuant to section 405(c) of the Trade Act of 1974 (19 U.S.C. 2435(c)), and entered into force in December 2001.

(4) Since 2001, normal trade relations treatment has consistently been extended to Vietnam pursuant to title IV of the Trade Act of 1974.

(5) Vietnam has undertaken significant market-based economic reforms, including the reduction of government subsidies, tariffs and nontariff barriers, and extensive legal reform. These measures have dramatically improved Vietnam's business and investment climate.

(6) Vietnam is in the process of acceding to the World Trade Organization. On May 31, 2006, the United States and Vietnam signed a comprehensive bilateral agreement providing greater market access for goods and services and other trade liberalizing commitments as part of the World Trade Organization accession process.

SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO VIETNAM.

(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NON-DISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(1) determine that such title should no longer apply to Vietnam; and

(2) after making a determination under paragraph (1) with respect to Vietnam, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(b) TERMINATION OF THE APPLICABILITY OF TITLE IV.—On and after the effective date of the extension of nondiscriminatory treatment to the products of Vietnam under subsection (a), title IV of the Trade Act of 1974 shall cease to apply to that country.

SEC. 3. PROCEDURE FOR DETERMINING PROHIBITED SUBSIDIES BY VIETNAM.

(a) AUTHORITY OF TRADE REPRESENTATIVE.—The Trade Representative may conduct proceedings under this section to determine whether the Government of Vietnam is providing, on or after the date on which

Vietnam accedes to the World Trade Organization, a prohibited subsidy to its textile or apparel industry, if such proceedings are begun, and consultations under section 4(a) are initiated, during the 1-year period beginning on the date on which Vietnam accedes to the World Trade Organization.

(b) PETITIONS.—

(1) FILING.—Any interested person may file a petition with the Trade Representative requesting that the Trade Representative make a determination under subsection (a). The petition shall set forth the allegations in support of the request.

(2) REVIEW BY TRADE REPRESENTATIVE.—The Trade Representative shall review the allegations in any petition filed under paragraph (1) and, not later than 20 days after the date on which the Trade Representative receives the petition, shall determine whether to initiate proceedings to make a determination under subsection (a).

(3) PROCEDURES.—

(A) DETERMINATION TO INITIATE PROCEEDINGS.—If the Trade Representative makes an affirmative determination under paragraph (2) with respect to a petition, the Trade Representative shall publish a summary of the petition in the Federal Register and notice of the initiation of proceedings under this section.

(B) DETERMINATION NOT TO INITIATE PROCEEDINGS.—If the Trade Representative determines not to initiate proceedings with respect to a petition, the Trade Representative shall inform the petitioner of the reasons therefor and shall publish notice of the determination, together with a summary of those reasons, in the Federal Register.

(c) INITIATION OF PROCEEDINGS BY OTHER MEANS.—If the Trade Representative determines, in the absence of a petition, that proceedings should be initiated under this section, the Trade Representative shall publish in the Federal Register that determination, together with the reasons therefor, and notice of the initiation of proceedings under this section.

SEC. 4. CONSULTATIONS UPON INITIATION OF INVESTIGATION.

If the Trade Representative initiates a proceeding under subsection (b)(3)(A) or (c) of section 3, the Trade Representative, on behalf of the United States, shall, on the day on which notice thereof is published under the applicable subsection, so notify the Government of Vietnam and request consultations with that government regarding the subsidy.

SEC. 5. PUBLIC PARTICIPATION AND CONSULTATION.

(a) PUBLIC PARTICIPATION.—In the notice published under subsection (b)(3)(A) or (c) of section 3, the Trade Representative shall provide an opportunity to the public for the presentation of views concerning the issues—

(1) within the 30-day period beginning on the date of the notice (or on a date after such period if agreed to by the petitioner), or

(2) at such other time if a timely request therefor is made by the petitioner or by any interested person, with a public hearing if requested by an interested person.

(b) CONSULTATION.—The Trade Representative shall consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, and with the appropriate advisory committees established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155), with respect to whether to initiate proceedings under section 3 and, if proceedings are conducted, with respect to making the determination under subsection (c).

(c) DETERMINATION.—After considering all comments submitted, and within 30 days

after the close of the comment period under subsection (a), the Trade Representative shall determine whether the Government of Vietnam is providing, on or after the date on which Vietnam accedes to the World Trade Organization, a prohibited subsidy to its textile or apparel industry. The Trade Representative shall publish that determination in the Federal Register, together with the justification for the determination.

(d) RECORD.—The Trade Representative shall make available to the public a complete record of all nonconfidential information presented in proceedings conducted under this section, together with a summary of confidential information so submitted.

SEC. 6. ARBITRATION AND IMPOSITION OF QUOTAS.

(a) ARBITRATION.—If, within 60 days after consultations are requested under section 4, in a case in which the Trade Representative makes an affirmative determination under section 5(c), the matter in dispute is not resolved, the Trade Representative shall request arbitration of the matter under the Dispute Settlement Understanding.

(b) IMPOSITION OF QUOTAS.—

(1) IN GENERAL.—The Trade Representative shall impose, for a period of not more than 1 year, the quantitative limitations described in paragraph (2) on textile and apparel products of Vietnam—

(A) if, pursuant to arbitration under subsection (a), the arbitrator determines that the Government of Vietnam is providing, on or after the date on which Vietnam accedes to the World Trade Organization, a prohibited subsidy to its textile or apparel industry; or

(B) if the arbitrator does not issue a decision within 120 days after the request for arbitration, in which case the limitations cease to be effective if the arbitrator, after such limitations are imposed, determines that the Government of Vietnam is not providing, on or after the date on which Vietnam accedes to the World Trade Organization, a prohibited subsidy to its textile or apparel industry.

(2) LIMITATIONS DESCRIBED.—The quantitative limitations referred to in paragraph (1) are those quantitative limitations that were in effect under the Bilateral Textile Agreement during the most recent full calendar year in which the Bilateral Textile Agreement was in effect.

(c) DETERMINATION OF COMPLIANCE.—If, after imposing quantitative limitations under subsection (b) because of a prohibited subsidy, the Trade Representative determines that the Government of Vietnam is not providing, on or after the date on which Vietnam accedes to the World Trade Organization, a prohibited subsidy to its textile or apparel industry, the quantitative limitations shall cease to be effective on the date on which that determination is made.

SEC. 7. DEFINITIONS.

In this Act:

(1) BILATERAL TEXTILE AGREEMENT.—The term “Bilateral Textile Agreement” means the Agreement Relating to Trade in Cotton, Wool, Man-Made Fiber, Non-Cotton Vegetable Fiber and Silk Blend Textiles and Textile Products Between the Governments of the United States of America and the Socialist Republic of Vietnam, entered into on July 17, 2003.

(2) DISPUTE SETTLEMENT UNDERSTANDING.—The term “Dispute Settlement Understanding” means the Understanding on Rules and Procedures Governing the Settlement of Disputes referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(16)).

(3) INTERESTED PERSON.—The term “interested person” includes, but is not limited to,

domestic firms and workers, representatives of consumer interests, United States product exporters, and any industrial user of any goods or services that may be affected by action taken under section 6(b).

(4) PROHIBITED SUBSIDY.—

(A) IN GENERAL.—The term “prohibited subsidy” means a subsidy described in article 3.1 of the Agreement on Subsidies and Countervailing Measures.

(B) SUBSIDY.—The term “subsidy” means a subsidy within the meaning of article 1.1 of the Agreement on Subsidies and Countervailing Measures.

(C) AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES.—The term “Agreement on Subsidies and Countervailing Measures” means the Agreement on Subsidies and Countervailing Measures referred to in section 101(d)(12) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(12)).

(5) TEXTILE OR APPAREL PRODUCT.—The term “textile or apparel product” means a good listed in the Annex to the Agreement on Textiles and Clothing referred to in section 101(d)(4) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(4)).

(6) TRADE REPRESENTATIVE.—The term “Trade Representative” means the United States Trade Representative.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Washington (Mr. McDERMOTT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5602 was a bill that was introduced in June of this year by the gentleman from Minnesota (Mr. RAMSTAD) and principally the gentleman from California (Mr. THOMPSON). This is the culmination of a long and sometimes very difficult process.

The relationships between the United States and Vietnam have been difficult. When I was a member of the committee as a member of the minority and the chairman of the Trade Subcommittee was the gentleman from Nevada, Mr. GIBBONS, we traveled to Vietnam as the first official United States Delegation on Trade. That was a number of years ago. So we arrive today after an 11-year effort in working with Vietnam to enjoy the announcement that Vietnam is on the verge of joining the World Trade Organization.

Vietnam joining the WTO will bring substantial economic benefits obviously to the Vietnamese and to the United States, because Vietnam has agreed to open its markets to U.S. goods and services. However, to fully benefit from this move on the part of Vietnam to the World Trade Organization, the United States must first extend the so-called permanent normal trade relationship to Vietnam, and that is what this bill does.

I asked to take it up with the “as amended” phrase attached because we have been able to come to an agreement. One of the real concerns with an increase in trade between the United States and Vietnam is the textile industry. We have concerns about those areas in the United States that still

have an ability to provide and afford the production of textiles and the relationship we are going to continue to grow with Central America with the free trade agreement there and with the pending free trade agreements with Andean countries that will provide us with an excellent opportunity to move our raw and partially finished textile products to an area that will both advance those countries and the United States.

Vietnam will be a major player in the textile industry. The concern we have is in balancing the concerns of those who are on the retail side and those who are on the production side, and we believe that the amendment that we have offered will go a long way toward resolving those concerns.

There is still concern as far as the chairman is concerned and, I know, of other Members on Vietnam's record on human rights and religious freedom. Just because it decides to join the World Trade Organization doesn't mean that it has decided in all aspects to join the world's civilized nations in its behavior not only to its people and to others. However, I do firmly believe that if Vietnam lives up to its commitment in its membership in the World Trade Organization, it will encourage and accelerate the opportunity for needed reforms in a tangible way that impacts the Vietnamese people's lives daily. So although I have a number of reservations in that regard, I do support going forward.

This is a regime that is not a democracy. I do hope as we examine trade relationships that may be presented to this Congress before we adjourn sine die, that we take cognizance of the fact that we have an opportunity to enter into free trade agreements with growing and vibrant democracies in this hemisphere, and if we are anxious to move a trade agreement with a country that is not democratic, that we extend that same courtesy to those in the Western Hemisphere, specifically Peru, that have made significant sacrifices to come to a free trade agreement. They are, after all, a deserving people.

Mr. Speaker, I ask unanimous consent that I turn the balance of my time over to the gentleman from Florida (Mr. SHAW), the chairman of the Trade Subcommittee of the Ways and Means Committee, and that he be allowed to yield said time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDERMOTT. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I support this legislation because I believe, on balance, Vietnam's accession to the WTO is a positive step. It is a growing economy

with 90 million people. It remains a command economy basically and a one-party state, and that always leads to some concerns and some qualifications. That is true here in terms of some problems, serious ones in the past with human rights, and also some economic issues. However, I think, on balance, it is wise to proceed. Their becoming part of the WTO will mean that the disciplines of international regulations will apply to them.

Let me say, however, I have several concerns. One is that this bill is on the suspension calendar. This bill did not go through committee. There was no hearing. I think this is not a wise procedure. In fact, I am sure it is not a wise procedure, and it is not going to be followed in the future. Bills of this nature, I believe, will have hearings before a committee and will not come up on suspension.

Secondly, a second concern, there is an important omission here and there is no safeguard mechanism in this accession agreement. When nonmarket economies operate, they usually do not do so through the usual mechanisms of supply and demand or international market dynamics, and so it is easier for there to be surges of imports into this country and more difficulty in dealing with them. The Bush administration did not negotiate a general surge provision here nor a textile surge provision. They were both in the China accession agreement. This is a serious omission, or at least an omission that should not be replicated.

For example, there is now negotiation with Russia of an accession agreement. The bilateral has been completed and the multilateral will start. I don't think we should be approving PNTR bills, for example, with Russia, until there is a safeguard mechanism negotiated in the agreement itself.

I believe all of us on this side who are speaking today will be dedicated to making sure that there is such a safeguard mechanism, so that if there is that surge of exports to us, we have a mechanism to deal with it.

On balance, I think it is important to proceed with this bill, and therefore I urge support.

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5602 would grant permanent normal trade relations with Vietnam and permit U.S. businesses to take full advantage of the commitments that Vietnam has made as part of its accession into the World Trade Organization.

On November 7, 2006, World Trade Organization members voted to approve Vietnam's entry into the organization and Vietnam is expected to officially become a member by the end of the year. To get to this point, Vietnam has clearly made significant economic reforms and will benefit not only the international community, but also the people of Vietnam.

As part of Vietnam's accession into the World Trade Organization, more

than 94 percent of all U.S. exports of manufactured goods will face duties no higher than 15 percent. Tariffs will also be reduced 15 percent or less on three-quarters of United States agricultural products.

Additionally, U.S. service providers will have increased access to Vietnam's market. My own State of Florida already exports over \$20 million of goods to Vietnam. With Vietnam's entry into the World Trade Organization, I expect this number to grow even higher, thus benefiting those that manufacture, create, grow and harvest these products, as well as those that package, store and transport them.

To say the United States and Vietnam have had a rocky relationship would be a dramatic understatement. Yet, much like with Japan, this opportunity to promote cooperation and conciliation demonstrates the great progress that is important when countries engage economically.

By enacting this legislation, the United States and Vietnam have a unique opportunity to show the world that no matter what the history between these countries may be, they can still have substantial economic and foreign policy benefits when the countries turn away from violent conflict and focus their efforts on economic interaction with an international rule-based system.

□ 1530

This legislation can provide an important symbolic example to countries throughout the world facing an important choice between violence and isolation or economic prosperity.

Mr. Speaker, I urge all Members to support H.R. 5602 and support the efforts of American businesses striving to compete in this new and expanding market.

Mr. Speaker, I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support this legislation granting Vietnam permanent normal trade relations.

Today is a day that shows America really at its best. With one piece of legislation, we will show the world the heart and spirit of our country. In the grand scheme of things, there is not a lot of money involved here, but there is an enormous amount of history and healing involved. Democrats support permanent normal trade relations with Vietnam because granting PNTR to Vietnam allows it to join the rules-based, multilateral trading system, the World Trade Organization. Vietnam's accession to the WTO will ensure that Vietnam is bound to international rules and concessions that aim to provide trade-related economic growth that is fair.

But PNTR does more than just bring Vietnam into a multinational trading relationship. PNTR continues to heal the wounds of a conflict whose wounds

are still felt today. The healing of the Vietnam War continues, and today marks another important step in that process.

The U.S.-Vietnam accession agreement, for the most part, is a strong one. The agreement will open an emerging market of almost 90 million people to American exporters of goods and services. This agreement will provide the Nation's exporters and consumers opportunities which are not available today.

In my home State of Washington, a State that relies heavily on exports to drive its economy, products like computer software, commercial aircraft, and agricultural goods will find better access to an increasingly dynamic economy through this agreement.

Subjecting Vietnam to the disciplines of the WTO and its rules and dispute settlement mechanisms will be a positive step in providing the United States more of an opportunity to ensure that Vietnam's economic reforms continue and move in the right direction. This will provide a new opportunity for the Vietnamese to improve their lives by participating in freer and fair markets. That is what makes this agreement worthy of support despite its flaws.

Even as we move, I hope, to pass this resolution, we must recognize a deeply flawed process by which the resolution is brought before the House. First, this is a major trade bill that is coming to the floor on a suspension calendar, the legislation introduced and made available to the Members and the public just a few hours ago without any significant debate, without any hearing in the committee of jurisdiction, and without the opportunity of any markup. I doubt most Members know anything about this bill, which was introduced just a few hours ago, as most Members are presently flying back from their districts across the country.

This is not the way the Congress should operate when we are legislating on matters of importance to the American people. We should follow the regular order, and I am hopeful that in the future we will do that. In fact, I am absolutely certain we will do that, having listened to Mr. LEVIN talk about it.

In fact, the bill, and Vietnam's accession agreement to the WTO, omits a critically important provision. The Bush administration failed once again to negotiate a safeguard mechanism with Vietnam, which is a country with a nonmarket economy. This is a major oversight. Nonmarket economies do not respond to normal market signals of supply and demand, and thereby they often create surplus supply that can lead to import surges in the U.S. market. These surges, and this administration's failure to address them effectively, are one of the areas in which the Bush administration has failed to stand up for American businesses, for their workers and the manufacturing sector in general.

In the new Congress, the House of Representatives and the Committee on

Ways and Means will need to consider ways that our trade law remedies can be updated and strengthened, including the antidumping laws. American firms are among the most competitive in the world, but they cannot compete with the treasury of foreign countries. The administration should know that in the new Congress; the new majority will insist that the administration incorporate safeguard tools in future PNTR agreements.

In closing, I support this bill because it is an important step that we should take to strengthen the multilateral trading system. It is an important step to provide opportunities for American and Vietnamese workers and entrepreneurs. Most importantly, this is a step we can take to improve U.S.-Vietnamese relations and our relationship with emerging Asian economies. It is unfortunate that the agreement has some key shortcomings that my colleagues on the House Ways and Means intend to address in the coming months.

Mr. Speaker, I reserve the balance of my time.

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume.

I would like to clarify the record on the statement by the gentleman from Washington. He may have just gotten the amendments, but the bill has been out there since last spring and amendments were delivered to the staff of the minority office last Thursday asking for comments. We are trying to do this in as bipartisan a way as we can because we have support from the other side.

So I don't want anyone watching this process going forward to think that the majority here has in any way not shared the information that it has with the minority.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

I want to rise in strong support of this legislation, and I want to commend the chairman of the full committee and the chairman of the subcommittee for the work that they have done in advancing this bill, which will benefit both America and Vietnam for years to come. And I want to especially pay tribute to the chairman of the Trade Subcommittee for his long service in this Congress and for the work that he has done over the years in the area of trade, which has made such advances for better relations between the United States and other countries and improved the lot of people in other countries as well as the lot of workers and citizens here at home in the United States. His service will be greatly missed in the next Congress.

Permanent normal trade relations with Vietnam is the next logical step in our partnership with that country. Back in 1995, with my support and that of many others on both sides of the

aisle, we embarked on a new path of political progress with Vietnam. We restored political relations and we restored economic relations. We recognized how important it was to integrate a former adversary into the global economy.

Then in December of 2001, we passed a bilateral trade agreement that has spurred economic growth for all parties. By the end of 2005, two-way trade between the United States and Vietnam had reached nearly \$8 billion, a huge increase from the base it started at just a few years earlier. Now, with the passage of this legislation, with the adoption of permanent normal trade relations, we will magnify those benefits and we will allow the United States and Vietnam to work as partners in the World Trade Organization.

The impact for our Nation will be especially dramatic in the services sector. The bill will provide more open access in telecommunications, financial services, and energy services. This is crucial, absolutely crucial, for jobs here at home in the United States. Eighty percent of the American workforce is in the service sector.

At the same time, this legislation is about more than just economics, and I think that those on both sides of the aisle recognize this fact. Permanent normal trade relations will promote additional domestic reforms in Vietnam. By increasing transparency in that country's trade practices, this bill will contribute to greater transparency in all areas of government.

From the first time that I visited Vietnam after my service in the conflict there, more than 15 years ago, to today we have seen enormous changes take place in the political structure of Vietnam. And as a Vietnam veteran, I find this especially heartwarming and especially important. We are working and we must continue to work on behalf of development and of good governance in Vietnam.

This legislation shows us that Vietnam's best interests can align with the interests of this country as well, and this is what free trade is all about. This is what free trade does for two countries, and this is why this bill has bipartisan support, and it is why it will pass, why it should pass, today.

I can only hope that in the next Congress my colleagues will take the same commonsense approach to other trade bills that will be considered and that they will have the courage to embrace a free trade agenda which will benefit Americans and people around the world alike.

Mr. McDERMOTT. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this bill.

I am honored to follow my friends Mr. SHAW and Mr. KOLBE, who have invested in making this work, and it is an example of how trade policy can, in fact, be bipartisan. This is one of those examples.

For those of us who entered political life during the Vietnam War era, the passage of normal trade relations and the final step towards normalization of relations with Vietnam is nothing short of astonishing. I was honored to accompany President Clinton on his historic visit to Vietnam in 2000 and to watch the spontaneous outpouring of interest and it appeared even affection, for the American President and for America at that point. This agreement cements this important political relationship with a key Southeast Asia partner and demonstrates a roadmap for other former enemy countries to repair relations and proceed together along a mutually beneficial path.

It contributes to the continued process of reform in Vietnam, strengthening the rule of law, promoting transparency in government, and decreasing that government's role in the Vietnamese economy.

It is also good economic policy for both the United States and Vietnam, strengthens the international trading system in the wake of the collapse of the Doha Round. U.S. exports to Vietnam have increased over 150 percent since that historic visit with President Clinton to over \$1.2 billion last year, and Vietnam continues to be the second fastest economic growth engine in the world.

Vietnam has agreed to open their markets to U.S. manufactured goods, services, and agricultural commodities, including things we care about in Oregon like beef, apples and pears.

Imports from Vietnam are also important in supporting many jobs in the Northwest, as my friend from Puget Sound mentioned. Companies, I would say, like Nike and Intel have the same sort of interests, and it will also provide advantages for American consumers. Access to U.S. markets can also play an important role in Vietnam's fight against poverty as it seeks to emulate the progress of the other "Asian tigers," which have lifted hundreds of millions of people out of poverty and sickness in East Asia.

However, I would offer two points of caution. I am concerned that the administration has agreed to self-initiate antidumping investigations against the Vietnamese textile industry, which employs 2 million people and is Vietnam's second largest export earner. By creating an uncertain atmosphere for U.S. business in Vietnam, I am concerned, and I hope that this concern is not proven to be founded, that the agreement between the administration and the Senators from North Carolina will deter U.S. companies from operating in Vietnam and harm companies that depend on imports from that country, limiting the benefits of this agreement both for the United States and the Vietnamese people, as well as setting, shall we say, a dubious precedent for future trade policy.

I do encourage the administration to work closely with the United States stakeholders and attempt to find a mu-

tually acceptable conclusion to this issue that is fair to the parties involved and does not set a dangerous precedent.

I would also repeat on the floor what I have said to friends and people that I have met in Vietnam, Vietnamese officials at the highest level in both countries, that the Vietnam record on religious freedom and human rights continues to be an impediment to a full flowering of the partnership with the United States. It decreases the legitimacy of the Vietnamese Government in the eyes of their people and people around the world.

□ 1545

A truly close relationship can only be based on shared values and the Vietnam Government's record must improve in the area of human rights and religious freedom. And it is not just about the relationship between the United States and Vietnam and helping oppressed people in Vietnam. It is only with this freedom of the economy and religion that they are going to be able to benefit the full flowering of their economy.

Mr. Speaker, in the end, permanent normal trade relations with Vietnam is a win for both the United States and Vietnam on all fronts. And I for one enjoyed working with the junior Senator from Oregon who helped lead the passage in the Senate, demonstrating once again that trade does not have to be one of these mindless partisan issues. I strongly support this legislation and urge my colleagues to do as well.

Mr. SHAW. Mr. Speaker, I continue to reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield 4½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I rise in opposition to H.R. 5602. Opposing PNTR for Vietnam is in the interest of the Vietnamese and the American people. As you know, Vietnam has been subject to a trade agreement with the United States since 2001. How has it gone? If you care about Vietnam, then you should care to know that Vietnam has a lot to lose as poor as that country may be.

Vietnam had a growth rate of 9 percent between 1993 and 1997, the year the Asian financial crisis hit. In other words, under the Socialist Republic of Vietnam, economic growth was very respectable, but the global experience of developing countries with WTO roles is disappointing at best.

During the WTO decade, that is 1995 to 2005, the number and percentage of people living on less than \$2 a day has jumped in South Asia, sub-Saharan Africa, Latin America, the Middle East and the Caribbean. The rate of worldwide poverty reduction has slowed. Per capita income growth in poor nations decline when they sign up for the WTO.

And structural adjustment policies by the IMF and the World Bank also cause the economic situation of the people in those countries that sign up for the WTO to be impaired.

Per capita growth from 1980 to 2000 fell to half of what occurred between 1960 and 1980, 1980 prior to the imposition of the WTO-IMF package. I worry about the Vietnamese people if the PNTR should pass. If you care about Vietnam, then you should care to know that the PNTR could have the effect of causing, one, millions of peasants to be thrown off the land as agricultural supports are withdrawn; two, millions of workers to lose their jobs as state enterprises wither in the face of foreign competition or downsize and speed up operations in an effort to stay competitive.

Privatization, right on its way. At the beginning of this year, I was one of the Democratic representatives chosen by the Speaker of the House to visit Southeast Asia, and we visited Vietnam.

One of the things that struck me during the visit, particularly to the south part of Vietnam, was the ubiquitous nature of the bicycle. People use bicycles as a primary means of getting around, and it is linked to the culture. There are rules that impose high tariffs and taxes on bringing cars in to operate in Vietnam. Those rules and tariffs are just going to be wiped off the books, pushed aside.

This agreement is going to have a profound impact in creating a transition in the culture of Vietnam away from a use of an effective and efficient means of transportation, towards choking streets that are already clogged with a lot of people, with automobiles at a time that we should be thinking about the relationship between trade and global climate change.

I mean, after all, the WTO does not permit human rights, workers' rights or environmental quality principles to be put into trade agreements. So here we are celebrating the growth of free trade at the same time the worldwide economic crisis continues.

Somebody has got to make the connection between demanding that the WTO have environmental quality principles written into these agreements, and you are going to see countries like Vietnam suffer as a result of that lack. Have we not had enough of the folly of the World Trade Organization? Have we not lost enough good-paying jobs in this country? Have we not learned that the U.S. cannot for long be the world's biggest market and biggest consumer if our people are not making wealth through manufacturing? I mean, we need an American manufacturing policy where the maintenance of steel, automotive, aerospace and agriculture is seen as vital to our Nation's national security.

Mr. Speaker, if you care about jobs in the United States, then you should be concerned to learn that the U.S. balance of trade with Vietnam has gone from a surplus in 1993 to a deficit of over \$5 billion.

As Chinese manufacturers move south to Vietnam in search of even cheaper labor, more and more exports

will come from Vietnam to the United States and more and more jobs in the U.S. will disappear. Wake up, Congress. We have got close to an \$800 billion trade deficit, and this bill just keeps going in the same direction.

Goodbye, American jobs. No workers rights. No human rights. No environmental quality principles. Why are we doing this?

Mr. McDERMOTT. Mr. Speaker, the gentleman from Florida has the right to close?

The SPEAKER pro tempore. The gentleman from Florida has the right to close, that is correct.

Mr. McDERMOTT. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I feel confident this measure before us will pass quite easily. I am glad that you have allowed the House to consider it today. I am sorry that Mr. RAMSTAD did not get a chance to come. We are going to miss Mr. SHAW as he leaves us. Mr. KOLBE, I am sorry he has left the floor. He was also a promoter of trade in underdeveloped countries and has been a real contributor to that effort here in the Congress.

However, this House has a little bit of work left to do in trade. And I talked to the chairman of the committee, Mr. THOMAS, before he left about whether or not we can get a bill between now and the time we get out of here. I would urge the Speaker and the chairman to act on a bill that extends the expiring trade preference programs, the Andean Trade Promotion Program and the generalized system of preferences. These are programs that have been in place for many, many years and have had a very positive effect in the underdeveloped world. And I think it is important that we not allow them to lapse in the midst of transition between party control and whatever.

There are a lot of people out there whose jobs depend on how those are implemented. And I think that the chairman understands that and has given me his assurance that he is going to talk to the Senate about whether we can get through such a piece of legislation, because it is vital to these developing countries and the workers and the American businessmen and consumers.

If you are trying to plan to source some of your material overseas and you do not know what the law is going to be applying to it, it is very hard for you to plan in advance, as the garment industry does or other industries. You need some certainty about when things are going to be available and what preferences will be in place so that the costs can be considered.

I would urge the Speaker in this thing to bring us a short-term clean extension. There are a lot of things out there that can get onto these bills that really do not add, in fact are very controversial.

But the clean extension should include the provisions for Haiti, which is

the poorest country in our hemisphere, and certainly we want to do what we can for them. Sub-Saharan Africa is also a very undeveloped area that is having enormous economic problems. And for those kinds of supports I think there ought not to be any kind of opposition to them. The problem is they always get coupled with everything else under the sun that people have always wanted to do.

I hope the chairman and the committee and the subcommittee and the Speaker will all come together and bring us a bill and we will support it as we have done this one today.

Mr. Speaker, I yield back the balance of my time.

Mr. SHAW. Mr. Speaker, I yield myself the balance of our time.

Mr. Speaker, I would like to acknowledge that after all of these years, I finally found something that I agree with with the gentleman from Washington, and that is the statement with regard to the Andean countries, Africa, and with Haiti.

I would hope if we cannot conclude a satisfactory agreement, free trade agreement with the countries that we are working with now, most notably Peru and Colombia, that we should have some short-term extension of the Andean preference for those countries.

At this time we do not have one, an agreement with Ecuador. However, Ecuador is in a situation now of going into an election where they have one pro-American candidate, and one that is pro-Chavez. I think we should watch that very closely, and I think that we have an obligation to do everything we can for our friends and their economic growth. I will leave it right there.

But I think that we need to, and I would hope that in the next Congress, which I regret that I will not be part of, to see these things through that we should continue our work to become, and continue to be free trade.

I would like to also comment on the comments made by my friend from Ohio with regard to the low wages and low standard of living in Vietnam. I traveled there in the late 1980s with then-chairman Gibbons. It is the same CODEL that Mr. THOMAS made reference to in his opening remarks.

There we saw a very impoverished nation. We stayed at a government house in which the conditions were deplorable. In fact, one of the spouses along on the trip took all of her husband's undershirts and laid them on the bed before she would even get into the bed. We had rolling blackouts. The country was an economic disaster.

But we saw something very important. And I think this was really driven home, particularly, Jake Pickrel, whom many of us know, his wife fell and broke her hip. The doctors who was traveling with us took her down to the hospital in Vietnam, and he came back and said this is 1950s technology, the x-ray equipment there. And of course we immediately flew her out of Vietnam, where she could get and did get proper treatment.

I think we can look at Vietnam now, and I have not been back since then. But I understand the economic strides that they have made are really tremendous. And that is almost 100 percent due to their changing their economy so that it can thrive and it can grow and is not held back by the 100 percent socialistic tendencies that it seemed to have at the time.

Also I think that there is no question but that our trade will grow with Vietnam, because this is an agreement that works both ways. Their tariffs come down, our exports will increase, there is no question about that. As usual, and we find in most countries, that the tariffs of the country that we are taking down tariffs with has a higher tariff than we do.

So we should benefit, Vietnam should benefit and the economy of both countries will be better off for it. And when an economy as small as Vietnam mixes with an economy as large as the United States, it is very easy to realize that any type of stimulus that you give those economies will be a very, very big impact on their economy.

I have a letter here from the U.S.-Vietnam World Trade Coalition, and it is signed by Madeleine Albright, Jim Baker, Charlene Barshefsky, Samuel Berger, Harold Brown, Warren Christopher, William Cohen, Lawrence Eagleburger, Carla Hills, Michael Kantor, Henry Kissinger, Anthony Lake, Robert McNamara, Colin Powell, Robert Rubin, George Shultz, Robert Strauss, and Clayton Yeutter, very much in favor of this agreement.

Washington, DC, September 8, 2006.

DEAR COLLEAGUE: As the bipartisan co-sponsors of H.R. 5602, to provide Vietnam with Permanent Normal Trade Relations (PNTR) status, we forward you the following letter signed by numerous former Cabinet Secretaries, U.S. Trade Representatives and others involved in trade and foreign policy in previous administrations.

We hope you find this letter useful as you consider your vote on this important issue.

Sincerely,

JIM RAMSTAD,

Member of Congress.

MIKE THOMPSON,

Member of Congress.

U.S. VIETNAM, WTO COALITION,

July 11, 2006.

Hon. J. DENNIS HASTERT, *Speaker,*
House of Representatives.

Hon. NANCY PELOSI,
Minority Leader,
House of Representatives.

Hon. BILL FRIST,
Majority Leader,
U.S. Senate.

Hon. HARRY REID,
Minority Leader,
U.S. Senate.

We strongly support the President's proposal to grant Permanent Normal Trade Relations (PNTR) status to Vietnam. America's long-term security and economic interests will be advanced by Vietnam's full integration into the rules-based global trading system. Vietnam can become a catalyst for growth and development in Southeast Asia, and will offer significant opportunities for U.S. companies, workers, and consumers.

In the thirty years since the end of the conflict in Southeast Asia, the United States

has worked steadfastly to normalize relations with its former adversary. This effort proceeded, step by step, as we sought the fullest possible accounting of American prisoners of war and personnel missing in action. The "Roadmap" to normalization helped to achieve significant progress in this regard. We enjoy today a multifaceted, mutually beneficial relationship with Vietnam that has enabled us to engage on a range of issues, including protection of religious freedom, labor, and human rights.

Vietnam is home to nearly eighty-five million people, more than half of whom are under the age of twenty-five. As a country facing a host of infrastructure and human development challenges, Vietnam merits not only our attention, but also our support for the promising reform process that is underway. In this vein, the 2001 U.S.-Vietnam Bilateral Trade Agreement was an important milestone, and it has contributed to the development of a more open, market-oriented economy with important potential benefits for the Vietnamese and American peoples.

PNTR and WTO accession for Vietnam will strengthen America's linkages with the commercially and strategically important region of Southeast Asia, which, with a GDP of nearly \$3 trillion, represents our fourth largest export market. The comprehensive WTO accession agreement reached by Vietnam and U.S. negotiators will provide even broader market access across a range of U.S. goods and services. Equally important, it will enhance transparency, accountability, and the rule of law.

The granting of PNTR for Vietnam represents the logical next step in the normalization of relations between our two countries, a process that has been made more effective by broad bipartisan support in Congress, and that has spanned successive presidential administrations during the past three decades. We support the granting of PNTR in advance of Vietnam hosting the Annual APEC Leaders Meeting in November, in which President Bush will participate. This will further encourage Vietnam's emergence as a responsible regional partner, as we together address a myriad of complex international economic and security issues.

We urge the Congress to approve PNTR for Vietnam at the earliest possible opportunity this summer.

Sincerely,

Madeleine K. Albright, James A. Baker III, Charlene Barshefsky, Samuel L. Berger, Harold Brown, Warren Christopher, William S. Cohen, Lawrence S. Eagleburger, Carla A. Hills, Michael Kantor, Henry A. Kissinger, Anthony Lake, Robert McNamara, Colin L. Powell, Robert E. Rubin, George P. Shultz, Robert S. Strauss, Clayton K. Yeutter.

□ 1600

I think the Members on both sides of the aisle will certainly find somebody on that list that they have a great deal of respect for for their particular view with regard to matters pertaining to trade.

GENERAL LEAVE

Mr. SHAW. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SHAW. Mr. Speaker, in closing, I would like to thank Mr. RAMSTAD, who

is trying to get back here in order to take time on the floor, and really I think if he were here, and I will not hesitate because he is not, to praise him for the good work that he has done and his foresight in bringing this particular bill forward.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I have serious concerns about establishing Permanent Normal Trade Relations (PNTR) with Vietnam without mandating essential human rights protections.

In August, the Government of Vietnam arrested and held a U.S. Citizen, Cong Thanh Do, on false charges. Only with the efforts of many U.S. officials was Mr. Do released.

The Government of Vietnam arrested and imprisoned Mr. Do, a U.S. citizen, on false charges even when it was trying to convince the U.S. Congress to grant permanent normal trade relations.

What practices will the Government of Vietnam engage in when they are not trying to convince the U.S. Congress to pass PNTR?

I believe that had the Majority allowed us ample time for consideration and debate on PNTR, we may have been able to include critical human rights protections.

I urge my colleagues to oppose this bill until sufficient time is granted to include necessary human rights protections.

Mr. CUELLAR. Mr. Speaker, I would like to express my strong support for the permanent normalization of trade relations (PNTR) with Vietnam. With the Doha round of global trade talks in limbo, the U.S. must continue to pursue an active bilateral trade agenda that makes real gains for America's working families.

My hometown of Laredo has been transformed by trade. Since the implementation of the North American Free Trade Agreement (NAFTA), I have watched as trade transformed communities in Texas from areas of marginal business activity, to some of the most rapidly developing counties in the nation. Laredo now serves as the largest inland port in North America and takes in 60 percent of all NAFTA traffic.

But our current trade agreements are simply not enough. In today's global economy, we cannot afford to stand idle but instead must push ahead with increased trade liberalization. The Vietnam agreement does just that.

Agricultural products are crucial exports for my congressional district. With Vietnam's accession to the World Trade Organization (WTO) and our new trade relations, Vietnam will reduce tariffs on most U.S. agricultural exports to 15 percent or less. Texas farmers will be able to sell in the Vietnamese market on a level playing field with competitors in other WTO member countries. Without PNTR with Vietnam, Texas's exporters will lose. I urge my colleagues to join me today in making history and supporting America's working families by granting Permanent Normal Trade Relations to Vietnam.

Mr. ROHRBACHER. Mr. Speaker, I rise in opposition to H.R. 5602 legislation to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam, and to establish a procedure for imposing quotas on imports of subsidized textile and apparel products of Vietnam.

Mr. Speaker, as we speak American soldiers are dying in Iraq in support of a noble effort to create a democratic government. Why

then are we about to give Permanent Normal Trading Treatment to the dictatorship in Vietnam, a cabal of gangsters and thugs that mercilessly prohibits in Vietnam and Laos any democracy, freedom of law, freedom of the press, and human and religious rights? The Vietnamese government has never come clean on the whereabouts of over 600 American soldiers who were left behind in Vietnam after the war. I'm not talking about granting us permission to dig for American remains, I'm talking about their refusal to hand over the prison documents of those men who we know were alive when we left Vietnam thirty years ago.

Mr. Speaker, the same political party that forced us to cut and run from Vietnam has stubbornly refused to acknowledge the complete lack of freedom there and in Laos. It doesn't care if we retreat from Iraq just like we did from Vietnam, before the job is done. But what truly disturbs me is how the majority can go along with this and reward the thugs in Hanoi for what they did and continue to do to their own people and to the relatives of our veterans who never returned. Have we completely lost our moral compass? Is cheap labor so much more important than democracy, freedom of religion and supporting our soldiers and their families? Do we care anymore about freedom?

Accordingly, I strongly urge my colleagues to reject this misconceived initiative that insults our troops and ignores the wishes of good people of Vietnam who want to live free from the thugs in Hanoi.

Mr. RAMSTAD. Mr. Speaker, I have long been an ardent supporter of trade expansion because the bottom line is jobs. Fully 95 percent of the world's population lives outside the United States, and the global economy is projected to grow at three times the rate of the U.S. economy. We must continue to take steps to make sure American farmers, manufacturers and service providers remain leaders in the international marketplace and our products have fair access to foreign markets.

Vietnam is the fastest growing economy in Southeast Asia and continues to grow in significance as a U.S. trading partner. By our granting Vietnam PNTR status, U.S. businesses will be able to take advantage of the increased market-access opportunities the Vietnamese have offered in return. And increased market access to Vietnam will also help provide U.S. companies a competitive sourcing counterbalance to China in the region.

Without passage of this legislation, U.S. companies will not be able to take advantage of the Vietnamese concessions. And in addition, the United States will not be able to engage in dispute-settlement cases with Vietnam in the World Trade Organization.

Therefore, Mr. Speaker, I would like to thank Chairmen THOMAS and SHAW for their leadership on bringing forward this important legislation, and I would also like to thank Ranking Member RANGEL and Representative THOMPSON for their support of this legislation.

Mr. Speaker, I urge my colleagues to support passage of H.R. 5602.

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today in opposition to granting permanent normal trade relations (PNTR) to Vietnam.

Just two months ago, the Vietnamese government arrested my constituent, a U.S. cit-

izen, Cong Thanh Do. Mr. Do had posted comments on the Internet while at home in San Jose, California advocating that Vietnam undergo a peaceful transition to a multi-party democracy. For exercising his U.S. Constitutional right of free speech, the Vietnamese arrested him and held him in prison for 38 days in Vietnam without charges.

Other U.S. citizens have been imprisoned in Vietnam for what appear to be political reasons, including the sister of another one of my constituents, Thuong Nguyen "Cuc" Foshee.

Although both are free today and back in America, I am concerned about hundreds of Vietnamese nationals as well as other U.S. citizens imprisoned in Vietnam.

The Vietnamese government has repeatedly violated human rights. Hundreds of Vietnamese have been imprisoned, put under house arrest, or placed under intense surveillance for simply practicing their religion or speaking out about democracy and human rights in Vietnam.

Following his return to the U.S., Mr. Do provided me a disturbing list of over 130 Vietnamese nationals and U.S. citizens he believes are currently imprisoned in Vietnam as prisoners of conscience or harassed by the government for simply speaking about democracy and human rights.

In addition, groups such as the Human Rights Watch have published reports of 355 Montagnard prisoners of conscience currently imprisoned in Vietnam.

I am not alone in my concerns about Vietnam's human rights record. The Department of State, the U.S. Commission on International Religious Freedom, Amnesty International, the Committee to Protect Journalists, and various Vietnamese-American groups have documented egregious violations of religious freedom, human rights, and free speech in Vietnam.

I have been a supporter of international trade. But I also know that the Vietnamese Government would correct their behavior in order to perfect a trading relationship with the United States. Given the alarming human rights violations currently underway in Vietnam, it seems a mistake for our country to grant PNTR to Vietnam without requiring that the Vietnamese Government make significant improvements in respecting human rights, free speech, and freedom of religion.

The United States of America has a long and honorable tradition of safeguarding freedom and human rights throughout the world, especially with our trading partners. We should not make an exception for Vietnam.

At a time when we are spending 8 to 10 billion dollars a month and shedding the blood of our American servicemen and women proclaiming the cause to be democracy for Iraq, how is it that we can fail to use our mere economic leverage to try to achieve human rights in Vietnam?

Mr. WOLF. Mr. Speaker, I rise in opposition to this bill which would grant permanent normal trade relations for the government of Vietnam.

Why are we here today ready to give Vietnam—a country with an abysmal human rights record, which continues to abuse and oppress its own people—favorable trade status?

I am strongly opposed to this action and urge defeat of this legislation.

There are people in Vietnam right now, as we debate this bill, in jail for their support of

religious freedom, democracy, and freedom of speech—universal freedoms on which our country was built. If someone says they are for you, but do not want to be identified with you, how much are they really for you? Are we for democracy and religious freedom in Vietnam or are we more interested in promoting trade?

The answer to that question may lie in the incredible news just announced today that the State Department has conveniently removed Vietnam from its list of Countries of Particular Concern—a designation stamped on countries with egregious violations of human rights and religious freedom. Vietnam had been on the list in the company of China, Eritrea, Iran, Myanmar, North Korea, Saudi Arabia and Sudan.

I stand with the dissidents who remain in jails across Vietnam because they spoke out against human rights abuses being committed and condoned by their own government. Mr. Speaker, I call on this House to stand with the people of Vietnam who deserve our support as they seek democracy and freedom from oppression.

Later this week the President will make a historic trip to Vietnam. I have called on him to meet with Vietnamese human rights activists here in the United States, and I have asked that he meet with dissidents in Vietnam. I have asked President Bush to stand with the dissidents in the way that the Reagan administration did with regard to the Soviet Union. It is unacceptable for the United States to encourage democracy and respect for human rights and then fail to hold Vietnam to this standard before granting them PNTR.

Earlier today there was a groundbreaking ceremony on the National Mall to launch the memorial for Dr. Martin Luther King, Jr. I ask my colleagues to think about Dr. King's words before voting on the legislation before us: "In the end we will remember not the words of our enemies but the silence of our friends."

If the Bush administration and this Congress want to be friends with those fighting for democracy, religious freedom and an end to human rights abuses, the silence should be broken. I call on the President and our ambassador in Vietnam to meet with dissidents and to break the silence about human rights abuses in Vietnam.

Mr. Speaker, our actions today are more than how much the U.S. will trade with Vietnam. The decisions we make will reach the 83 million Vietnamese people who are struggling to live in freedom. What will our answer be for them?

Mr. SHAW. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 5602, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

Mr. KUCINICH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further

proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:20 p.m. today.

Accordingly (at 4 o'clock and 2 minutes p.m.), the House stood in recess until approximately 6:20 p.m.

□ 1827

AFTER RECESS

The recess having expired, the House was called to order at 6 o'clock and 27 minutes p.m.

TEXAS SECRETARY OF STATE ROGER WILLIAMS RACE SUMMARY REPORT UNOFFICIAL ELECTION TABULATION 2006 SPECIAL NOVEMBER ELECTIONS NOVEMBER 7, 2006

	Early vot- ing	(Percent)	Vote Total	(Percent)
U.S. Representative District 15: Multi County Precincts Reported: 278 of 278—100.00%				
Paul B. Haring—REP*	6,638	23.93	13,920	24.18
Ruben Hinojosa—Incumbent—DEM*	16,561	59.70	35,346	61.39
Eddie Zamora—REP*	4,543	16.38	8,311	14.43
Total Votes Cast	27,742		57,577	
U.S. Representative District 21: Multi County Precincts Reported: 308 of 309—99.68%				
Tommy Calvert—IND*	2,149	2.47	5,285	2.59
John Courage—DEM*	23,463	23.71	49,909	24.45
Gene Kelly—DEM*	8,378	8.47	18,355	8.99
James Lyle Peterson—IND*	930	0.94	2,198	1.08
Mark J. Rossano—IND*	590	0.60	1,443	0.71
Lamar Smith—Incumbent—REP*	61,550	62.19	122,880	60.19
James Arthur Strohm—LIB*	1,605	1.62	4,085	2.00
Total Votes Cast	98,65		204,155	
U.S. Representative District 22—Unexpired Term: Multi County Precincts Reported: 176 of 176—100.00%				
Don Richardson—REP*	2,475	5.24	7,402	5.97
Shelley Sekula Gibbs—REP*	31,057	65.74	76,940	62.08
M. Bob Smither—LIB*	8,056	17.05	23,427	18.90
Steve Stockman—REP*	4,732	10.02	13,593	10.97
Giannibicego Hoa Tran—REP*	920	1.95	2,566	2.07
Total Votes Cast	47,240		123,928	
U.S. Representative District 23: Multi County Precincts Reported: 326 of 326—100.00%				
August G. "Augie" Beltran—DEM*	1,185	2.03	2,650	2.14
Rick Bolanos—DEM	1,028	1.76	2,563	2.07
Henry Bonilla—Incumbent—REP*	30,063	51.44	60,147	48.60
Adrian Deleon—DEM*	843	1.44	2,198	1.78
Lukin Gilliland—DEM*	6,180	10.57	13,725	11.09
Ciro D. Rodriguez—DEM*	11,752	20.11	24,593	19.87
Craig T. Stephens—IND*	1,486	2.54	3,344	2.70
Albert Uresti—DEM*	5,907	10.11	14,529	11.74
Total Votes Cast	58,444		123,749	
U.S. Representative District 25: Multi County Precincts Reported: 253 of 253—100.00%				
Barbara Cunningham—LIB*	2,386	3.53	6,933	4.24
Lloyd Doggett—Incumbent—DEM*	45,439	67.30	109,839	67.25
Brian Parrett—IND*	1,224	1.81	3,594	2.20
Grant Rostig—REP*	18,467	27.35	42,956	26.30
Total Votes Cast	67,516		163,322	
U.S. Representative District 28: Multi County Precincts Reported: 236 of 236—100.00%				
Ron Avery—CON*	3,940	11.42	9,458	12.23
Henry Cuellar—Incumbent—DEM*	23,121	67.04	52,339	67.68
Frank Enriquez—DEM*	7,427	21.54	15,531	20.08
Total Votes Cast	34,488		77,328	

* CON—Constitution DEM—Democratic IND—Independent LIB—Libertarian REP—Republican

PROVIDING FOR SWEARING IN OF THE HONORABLE SHELLEY SEKULA GIBBS, OF TEXAS, AS A MEMBER OF THE HOUSE

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentlewoman from Texas, Ms. SHELLEY SEKULA GIBBS, be permitted to take the oath of office today.

Her certificate of election has not arrived, but there is no contest and no

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives: OFFICE OF THE CLERK.

U.S. HOUSE OF REPRESENTATIVES, Washington, DC, November 9, 2006.

Hon. J. DENNIS HASTERT, The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Ms. Ann McGeehan, Director of Elections, State of Texas, indicating that, according to the unofficial returns of the Special Election held November 7, 2006, the Honorable Shelley Sekula Gibbs was elected Representative in Congress for the Twenty-Second Congressional District, State of Texas.

With best wishes, I am Sincerely,

KAREN L. HAAS, Clerk.

Ms. KAREN L. HAAS, Office of the Clerk, House of Representatives, Washington, DC.

DEAR Ms. HAAS: Our office has been requested to provide you with a letter as to the status of the special election for the unexpired term for U.S. Congressional District 22. Based on preliminary, unofficial election night returns reported to our agency from counties within U.S. Congressional District 22, the winner of the special election for this seat appears to be Shelley Sekula Gibbs. These results are not finalized and do not reflect all military and overseas votes that could still be counted, nor do they represent the official canvassed total. Also attached are the unofficial results of the other congressional special elections for full terms.

If you should have any questions, feel free to contact me.

Yours truly, ANN MCGEEHAN, Director of Elections.

question has been raised with regard to her election.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 8, 2006.
Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Ms. Donna Kelly, Assistant Attorney General, State of New Jersey, indicating that, according to the unofficial returns of the Special Election held November 7, 2006, the Honorable ALBIO SIREs was elected Representative in Congress for the Thirteenth Congressional District, State of New Jersey.

With best wishes, I am
Sincerely,
KAREN L. HAAS,
Clerk of the House.

Attachment.

OFFICE OF THE ATTORNEY GENERAL,
DEPT. OF LAW AND PUBLIC SAFETY,
Trenton, NJ, November 8, 2006.
Re Unofficial Results for the Special Election for the Unexpired Term for the Thirteenth Congressional District.
Hon. KAREN L. HAAS,
Clerk of the House, House of Representatives,
Washington, DC.

DEAR MS. HAAS: Enclosed please find the unofficial results for the Special Election held on November 7, 2006 for the office of Member, House of Representatives, Thirteenth Congressional District, State of New Jersey. These unofficial results do not include the absentee or provisional ballot totals. You are further advised that no challenge or recount for this election is known at this time. The official results for the election will be certified by the Board of State Canvassers no later than December 5, 2006. Your office will be provided with the original Certificate of Election upon such certification.

If you have any question, please contact this office. Thank you for your attention to this matter.
Sincerely yours,
DONNA KELLY,
Assistant Attorney General.
(For Stuart Rabner, Attorney General of New Jersey).

UNOFFICIAL LIST—CANDIDATE RETURNS FOR UNEXPIRED TERM FOR NOVEMBER 2006 GENERAL ELECTION, THIRTEENTH CONGRESSIONAL DISTRICT: ESSEX (PART)—HUDSON (PART)—MIDDLESEX (PART)—UNION (PART) COUNTIES

Name Address	Party/Designation	County	Slogan	Tally
Unexpired Term:				
Albio Sires, P.O. Box 300, West New York, NJ 07093	Democratic	Essex (part)	Democratic	9,516
		Hudson (part)	Democratic	48,357
		Middlesex (part)	Democratic	218
		Union (part)	Democratic	3,837
Total				61,928
Dick Hester, 233 East Delavan Ave., Newark, NJ 07104	Pro Life Conservative	Essex (part)	Pro Life Conservative	350
		Hudson (part)	Pro Life Conservative	1,391
		Middlesex (part)	Pro Life Conservative	61
		Union (part)	Pro Life Conservative	190
Total				1,992

Total Democrats—1
Total Republicans—0
Total Independents—1
Total Candidates—2

PROVIDING FOR SWEARING IN OF THE HONORABLE ALBIO SIREs, OF NEW JERSEY, AS A MEMBER OF THE HOUSE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey, Mr. ALBIO SIREs, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

SWEARING IN OF THE HONORABLE SHELLEY SEKULA GIBBS, OF TEXAS, AND THE HONORABLE ALBIO SIREs, OF NEW JERSEY, AS MEMBERS OF THE HOUSE

The SPEAKER. Will the Representatives-elect and the Members of their respective delegations present themselves in the well.

The Representatives-elect will raise their right hand.

Ms. SEKULA GIBBS and Mr. SIREs appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation

or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now Members of the 109th Congress.

□ 1830

WELCOMING THE HONORABLE SHELLEY SEKULA GIBBS TO THE HOUSE OF REPRESENTATIVES

(Mr. BARTON of Texas asked and was given permission to address the House for 1 minute.)

Mr. BARTON of Texas. Mr. Speaker, it is my privilege on behalf of the Texas delegation to introduce to the 109th Congress the Honorable SHELLEY SEKULA GIBBS, Dr. GIBBS. She is a dermatologist in Houston, Texas. She serves on the Houston City Council at large. She has been active in the Ellington Field task force to help renovate that part of Houston, Texas.

She is a fifth-generation Texan. She has two children, two stepchildren, and, I think, three grandchildren. She is married to a graduate of Waco High School, which is the high school that I graduated from. She is going to do great honor to the 22nd Congressional District of Texas for the rest of the 109th Congress and it is with a great deal of personal Texas pride that I introduce to this body the Honorable SHELLEY SEKULA GIBBS.

Ms. SEKULA GIBBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, the gentlewoman is recognized.

There was no objection.

Ms. SEKULA GIBBS. Mr. Speaker, I thank the kind gentleman from Texas,

the dean of our Texas congressional delegation, for his remarks and the warm welcome that I received here today. He is a wonderful example of the type of Congress Member that I hope to emulate while serving in this body.

Mr. Speaker, I would like to thank the great people of the 22nd Congressional District who elected me for the confidence that they have placed in me in representing their values and allowing me to serve them for the remainder of the 109th Congress. I would also like to thank the Speaker and the rest of my colleagues in the U.S. House of Representatives. I look forward to getting to know them and to know each of you and work on the initiatives that will help strengthen our country.

Most of all, I would like to thank the volunteers and the hard workers who have helped me, as well as my family and especially my husband, Robert, who is joining us today, as well as my son, Michael.

Thanks to their unyielding support throughout the last 3 months of our lives and those of my two daughters who are not here, Elyse and Mallory, and all of the people who have worked so hard on my campaign, I am now able to address this auspicious body.

During my time in the House of Representatives, I will ensure that my constituents receive the first-rate representation that they deserve. There are only a few weeks left until the session is over, and there is much work to be done, but I will work with my colleagues to guarantee that we do whatever is necessary to move this Nation forward and address the critical issues facing our country, including health care—as you would imagine, being a physician, I have very big concerns

about that—illegal immigration, and the war on terror.

Again to my colleagues in the House and all of those in public service, I would like to thank you for your service to our country. I am proud to be among you today, and, together, I am confident that we will meet the challenges that the future will bring our great country.

WELCOMING THE HONORABLE ALBIO SIRE TO THE HOUSE OF REPRESENTATIVES

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, it is my great pleasure and honor this evening to introduce the newest member of our New Jersey delegation, ALBIO SIRE. ALBIO won a special election last week to fill the remaining term of Senator MENENDEZ, who won reelection to the Senate last week. He was also elected to a full term and will be back with us in January as well.

ALBIO comes to this House after serving as the mayor of West New York and serving four terms in the New Jersey General Assembly, including two terms as the assembly speaker. During his tenure in the assembly, ALBIO championed legislation that increased the minimum wage in New Jersey by \$2. ALBIO also led the fight to help New Jersey families better afford college for their children by creating the STARS program, which offers full paid county and State college tuition scholarships to thousands of New Jersey students.

As this Congress prepares to tackle both the minimum wage and college affordability in January, ALBIO will be a strong voice on behalf of working-class families. ALBIO was born in pre-Communist Cuba, but fled with his family at age 12 to the United States. He was a star basketball player in both high school and college, and I am sure he would have no problem suiting up again as a member of the congressional basketball team.

He also joins both me and BILL DELAHUNT as the only current Members of Congress who earned a degree from Middlebury College in Vermont. He is joined here today by his wife, Adrienne, his stepdaughter, Tara Kole, and supporters from his new congressional district. Please join me in welcoming ALBIO SIRE to the House of Representatives.

Mr. SIRE. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Without objection, the gentleman is recognized.

There was no objection.

Mr. SIRE. Mr. Speaker, I rise today to thank you and to thank Mr. PALLONE for those kind words. I would like to express my deep gratitude to my wife, Adrienne, my stepdaughter, Tara, my friends and especially my neighbors in the 13th Congressional District of New Jersey, who have honored me by allowing me to represent them in Washington.

Mr. Speaker, when I left Cuba with my family 45 years ago, I could never have envisioned that I would be standing on the floor of the House of Representatives to give this speech. This day for me truly embodies the promise of this Nation, the promise of its founders, the promise of its many immigrant communities, the promise which means that anyone, no matter the circumstances of birth or class, can rise to become a Member of the greatest democratic body in history.

Mr. Speaker, it was the community of West New York that welcomed me and my family so many years ago. I have tried, tried every day to give back to my neighbors for their generosity, first as a teacher and a coach, then as a mayor and as a State assemblyman. The people of the 13th District have provided me with the greatest privilege of all, to represent them in the House of Representatives.

Mr. Speaker, I am aware of the honor and the privilege of serving in the House of Representatives and the faith that my constituents have placed in me by sending me here on their behalf. It is the trust of the people of New Jersey that has enabled me to be here today, and I intend to honor that trust every day that I serve as their representative.

Mr. Speaker, thank you very much.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentlewoman from Texas, Ms. SHELLEY SEKULA GIBBS, and the gentleman from New Jersey, Mr. ALBIO SIRE, the whole number of the House is 433.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BONNER). Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

Concur in Senate amendment to H.R. 3085, by the yeas and nays;

S. 819, by the yeas and nays;

H.R. 5602, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

TRAIL OF TEARS STUDY ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate amendment to the bill, H.R. 3085.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr.

RADANOVICH) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3085, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 383, nays 3, not voting 46, as follows:

[Roll No. 517]

YEAS—383

Abercrombie	Davis (IL)	Johnson (IL)
Ackerman	Davis (KY)	Johnson, E. B.
Aderholt	Davis (TN)	Johnson, Sam
Akin	Davis, Jo Ann	Jones (OH)
Alexander	Davis, Tom	Kanjorski
Allen	Deal (GA)	Kaptur
Andrews	DeFazio	Keller
Baca	DeGette	Kelly
Bachus	Delahunt	Kennedy (MN)
Baird	DeLauro	Kennedy (RI)
Baker	Dent	Kildee
Baldwin	Diaz-Balart, L.	Kilpatrick (MI)
Barrett (SC)	Diaz-Balart, M.	Kind
Barrow	Dicks	King (IA)
Bartlett (MD)	Dingell	King (NY)
Barton (TX)	Doolittle	Kingston
Bass	Doyle	Kirk
Bean	Drake	Kline
Beauprez	Dreier	Knollenberg
Becerra	Duncan	Kolbe
Berkley	Edwards	Kucinich
Berman	Ehlers	Kuhl (NY)
Berry	Emanuel	LaHood
Biggert	Emerson	Langevin
Bilbray	English (PA)	Lantos
Bilirakis	Eshoo	Larsen (WA)
Bishop (GA)	Etheridge	Larson (CT)
Bishop (NY)	Everett	Latham
Bishop (UT)	Farr	LaTourette
Blackburn	Fattah	Leach
Blumenauer	Feeney	Lee
Blunt	Ferguson	Levin
Boehlert	Filner	Lewis (CA)
Boehner	Fitzpatrick (PA)	Lewis (GA)
Bonilla	Forbes	Linder
Bonner	Ford	Lipinski
Bono	Fortenberry	LoBiondo
Boren	Fossella	Lofgren, Zoe
Boswell	Fox	Lowey
Boucher	Frank (MA)	Lucas
Boustany	Franks (AZ)	Lungren, Daniel
Boyd	Frelinghuysen	E.
Bradley (NH)	Garrett (NJ)	Lynch
Brady (PA)	Gerlach	Mack
Brady (TX)	Gingrey	Maloney
Brown (OH)	Gonzalez	Manzullo
Brown (SC)	Goodlatte	Marchant
Brown, Corrine	Gordon	Markey
Brown-Waite,	Granger	Marshall
Ginny	Graves	Matheson
Burgess	Green (WI)	Matsui
Butterfield	Green, Al	McCarthy
Buyer	Green, Gene	McCollum (MN)
Calvert	Grijalva	McCotter
Camp (MI)	Gutknecht	McCrery
Campbell (CA)	Hall	McDermott
Cannon	Harman	McGovern
Cantor	Harris	McHenry
Capito	Hart	McHugh
Capps	Hastings (FL)	McIntyre
Capuano	Hastings (WA)	McKeon
Cardin	Hayes	McMorris
Cardoza	Hayworth	Rodgers
Carnahan	Hensarling	McNulty
Carter	Herger	Meehan
Case	Herseth	Meek (FL)
Castle	Hinchey	Melancon
Chabot	Hinojosa	Mica
Chocola	Hobson	Michaud
Clay	Hoekstra	Millender-
Cleaver	Holden	McDonald
Clyburn	Holt	Miller (FL)
Coble	Honda	Miller (MI)
Conaway	Hooley	Miller (NC)
Conyers	Hoyer	Miller, Gary
Cooper	Hulshof	Miller, George
Costa	Hunter	Mollohan
Costello	Hyde	Moore (KS)
Cramer	Inslee	Moore (WI)
Crenshaw	Issa	Moran (KS)
Crowley	Istook	Moran (VA)
Cuellar	Jackson (IL)	Murphy
Culberson	Jackson-Lee	Musgrave
Cummings	(TX)	Myrick
Davis (AL)	Jenkins	Nadler
Davis (CA)	Jindal	Napolitano
Davis (FL)	Johnson (CT)	Neugebauer

Nunes
Nussle
Oberstar
Obey
Oliver
Ortiz
Otter
Owens
Oxley
Pallone
Pascarell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross

Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabó
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sekula Gibbs
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Simpson
Sires
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Stark

Stearns
Stupak
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Flake Jones (NC) Paul

NOT VOTING—46

Boozman
Burton (IN)
Carson
Chandler
Cole (OK)
Cubin
Doggett
Engel
Evans
Gallegly
Gibbons
Gilchrest
Gillmor
Gohmert
Goode
Gutierrez

Hefley
Higgins
Hostettler
Inglis (SC)
Israel
Jefferson
Lewis (KY)
McCaul (TX)
McKinney
Meeks (NY)
Murtha
Neal (MA)
Northup
Norwood
Osborne
Pickering

Pryce (OH)
Radanovich
Shimkus
Slaughter
Souder
Spratt
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Udall (NM)
Walsh

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1905

Mr. McNULTY changed his vote from “nay” to “yea.”

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PACTOLA RESERVOIR REALLOCATION AUTHORIZATION ACT OF 2005

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 819.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the Senate bill, S. 819, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 387, nays 0, not voting 45, as follows:

[Roll No. 518]

YEAS—387

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley

Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Finer
Fitzpatrick (PA)
Flake
Forbes
Ford
Fortenberry
Fossella
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gingrey
Gonzalez
Goodlatte
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hersteth
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof

Hunter
Hyde
Insee
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kirk
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNulty
Meehan
Meek (FL)
Melancon
Mica

Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Neapolitano
Neugebauer
Northup
Nunes
Nussle
Oberstar
Obey
Oliver
Ortiz
Otter
Owens
Oxley
Pallone
Pascarell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall

Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabó
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Watt
Schwarz (MI)
Scott (GA)
Scott (VA)
Sekula Gibbs
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Simpson
Sires
Skelton
Smith (NJ)

Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Stark
Stupak
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—45

Boozman
Burton (IN)
Carson
Chandler
Cubin
Doggett
Engel
Evans
Gallegly
Gibbons
Gilchrest
Gillmor
Gohmert
Goode
Granger

Gutierrez
Hefley
Higgins
Hostettler
Inglis (SC)
Israel
McCaul (TX)
McKinney
Murtha
Neal (MA)
Norwood
Osborne
Pickering
Pryce (OH)

Radanovich
Rush
Shimkus
Slaughter
Souder
Spratt
Stearns
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Udall (NM)
Walsh

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1916

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENDING PERMANENT NORMAL TRADE RELATIONS TO VIETNAM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5602, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 5602, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 228, nays 161, not voting 43, as follows:

[Roll No. 519]

YEAS—228

Ackerman	Farr	Moran (KS)
Akin	Ferguson	Moran (VA)
Alexander	Flake	Musgrave
Allen	Forbes	Myrick
Andrews	Ford	Northup
Bachus	Fossella	Nunes
Baird	Frank (MA)	Nussle
Baker	Frelinghuysen	Oliver
Bass	Garrett (NJ)	Ortiz
Bean	Goodlatte	Otter
Beauprez	Gordon	Oxley
Berkley	Granger	Pearce
Berman	Graves	Pelosi
Berry	Harman	Pence
Biggert	Harris	Peterson (PA)
Bilbray	Hart	Petri
Bilirakis	Hastings (WA)	Platts
Bishop (GA)	Hensarling	Pombo
Bishop (NY)	Herger	Pomeroy
Blackburn	Herseth	Porter
Blumenauer	Hinojosa	Price (GA)
Blunt	Hobson	Price (NC)
Boehlert	Holt	Putnam
Boehner	Honda	Ramstad
Bonilla	Hookey	Rangel
Bonner	Hoyer	Rehberg
Bono	Hulshof	Reichert
Boren	Hyde	Reynolds
Boustany	Inslee	Rogers (KY)
Boyd	Issa	Royce
Bradley (NH)	Istook	Ruppersberger
Brady (TX)	Jefferson	Ryan (WI)
Brown (SC)	Jindal	Ryun (KS)
Calvert	Johnson (CT)	Sabo
Camp (MI)	Johnson (IL)	Schiff
Campbell (CA)	Johnson, E. B.	Schmidt
Cannon	Keller	Schwartz (PA)
Cantor	Kennedy (MN)	Schwarz (MI)
Capito	Kind	Sekula Gibbs
Capps	King (NY)	Sensenbrenner
Capuano	Kingston	Sessions
Cardin	Kirk	Shadegg
Cardoza	Kline	Shaw
Carnahan	Knollenberg	Shays
Carter	Kolbe	Shuster
Case	Kuhl (NY)	Simmons
Castle	LaHood	Simpson
Chabot	Larsen (WA)	Skelton
Chocoma	Larson (CT)	Smith (TX)
Clay	Latham	Smith (WA)
Clyburn	Leach	Snyder
Cole (OK)	Levin	Tauscher
Conaway	Lewis (CA)	Terry
Cooper	Lewis (KY)	Thomas
Costa	Linder	Thompson (CA)
Cramer	Lowey	Thornberry
Crenshaw	Lucas	Tiahrt
Crowley	Mack	Tiberi
Cuellar	Maloney	Udall (CO)
Davis (AL)	Manzullo	Upton
Davis (CA)	Marchant	Van Hollen
Davis (FL)	Matheson	Walden (OR)
Davis (KY)	Matsui	Wasserman
Davis, Tom	McCarthy	Schultz
DeGette	McCollum (MN)	Watson
Delahunt	McCrery	Watt
Dicks	McDermott	Waxman
Dingell	McGovern	Weiner
Doolittle	McKeon	Weldon (PA)
Drake	McMorris	Weller
Dreier	Rodgers	Westmoreland
Ehlers	Meek (FL)	Wexler
Emanuel	Mica	Whitfield
Emerson	Miller (NC)	Wicker
English (PA)	Miller, Gary	Wilson (NM)
Eshoo	Miller, George	Young (AK)
Etheridge	Moore (KS)	

NAYS—161

Abercrombie	Barrow	Boswell
Aderholt	Bartlett (MD)	Boucher
Baca	Barton (TX)	Brady (PA)
Baldwin	Becerra	Brown (OH)
Barrett (SC)	Bishop (UT)	Brown, Corrine

Brown-Waite,	Jenkins	Pitts
Ginny	Johnson, Sam	Poe
Burgess	Jones (NC)	Rahall
Butterfield	Jones (OH)	Regula
Buyer	Kanjorski	Renzi
Cleaver	Kaptur	Reyes
Coble	Kelly	Rogers (AL)
Conyers	Kennedy (RI)	Rogers (MI)
Costello	Kildee	Rohrabacher
Culberson	Kilpatrick (MI)	Ros-Lehtinen
Cummings	King (IA)	Ross
Davis (IL)	Kucinich	Rothman
Davis (TN)	Langevin	Roybal-Allard
Davis, Jo Ann	Lantos	Ryan (OH)
Deal (GA)	LaTourette	Salazar
DeFazio	Lee	Sánchez, Linda
DeLauro	Lewis (GA)	T.
Dent	Lipinski	Sanchez, Loretta
Diaz-Balart, L.	LoBiondo	Sanders
Diaz-Balart, M.	Lofgren, Zoe	Saxton
Doyle	Lungren, Daniel	Schakowsky
Duncan	E.	Scott (GA)
Edwards	Lynch	Scott (VA)
Everett	Markey	Serrano
Fattah	Marshall	Sherman
Feeney	McCotter	Sherwood
Finer	McHenry	Sires
Fitzpatrick (PA)	McHugh	Smith (NJ)
Fortenberry	McIntyre	Sodrel
Fox	McNulty	Solis
Franks (AZ)	Meehan	Stark
Gerlach	Melancon	Stearns
Gingrey	Michaud	Stupak
Gonzalez	Millender-	Taylor (MS)
Green (WI)	McDonald	Thompson (MS)
Green, Al	Miller (FL)	Tierney
Green, Gene	Miller (MI)	Towns
Grijalva	Mollohan	Turner
Gutknecht	Moore (WI)	Velázquez
Hall	Murphy	Visclosky
Hastings (FL)	Nadler	Wamp
Hayes	Napolitano	Waters
Hayworth	Oberstar	Weldon (FL)
Hinchey	Obey	Wilson (SC)
Hoekstra	Owens	Wolf
Holden	Pallone	Woolsey
Hunter	Pascarell	Wu
Inglis (SC)	Pastor	Wynn
Jackson (IL)	Paul	Young (FL)
Jackson-Lee	Payne	
(TX)	Peterson (MN)	

NOT VOTING—43

Boozman	Hefley	Rush
Burton (IN)	Higgins	Shimkus
Carson	Hostettler	Slaughter
Chandler	Israel	Souder
Cubin	McCauley (TX)	Spratt
Doggett	McKinney	Strickland
Engel	Meeks (NY)	Sullivan
Evans	Murtha	Sweeney
Galleghy	Neal (MA)	Tancredo
Gibbons	Neugebauer	Tanner
Gilchrest	Norwood	Taylor (NC)
Gillmor	Osborne	Udall (NM)
Gohmert	Pickering	Walsh
Goode	Pryce (OH)	
Gutierrez	Radanovich	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1926

Mr. HALL and Mr. MILLER of Florida changed their votes from “yea” to “nay”.

Mr. BISHOP of Georgia changed his vote from “nay” to “yea”.

So (two-thirds of those voting having not responded in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. STEARNS. Mr. Speaker, on rollcall No. 519, I was unavoidably detained. Had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, I was regrettably unable to be on the House Floor

for rollcall vote 517—passage of H.R. 3085—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; rollcall vote 518—passage of S. 819—the Pactola Reservoir Reallocation Authorization Act of 2005; and rollcall vote 518—passage of H.R. 5602—a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam, and to establish a procedure for imposing quotas on imports of subsidized textile and apparel products of Vietnam.

Had I been present I would have voted “aye” for rollcall vote 517, “aye” for rollcall vote 518, and “no” for rollcall vote 519.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1696

Mr. KUHLMAN of New York. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor on H.R. 1696.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

□ 1930

UNIFIED REPUBLICANS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, although Republicans face new challenges in the coming Congress, one thing is clear. We are unified in our determination to pursue policies to strengthen our Nation and our economy.

Republicans will continue to fight for complete victory in the global war on terror and work to ensure that the intelligence community and our troops have all the tools necessary to complete their mission. Through Republican policies of providing the administration the tools it needs to be successful in the war on terror, we helped defend our Nation from another attack on American soil.

Republicans are unified in our ideals of tax relief for all Americans to grow the economy and provide opportunities for every American to prosper. As a direct result of the Republican tax relief policies, unemployment is at 4.4 percent, there have been 38 consecutive months of job creation, and wages have risen 2.4 percent over the last year. These are undeniable accomplishments of the Republican-led Congress that affect all Americans. Republicans provided tax breaks for American families through the child tax credit and marriage tax penalty relief and voted to kill the death tax.

Republican policies have made our Nation safer and stronger, and we are unified in our fight to continue these successful policies.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CARSON (at the request of Ms. PELOSI) for today on account of a plane delay.

Mr. CHANDLER (at the request of Ms. PELOSI) for today and November 14 on account of official business.

Mr. ISRAEL (at the request of Ms. PELOSI) for today.

Ms. MCKINNEY (at the request of Ms. PELOSI) for today on account of illness.

Mr. TANNER (at the request of Ms. PELOSI) for today and November 14 on account of official business.

Mr. UDALL of New Mexico (at the request of Ms. PELOSI) for today and November 14 and 15 on account of official business.

Mr. OSBORNE (at the request of Mr. BOEHNER) for today on account of official business.

Mr. SHIMKUS (at the request of Mr. BOEHNER) for today and November 14 and November 15 until 2:30 p.m. on account of traveling with the NATO Parliamentary Assembly.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. SEKULA GIBBS) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, November 14 and 15.

Ms. ROS-LEHTINEN, for 5 minutes, November 15.

Mr. HAYWORTH, for 5 minutes, November 14.

Mr. GINGREY, for 5 minutes, November 15.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1409. An act to amend the Safe Drinking Water Act Amendments of 1996 to modify the grant program to improve sanitation in rural and Native villages in the State of Alaska, to the Committee on Energy and Commerce, in addition to the Committee on Transportation and Infrastructure for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 1726. An act to designate the facility of the United States Postal Service located at 324 Main Street in Grambling, Louisiana, as the "Coach Eddie Robinson Post Office Building"; to the Committee on Government Reform.

S. 3523. An act to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending; to the Committee on Ways and Means.

S. 3526. An act to amend the Indian Land Consolidation Act to modify certain requirements under that Act; to the Committee on Resources.

S. 3845. An act to designate the facility of the United States Postal Service located at

301 Commerce Street in Commerce, Oklahoma, as the "Mickey Mantle Post Office Building"; to the Committee on Government Reform.

S. 3879. An act to implement the Convention on Supplementary Compensation for Nuclear Damage, and for other purposes, to the Committee on Energy and Commerce.

S. 3880. An act to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror; to the Committee on the Judiciary.

S. 4044. An act to clarify the treatment of certain charitable contributions under title 11, United States Code, to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2464. An act to revise a provision relating to a repayment obligation of the Fort McDowell Yavapai Nation under the Fort McDowell Indian Community Water Rights Settlement Act of 1990, and for other purposes.

ADJOURNMENT

Ms. SEKULA GIBBS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, November 14, 2006, at 10 a.m., for morning hour debate.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 109th Congress, pursuant to the provisions of 2 U.S.C. 25:

SHELLEY SEKULA GIBBS, Texas, Twenty-Second.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the

United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 109th Congress, pursuant to the provisions of 2 U.S.C. 25:

ALBIO SIRE, New Jersey, Thirteenth.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

9947. A communication from the President of the United States, transmitting notification that the national emergency with respect to Iran, as declared by Executive Order 12170 on November 14, 1979, is to continue in effect beyond November 14, 2006, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 109-150); to the Committee on International Relations and ordered to be printed.

9948. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sandel Avionics Incorporated Model ST3400 Terrain Awareness Warning System/Radio Magnetic Indicator (TAWSRMI) Units Approved Under Technical Standards Order(s) C113, C151a, or C151b; Installed on Various Small and Transport Category Airplanes [Docket No. FAA-2006-24101; Directorate Identifier 2005-NM-103-AD; Amendment 39-14718; AD 2006-16-18] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9949. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Models RB211 Trent 892, 884, 877, 875, and 892B Series Turbofan Engines [Docket No. FAA-2006-25713; Directorate Identifier 97-ANE-09; Amendment 39-14780; AD 97-06-13R1] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9950. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Aircraft Company Models 1900, 1900C, and 1900D Airplanes [Docket No. FAA-2006-25760; Directorate Identifier 2006-CE-48-AD; Amendment 39-14757; AD 2006-18-51] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9951. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model ATP Airplanes [Docket No. FAA-2006-25721; Directorate Identifier

2006-NM-132-AD; Amendment 39-14748; AD 2006-18-09] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9952. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 Airplanes and Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes [Docket No. FAA-2005-22033; Directorate Identifier 2004-NM-218-AD; Amendment 39-14391; AD 2005-24-11] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9953. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-200, -300, -400, -500 Series Airplanes Equipped with an Auxiliary Fuel System Installed in Accordance with Supplemental Type Certificate (STC) SA83NE, SA1078NE, ST0004NY, or ST01337NY [Docket No. FAA-2006-25746; Directorate Identifier 2006-NM-151-AD; Amendment 39-14750; AD 2006-18-11] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9954. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Stemme GmbH & Co. KG Model STEMME S10-VT Sailplanes [Docket No. FAA-2006-25689; Directorate Identifier 2006-CE-45-AD; Amendment 39-14765; AD 2006-19-08] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9955. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF34-10E Series Turbofan Engines [Docket No. FAA-2006-25896; Directorate Identifier 2006-NE-33-AD; Amendment 39-14775; AD 2006-20-06] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9956. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211 Series Turbofan Engines [Docket No. FAA-2006-25584; Directorate Identifier 2000-NE-62-AD; Amendment 39-14733; AD 2006-17-12] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9957. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2006-25657; Directorate Identifier 2006-NM-187-AD; Amendment 39-14735; AD 2006-17-14] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9958. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney PW4077D, PW4084D, PW4090, and PW4090-3 Turbofan Engines [Docket No. FAA-2006-24034; Directorate Identifier 2006-NE-05-AD; Amendment 39-14729; AD 2006-17-08] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9959. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-100, DHC-8-200, and DHC-8-300 Series Airplanes [Docket No. FAA-2006-24290; Directorate Identifier 2005-NM-243-AD; Amendment 39-14731; AD 2006-17-10] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9960. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-400ER Series Airplanes and Model 777-200 and -300 Series Airplanes [Docket No. FAA-2005-21713; Directorate Identifier 2005-NM-085-AD; Amendment 39-14732; AD 2006-17-11] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9961. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; RECARO Aircraft Seating GmbH & Co. (RECARO) Model 3410 Seats [Docket No. FAA-2005-22876; Directorate Identifier 2005-NE-39-AD; Amendment 39-14734; AD 2006-17-13] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9962. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-10-10 and DC-10-10F Airplanes; and Model MD-10-10F Airplanes [Docket No. FAA-2006-24999; Directorate Identifier 2006-NM-060-AD; Amendment 39-14736; AD 2006-17-15] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9963. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Airplanes [Docket No. FAA-2006-24959; Directorate Identifier 2005-NM-258-AD; Amendment 39-14737; AD 2006-17-16] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9964. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-100, DHC-8-200, DHC-8-300, and DHC-8-400 Series Airplanes [Docket No. FAA-2006-24979; Directorate Identifier 2006-NM-014-AD; Amendment 39-14738; AD 2006-17-17] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9965. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters, Inc. Model MD900 Helicopters [Docket No. FAA-2006-24631; Directorate Identifier 2005-SW-01-AD; Amendment 39-14739; AD 2006-18-01] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9966. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-10, -20, -30, -40, and -50 Series Airplanes [Docket No. FAA-2006-24368; Directorate Identifier 2005-NM-230-AD; Amendment 39-14740; AD 2006-18-02] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9967. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145XR Airplanes [Docket No. FAA-2006-24439; Directorate Identifier 2006-NM-039-AD; Amendment 39-14741; AD 2006-18-03] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9968. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney JT8D-1, -1A, -1B, -7, -7A, -7B, -9, -9A, -11, -15, -15A, -17, -17A, -17R, -17AR, -209, -217, -217A, -217C, and -219 Turbofan Engines [Docket No. 2001-NE-30-AD; Amendment 39-14728; AD 2006-17-07] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9969. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B16 (CL-604) Airplanes and Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2006-25724; Directorate Identifier 2006-NM-197-AD; Amendment 39-14742; AD 2006-18-04] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9970. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Legal Description of Class D and E Airspace; Fairbanks, Fort Wainwright Army Airfield, AK [Docket No. FAA-2006-24813; Airspace Docket No. 06-AAL-16] received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9971. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E2 Surface Area; Elko, NV [Docket No. FAA-2006-25252; Airspace Docket No. 06-AWP-12] (RIN: 2120-AA64) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9972. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Legal Description of Class D and E Airspace; Fairbanks, Fort Wainwright Army Airfield, AK [Docket No. FAA-2006-24813; Airspace Docket No. 06-AAL-16] received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9973. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of a Class E Enroute Domestic Airspace Area, San Luis Obispo, CA [Airspace Docket No. 05-AWP-12] received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9974. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Pierre, SD [Docket No. FAA-2006-24449; Airspace Docket No. 06-AGL-03] received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9975. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Barter Island, AK [Docket No. FAA-2006-23714; Airspace Docket No. 06-AAL-07] received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9976. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Chamberlain, SD [Docket No. FAA-2006-24450; Airspace Docket No. 06-AGL-04] received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9977. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Butler, GA [Docket No. FAA-2006-25392; Airspace Docket No. 06-ASO-10] received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9978. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Lake Ozark, MO [Docket No. FAA-2006-25008; Airspace Docket No. 06-ACE-6] received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9979. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule — Occupational Noise Exposure for Railroad Operating Employees [Docket No. FRA 2002-12357, Notice No. 2] (RIN: 2130-AB56) received November 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SKELTON (for himself, Mr. ANDREWS, Mr. ABERCROMBIE, Mrs. TAUSCHER, Mr. COOPER, Mr. ORTIZ, Mr. SMITH of Washington, Mr. LARSEN of Washington, Ms. BORDALLO, Mr. MARSHALL, Mr. BOREN, and Mr. UDALL of Colorado):

H.R. 6313. A bill to expand the oversight and accounting authority of the Office of the Special Inspector General for Iraq Reconstruction over funds appropriated for the Iraq Security Forces Fund and to restore a termination date for the Office based on the percentage of expenditures from the Iraq Relief and Reconstruction Fund and the Iraq Security Forces Fund; to the Committee on Armed Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUYER:

H.R. 6314. A bill to amend title 38, United States Code, to extend certain expiring provisions of law and to expand eligibility for the Survivors' and Dependents' Educational Assistance program; to the Committee on Veterans' Affairs.

By Mr. ANDREWS:

H.R. 6315. A bill to afford students and parents with private civil remedies for the violation of their privacy rights under the General Education Provisions Act; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAIRD:

H.R. 6316. A bill to extend through December 31, 2008, the authority of the Secretary of

the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits; to the Committee on Transportation and Infrastructure.

By Mr. GERLACH:

H.R. 6317. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on any tax-exempt organization which accepts any contribution which may be used to relocate property held by the organization if the relocation is contrary to the intent of the donor of the property; to the Committee on Ways and Means.

By Mr. LYNCH:

H.R. 6318. A bill to implement the recommendations of the Office of the Special Inspector General for Iraq Reconstruction to ensure that the Department of Defense properly accounts for all small arms weapons procured by the Department of Defense for use by the Iraqi Security Forces; to the Committee on Armed Services.

By Mr. LYNCH:

H.R. 6319. A bill to require the Secretary of Veterans Affairs to establish centers to provide enhanced services to veterans with amputations and prosthetic devices, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THOMAS:

H.R. 6320. A bill to create an additional judgeship for the eastern district of California, and for other purposes; to the Committee on the Judiciary.

By Mr. CLAY (for himself, Mr. BLUNT, Mr. TANNER, Mr. COSTELLO, Mr. SKELTON, Mr. CARNAHAN, Mr. SHIMKUS, Mr. HULSHOF, Mr. CLEAVER, Mr. GRAVES, Mrs. EMERSON, Mr. BARROW, Mr. FORD, Ms. VELÁZQUEZ, Mr. GRIJALVA, Mr. GENE GREEN of Texas, Mr. BECERRA, Mr. ROSS, Mr. BERRY, Mr. COOPER, Mr. MOORE of Kansas, Mr. FILNER, Mr. PASCRELL, Mrs. TAUSCHER, Mrs. CAPPS, Mr. LARSON of Connecticut, Mr. CAPUANO, Mr. LYNCH, Mr. TIERNEY, Ms. WATERS, Mr. DELAHUNT, Mr. HOYER, Ms. JACKSON-LEE of Texas, Mr. ORTIZ, Mr. PALLONE, Mr. ABERCROMBIE, Mr. EMANUEL, Mrs. JONES of Ohio, Ms. SOLIS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUELLAR, Mr. DAVIS of Alabama, Mr. CUMMINGS, Mr. WATT, Mr. WYNN, Mr. SCOTT of Georgia, Mr. JONES of North Carolina, Mr. SCHIFF, Mr. WEXLER, Ms. WASSERMAN SCHULTZ, and Mr. RANGEL):

H. Res. 1078. A resolution congratulating the St. Louis Cardinals on winning the 2006 World Series; to the Committee on Government Reform.

By Mr. KIND:

H. Res. 1079. A resolution recognizing and celebrating the commitment of the Student Conservation Association to the United States' national parks and public lands; to the Committee on Resources.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 354: Mr. MURTHA.
H.R. 363: Mrs. NAPOLITANO.
H.R. 517: Mr. MICHAUD.
H.R. 550: Mr. TANNER and Mr. LANGEVIN.
H.R. 583: Mr. HULSHOF and Mr. ETHERIDGE.
H.R. 699: Mr. NADLER, Mr. ENGEL, and Mrs. BIGGERT.
H.R. 807: Mr. McCOTTER.
H.R. 814: Mr. TOM DAVIS of Virginia.
H.R. 874: Mr. SHADEGG and Mr. GIBBONS.

H.R. 898: Mr. JINDAL.
H.R. 998: Mr. JONES of North Carolina.
H.R. 1078: Mr. COSTELLO.
H.R. 1175: Mr. STARK.
H.R. 1227: Mr. PITTS and Mr. SALAZAR.
H.R. 1249: Mr. MURTHA and Ms. SCHWARTZ of Pennsylvania.
H.R. 1298: Mr. MCINTYRE, Mr. EHLERS, Ms. ESHOO, Mr. WALSH, and Mr. PITTS.
H.R. 1426: Mr. GILLMOR.
H.R. 1582: Mr. ENGEL.
H.R. 1632: Mr. LYNCH.
H.R. 1950: Mrs. DRAKE.
H.R. 2051: Mr. EHLERS.
H.R. 2103: Mrs. MCCARTHY.
H.R. 2239: Mr. PETRI.
H.R. 2421: Mr. GOHMERT, Mr. KUHLMANN of New York, Mr. WICKER, Mr. MORAN of Kansas, Mr. McCAUL of Texas, Ms. BORDALLO, Mr. TAYLOR of North Carolina, Mr. PALLONE, Mr. LEACH, Mrs. MILLER of Michigan, Mr. HALL, Mr. Wu, Mrs. CAPPS, Mr. AL GREEN of Texas, Mr. SERRANO, Ms. CARSON, and Ms. SLAUGHTER.
H.R. 2568: Mr. REYES, Mr. PLATTS, and Mr. MORAN of Kansas.
H.R. 2719: Mr. CHANDLER and Mr. FITZPATRICK of Pennsylvania.
H.R. 2793: Mr. ANDREWS.
H.R. 2861: Mr. PASCRELL, Mr. HALL, Mr. LEACH, and Mr. MICHAUD.
H.R. 2989: Mr. McHUGH.
H.R. 3019: Mr. NUSSLE.
H.R. 3159: Mr. WAXMAN.
H.R. 3255: Mrs. MCMORRIS RODGERS.
H.R. 3380: Ms. McCOLLUM of Minnesota.
H.R. 3617: Mrs. MUSGRAVE.
H.R. 3628: Mr. KUCINICH.
H.R. 3762: Mr. WYNN.
H.R. 3949: Mr. LOBIONDO.
H.R. 3954: Mr. SALAZAR, Ms. SCHWARTZ of Pennsylvania, Mr. MARSHALL, and Mr. ENGEL.
H.R. 4033: Mrs. MYRICK, Mrs. BONO, Mr. WOLF, Ms. KAPTUR, and Mr. HUNTER.
H.R. 4042: Mr. BISHOP of Georgia and Mr. REYES.
H.R. 4098: Mr. COSTELLO.
H.R. 4188: Ms. ESHOO.
H.R. 4341: Mr. MCCRERY and Mr. JEFFERSON.
H.R. 4597: Ms. SCHAKOWSKY.
H.R. 4672: Ms. DEGETTE.
H.R. 4727: Ms. MOORE of Wisconsin and Mr. SERRANO.
H.R. 4747: Ms. LINDA T. SÁNCHEZ of California and Mr. CLAY.
H.R. 4824: Ms. BALDWIN, Mrs. EMERSON, Mr. MORAN of Kansas, Mr. MCINTYRE, and Mrs. KELLY.
H.R. 4903: Mr. BACA, Ms. MATSUI, and Mr. REYES.
H.R. 5022: Mr. TAYLOR of North Carolina and Mr. ALLEN.
H.R. 5072: Mr. BERRY.
H.R. 5119: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5179: Mr. PLATTS and Mr. CONAWAY.
H.R. 5200: Mr. LANGEVIN and Mr. WATT.
H.R. 5225: Mr. LEWIS of Georgia.
H.R. 5247: Mr. HASTINGS of Florida, Mr. WAXMAN, Mr. DOGGETT, and Mr. WEINER.
H.R. 5416: Mr. JINDAL and Mr. RUSH.
H.R. 5465: Mr. BUTTERFIELD and Mr. CLAY.
H.R. 5501: Ms. JACKSON-LEE of Texas.
H.R. 5550: Mr. WAXMAN.
H.R. 5554: Mr. BOREN.
H.R. 5555: Mr. EVERETT.
H.R. 5624: Mr. TOWNS, Mr. LYNCH, and Mr. CUMMINGS.
H.R. 5635: Mr. FRANK of Massachusetts, Mr. HIGGINS, Mr. SALAZAR, and Mr. COSTELLO.
H.R. 5674: Mr. FILNER.
H.R. 5707: Mr. McCOTTER.
H.R. 5757: Mr. RUPPERSBERGER and Mr. WAXMAN.
H.R. 5772: Mr. WAXMAN and Mr. HALL.
H.R. 5829: Mr. KUCINICH.

H.R. 5836: Mr. ETHERIDGE and Mr. SMITH of Washington.

H.R. 5855: Mr. LEWIS of Georgia, Mr. HONDA, and Mr. CARNAHAN.

H.R. 5878: Mr. HASTINGS of Florida.

H.R. 5887: Mr. KENNEDY of Rhode Island.

H.R. 5888: Mr. HAYWORTH, Mr. SALAZAR, Ms.

MOORE of Wisconsin, Mr. BAIRD, Mrs. MCCARTHY, Mr. SHAYS, and Mr. BURTON of Indiana.

H.R. 5894: Mr. KENNEDY of Rhode Island, Mr. STARK, and Mrs. KELLY.

H.R. 5897: Mr. ETHERIDGE and Mr. SERRANO.

H.R. 5905: Mr. FRANK of Massachusetts.

H.R. 5906: Mr. WYNN, Mr. SMITH of New Jersey, Mr. PRICE of North Carolina, and Mr. KENNEDY of Rhode Island.

H.R. 5959: Mr. GRIJALVA.

H.R. 5967: Ms. FOXX and Mrs. BLACKBURN.

H.R. 5983: Mr. ROTHMAN.

H.R. 5991: Mr. STARK.

H.R. 5996: Ms. JACKSON-LEE of Texas.

H.R. 6046: Mr. ROTHMAN.

H.R. 6053: Mr. GOODE, Mr. SIMMONS, and Mr. CASE.

H.R. 6093: Ms. JACKSON-LEE of Texas, Mr. MICHAUD, Mr. BRADLEY of New Hampshire, Mr. GOODE, Mr. JONES of North Carolina, and Mr. LEACH.

H.R. 6096: Mr. FRANK of Massachusetts.

H.R. 6132: Mr. ETHERIDGE and Mr. WYNN.

H.R. 6133: Mr. BOUCHER.

H.R. 6147: Mr. HINOJOSA, Mr. McNULTY, Mr. MARSHALL, Mr. ROTHMAN, Mr. GORDON, and Mr. BOUCHER.

H.R. 6155: Mr. BISHOP of Utah, Mr. MARCHANT, and Mr. BURTON of Indiana.

H.R. 6175: Mr. KENNEDY of Rhode Island and Mr. CUMMINGS.

H.R. 6178: Mr. LYNCH.

H.R. 6184: Ms. JACKSON-LEE of Texas.

H.R. 6187: Ms. SCHAKOWSKY, Mrs. DAVIS of California, and Mr. ROTHMAN.

H.R. 6191: Mr. GEORGE MILLER of California.

H.R. 6210: Mr. SIMMONS.

H.R. 6212: Mr. TOWNS.

H.R. 6215: Mr. PAYNE.

H.R. 6227: Mr. FRANK of Massachusetts.

H.R. 6235: Mr. FRANK of Massachusetts.

H.R. 6242: Mr. SHUSTER.

H.J. Res. 96: Mr. BOUCHER and Mr. MCHENRY.

H. Con. Res. 340: Mr. TIBERI and Mr. FRANKS of Arizona.

H. Con. Res. 343: Mr. TOWNS.

H. Res. 548: Mr. RAMSTAD.

H. Res. 759: Mr. TOM DAVIS of Virginia, Ms. JACKSON-LEE of Texas, and Mr. GARRETT of New Jersey.

H. Res. 822: Mr. LEACH.

H. Res. 964: Mr. SHAYS, Mr. STUPAK, and Mrs. MALONEY.

H. Res. 977: Mr. PETERSON of Minnesota.

H. Res. 993: Mr. INGLIS of South Carolina, Mr. EHLERS, Mr. HONDA, Mr. SMITH of Texas, and Ms. JACKSON-LEE of Texas.

H. Res. 1051: Mr. TOWNS.

H. Res. 1063: Mr. McNULTY, Mr. HOLT, Ms. JACKSON-LEE of Texas, Mr. McDERMOTT, Mr. BISHOP of New York, Mr. CONYERS, and Mrs. MALONEY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1696: Mr. KUHLMANN of New York.



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No. 127

Senate

The Senate met at 2 p.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

PRAYER

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

Let us pray.

Eternal spirit, who has made and preserved us as a Nation, You are the same yesterday, today, and forever. In these changing times, help us to fix our gaze on You, the changeless one. Remind us that You are the one who places leaders in positions of power and responsibility, and that to whom much is given, much is required.

As this Nation gathers itself for the challenging work ahead, give us Your wisdom. Let that wisdom guide the Members of the U.S. Senate to accomplish the most good for the most people. Remove from the lives of our lawmakers obstructions that prevent them from doing Your will. We pray in Your sovereign name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 13, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SUNUNU thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. FRIST. Mr. President, I have a few announcements and then the Democratic leader may want to respond to those and then I will have a brief statement. I know he has a statement following that.

Today we return to begin the process of finishing our work for the 109th Congress. This afternoon we will begin consideration of the Military Construction and Veterans Affairs appropriations bill. Senator HUTCHISON will be here around 3 o'clock today to begin consideration of that bill with opening statements. Although we do not have any rollcall votes today, I hope the chairman and ranking member will work together to reach an agreement for com-

pletion of that bill during tomorrow's session.

Over the course of the next several days, we have orientation events for Senators-elect for the 110th Congress. We will be welcoming them a little bit later tonight at a dinner that formally kicks off that orientation meeting. We will also have our leadership elections this week and policy luncheons as well. Those will be on Tuesday and Wednesday. The Democratic elections will occur Tuesday morning, followed by their Democratic policy luncheon, and on this side of the aisle we will proceed with our elections on Wednesday morning, with our policy luncheon to follow that afternoon. Given this schedule, our first vote will likely occur sometime Tuesday—late Tuesday afternoon. We do hope to finish the military construction bill on Tuesday afternoon.

This week we will also consider a short-term continuing resolution. The current CR expires on Friday, and we need to pass a further resolution as soon as we possibly can. I have talked to the Democratic leader about this and we hope we will act on this quickly.

This week we will also work toward agreements and passage of the Vietnam normal trade relations legislation and the U.S.-India nuclear agreement, as well as other appropriations measures that can be considered. We will keep Members apprised as we schedule these and other matters as we move through the week.

Mr. REID. Mr. President, the majority leader and I have had a number of conversations and we think this should be a productive week. There will naturally be a number of interruptions, but we have our minds on completing the appropriations bill and finishing the very important nuclear agreement with the largest democracy in the world: India. We want to do it now for

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



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a number of reasons, not the least of which is the President is leaving in the next few days for Vietnam and we want to see if that can be completed with a minimum amount of debate and amendments. We are confident and hopeful that can be done.

RECENT ELECTIONS AND LOOKING AHEAD

Mr. FRIST. Mr. President, I want to take a moment to comment on the recent elections and then a very brief look ahead. First, let me remind my colleagues in every year that we have waged war, our troops have fought to uphold certain ideals: the ideals of democracy, of liberty, and of freedom. They are those very same principles upon which this Nation was founded in 1776 and they are the principles we strive to live by today in 2006. We saw that play out in last week's election, a natural manifestation of those ideals. We saw democracy at work, an opportunity for the American people to speak, to influence Government. So while I, of course, was disappointed in the outcome, we are not discouraged, and people come back today not discouraged because, as I have said, this election was democracy at work.

Change can be tough. Change opens the door, however, to new opportunity, and with that new opportunity comes new hopes. The American people have spoken and now is the time for us to move forward together. That is a very powerful message from the American people: Move forward and move forward together.

For a number of my colleagues—and I think of this as I mention the orientation program that begins for our new colleagues for the next Congress—moving forward means concentrating in part on paving the way for their successors. For them, it is a time of transition. The next few weeks, the last of the 109th Congress, will be my final weeks serving as a Senator, but as most everyone knows, I self-limited my time as a Senator 12 years ago, so I have known every day—every day for the last 12 years—that I would be departing this body next month, and it did help me to keep focused. It kept me grounded in the fact that those of us serving here only occupy our positions of service and that we don't own those positions. As Senate majority leader, my job is to focus on finishing the business of the 109th Congress, and that is where I will be concentrating my efforts.

As I look back on this Congress, the Republican majority has accomplished many things of which I am very proud. We submitted the tax cuts for every American which have helped to create 6 million jobs in the last 3 years. We have waged a bold war on terror, which has prevented every potential terror attack on our soil right here in this country over the past 5 years. We have given seniors prescription drug coverage through Medicare for the first

time, affordable prescription drug coverage. We confirmed outstanding judicial nominees, including two Supreme Court justices. We passed a forward-looking energy bill. We strengthened our commitment to fighting HIV/AIDS here at home and around the world. We have eliminated frivolous class action lawsuits. And we did all of this in one of the most challenging partisan political environments ever.

But as we move forward—and that really does officially begin today—we begin with finishing the business of the 109th Congress, and we must work together to overcome that partisanship we have seen in the past, that crippling partisanship that has plagued us in the recent past. America wants results and America wants solutions, and it is with that focus we enter the waning days of the 109th Congress. We must return to an era of working together in a civil, bipartisan fashion. It is my hope both parties, Republicans and Democrats, will work toward governing together to produce those solutions, to produce those tangible results for the American people. That begins here, and it begins now.

This week the Senate agenda will focus, as we mentioned earlier, on completing the remaining appropriations bills, and in the days and in the weeks ahead, we will consider the nomination of Bob Gates as Secretary of Defense and, as we just stated, the Vietnam trade legislation and the U.S.-India civilian nuclear technology bill. Each of us has many ideas to contribute to the discourse and I know we will continue to do that. We must build on our successes, the successes that make America the best place—the best place—to raise a family, the best place to start a business, and the best place to get and keep a job. Now is the time for us to get back to work.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

MOVING FORWARD

Mr. REID. Mr. President, the elections are over. It is time for us to move forward. It is time to move forward and, in working together, begin the process of moving our great country forward.

Last week the American people spoke for change. In the months ahead, Senate Democrats will fight for change. We are going to focus on three priorities, including bipartisanship. We have to work together. We can't accomplish anything as Democrats standing alone. As has been shown, the Republicans couldn't accomplish anything standing alone. We need to work together to pass legislation on a bipartisan basis and send it to the White House. We must have open government—a new word: “transparency”—and we have to

have results. Bipartisanship is great. But if people don't see what we are doing and there are no results, it is not as it should be.

We have a lot of challenges: health care, energy, the economy, including these deficits we have; Iraq. We need to restore checks and balances. Last Wednesday or Thursday I met a lot of press people in the audience and I said to each of them: I will bet most of you here have never watched a congressional conference in session, a conference committee meeting. It is true. We haven't had one. That is what we used to do here. We used to have them for a couple of hundred years, and for a couple of decades I was involved in them. But during the last at least 6 years, we haven't had any—a conference where we have a House bill and a Senate bill and we have an open meeting, and Republicans make suggestions on how the bill could be made better, and Democrats make suggestions, and there is a vote taken publicly. We haven't done that, and that is not good. We need to do that. That is what I am talking about, open government, these checks and balances our Founding Fathers set forth in that document we call the Constitution, three separate, equal branches of government.

I commend the distinguished majority leader. We worked together here in the Senate to come up with the most significant lobbying and ethics reform in a quarter of a century—since Watergate, actually. We passed that. We passed it on a bipartisan basis. We included not only lobby and ethics reform; we had, as a result of a number of Senators led by DIANE FEINSTEIN, a provision in there dealing with earmarks, to make earmarks more transparent. The bill we passed out of here slowed the revolving door between government employees and lobbyists and eliminated gifts paid for by lobbyists and substantially expanded disclosure by lobbyists. It limited privately funded travel in many instances, and required more disclosure. It stopped dead-of-the-night legislating regarding open meetings. We did this. We should all feel good about what we accomplished in this regard. But, sadly, it went to the House and that was the end of it. So I would hope before the distinguished majority leader ends his career as a Senator, which has been a markedly significant career, that we can do that. It should be the law of the land, and hopefully it will be in the next couple months.

Finally, this Senate and we Democrats will do our very best to focus our energies on the challenges facing our country and take concrete steps to protect our country and help working families get ahead. For too long families have struggled with high health care costs while the big drug companies haven't struggled. I am glad they have not had to struggle, but I think we need to have a more even playing field—especially with insurance companies. For too long, ranchers in Nevada

and farmers all across this country have struggled to fill their tanks with gas and to have enough money in their bank accounts to do that which they need to do. But they have seen these big oil companies get the tax breaks that I personally do not think they deserve. I don't think the American people believe they deserve them either.

For too long, all Americans have worried about the direction of the war in Iraq only to see Congress refuse to have a real debate on the issues. On a personal basis, I have encouraged the President to listen to what the Baker-Hamilton working group has to say, and I know he will do that. I think it is important that he is willing to meet with those people. They are a tremendous group of very patriotic Americans with significant experience. On the Democratic side, as an example, you have the former Secretary of Defense and former Presidential Chief of Staff. They are good people, Democrats and Republicans, who are going to be talking to the President. If we are going to have a new direction in Iraq, the President must listen to new ideas. This is a step in the right direction.

That is why last week I asked the President to convene a bipartisan congressional leadership group and invite other people, too, if he wants, of course. It is his meeting. But if he wants, to have Secretary Baker, Congressman Hamilton, members of the military. I think if we spent a couple of days doing this—however long the President sees fit—I think it would be helpful to have if he heard what we had to say. If we are going to have a new direction in Iraq, the President must listen to new ideas. That is why I felt comfortable in suggesting this to the President.

We Democrats have some very concrete ideas as to what we think should happen. First of all, again on a bipartisan basis, with 79 votes on the Defense Authorization bill for the previous year, Democrats and Republicans joined together to put a provision in that bill that said the year 2006 will be a year of significant transition in Iraq. The year 2006 is coming to an end. We need to implement that law.

We, as Democrats, also offered an amendment that received 40 votes called the Reed-Levin or Levin-Reed amendment, however you want to look at it, to begin a change of course, to set a framework to change course. For example, in that legislation, we called for responsibly redeploying our troops to transform the mission to training, counterterrorism, logistics, force protection. Does this mean pulling all the troops out now? Of course it doesn't. But it does say we must start redeploying troops as soon as possible.

Second, the sectarian differences must be reconciled. They are plaguing the country. We have had in the last 2 days, just that we know of, almost 200 Iraqis killed, 3 American soldiers, 4 British soldiers. We must push for changes to the Iraqi Constitution and power and resource sharing.

I believe it is time for our President to call for a regional conference that he participants in. I spoke to the King of Jordan today. He thought it was a good idea to have the President call for a meeting of the leaders of Egypt, Saudi Arabia, Jordan—even Syria. It is a regional problem. Let's talk about this regionally. It is more their problem than our problem. They have more to lose or win than we do. So I think a regional conference would be very important to regionalize our strategy.

We must revitalize the failed construction efforts. It was stunning to see in the weekend news how much less oil is being produced there in Iraq than before the war. It was stunning to see how little potable water is being produced there than before the war. And to see that the electricity in Baghdad—as an example, prior to the war it was 16 hours a day, and now it is down to less than 4 hours a day. We have to revitalize our failed reconstruction efforts.

Finally, we have to rebuild our military. We do not have a single undeployed Army unit that is battle ready. Everything is in need of repair or replacement—replenishment. The Pentagon has told us it will cost \$75 billion to bring the military up to what it was before the war. We want to work and see if we can accomplish that. Those are our suggestions.

From Iraq to the economy, there is much to do in the next few weeks and then at the beginning of the new year and a new Congress—so much to do. We must take advantage of the next few weeks and get as much done as we can.

There are 55 Republicans, there are 45 Democrats, we understand that—for the next 60 days. After that, it is going to be a very slim majority that we have, but it is one that we believe will open the door for bipartisanship. I hope, for the good of the American people, we can continue to look forward—not dwell on the past but look forward.

I hope very much we can get our so-called tax extenders done. The reason these are important to do is they are critical tax relief for American families and businesses that will expire if we don't do something—a deduction for college tuition, deduction for State and local sales taxes. The manager of the bill on military construction is Kay Bailey Hutchison from Texas. This has been her issue because the large State of Texas is losing those families' tax deductions, deductions for out-of-pocket expenses incurred by teachers and for businesses, the research and development tax credit, the work opportunity tax credits and Welfare-to-Work tax credits. These things are extremely important. Unless we act to extend this relief in the next few weeks, families will be facing a tax increase next year. That is not acceptable and we need to act.

It is a new day in the Senate. Let's work together and move America forward. I offer my hand to my friends on the other side of the aisle. I have

reached out to my friend, Senator FRIST. We are going to do everything we can to have the country know we are doing good things in the next few weeks. And I reached out to my friend, MITCH MCCONNELL, who I understand will be the next Republican leader, to work together on the issues of the next Congress as we have on many issues in the past.

I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

BIPARTISANSHIP

Mr. SALAZAR. Mr. President, I thank both the majority leader and minority leader for their comments this afternoon and for setting forth the tone of moving forward in a spirit of bipartisanship on behalf of our country. I want to quickly make four points.

It is going to be very important for us in the weeks ahead, and in the new Congress, that we do find the seeds of bipartisanship which we have found in the past in many of the efforts that have gone on in this body. For me, during my first 2 years as a Senator, one of the things I will always remember as one of the best times of the Senate is when we came together with the Gang of 14, with 7 Republicans and 7 Democrats, to make sure that this Senate was able to get beyond the very difficult issue that it faced. I hope we find more and more of those opportunities as we move forward on the great issues of our time, including Iraq, energy, health care, and the rest of the issues with which we must deal as a country.

I will say this as well. In the days ahead, we will hear many things about some of our colleagues, some of whom are newcomers to our institution, the U.S. Senate, and some of them who are leaving. For me, it is a sad day that Senator CHAFEE and Senator DEWINE, who were members of the Gang of 14, will not be around to be a part of that future bipartisan coalition that we are going to have to have in the Senate. But I hope, on the side of both the Democrats and the Republicans, that there is a great number of Members of the Senate on both sides of the aisle who will come together to address those significant issues that face us as a country.

As I spent my time in Colorado for most of the last month and traveled around the State, most of the people in my State were making one statement to us as a Congress and that was to get about the people's business. They want us to do the work that they so fervently want to be accomplished for this country. I believe in my State—which I believe is reflective of what is happening around the country—they want

us to set a new direction and to be successful in our undertaking in Iraq. I join the minority leader, Senator REID, in his comments about how we ought to move forward in trying to create a bipartisan approach to achieving success in Iraq.

As I traveled around my State, and as I traveled around the country as well, I think the issue of energy independence has become an issue on which people very much want us to get beyond the rhetoric they have heard for the last 30 years. The Energy Policy Act of 2005 was one of the few bipartisan efforts that ultimately succeeded in this Congress. I hope, as we move ahead on the issue of energy, we will find ways of embracing conservation, embracing renewable energy, embracing the new technologies of today so we can in fact get our hands on energy independence, which is so critical. It is critical for our Nation from the point of view of the national security of the United States of America and the world. It is critical for our Nation in terms of our economic security, and it is critical for our Nation in terms of the environmental security which is also at stake on the issue of energy. Finally, it is critical to our country as to how we provide new opportunities for rural America as we grow our way to energy independence in this country.

Finally, I would like to make a comment on an issue which I believe continues to break the backs of the American people and bankrupt American businesses today and that is the issue of health care and the costs of health care, which have risen astronomically. We have left almost 50 million people of our country without health insurance, 77,000 in my State of Colorado alone.

I hope this institution, the Senate, working with the House of Representatives, can deliver real results for the people of the United States of America in the weeks and years ahead.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mrs. HUTCHISON. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5385, the Military Construction and Veterans Affairs and related agencies appropriations bill for 2007. I further ask consent that the committee-reported substitute be agreed to as original text for the pur-

pose of further amendment, with no points of order waived by virtue of this agreement.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5385) making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSIONS OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$2,172,622,000, to remain available until September 30, 2011: Provided, That of this amount, not to exceed \$199,540,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Army" under Public Law 109-114, \$43,348,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Army" under Public Law 109-13, \$125,800,000 are hereby rescinded: Provided further, That of the amount provided under this heading, \$34,800,000 is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109-234.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

(INCLUDING RESCISSIONS OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,238,065,000, to remain available until September 30, 2011: Provided, That of this amount, not to exceed \$71,626,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both

Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Navy and Marine Corps" under Public Law 108-132, \$30,000,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Navy and Marine Corps" under Public Law 108-324, \$8,000,000 are hereby rescinded.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSIONS OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,214,885,000, to remain available until September 30, 2011: Provided, That of this amount, not to exceed \$71,381,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law 108-324, \$2,694,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law 109-114, \$19,816,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law 109-13, \$10,800,000 are hereby rescinded.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING RESCISSIONS AND TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$1,162,281,000, to remain available until September 30, 2011: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed \$172,150,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 108-132, \$9,000,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 108-324, \$43,000,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 109-114, \$72,065,000 are hereby rescinded: Provided further, That of the amount provided under this heading, \$100,886,000 is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109-234.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

(INCLUDING RESCISSION OF FUNDS)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefore, as

authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts; \$539,804,000, to remain available until September 30, 2011: Provided, That of the funds appropriated for Military Construction, Army National Guard" under Public Law 109-114, \$2,129,000 are hereby rescinded.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition; expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefore, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$252,834,000, to remain available until September 30, 2011.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$191,450,000, to remain available until September 30, 2011.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$48,408,000, to remain available until September 30, 2011.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$44,936,000, to remain available until September 30, 2011.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$205,985,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$578,791,000, to remain available until September 30, 2011.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$675,617,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$305,071,000, to remain available until September 30, 2011.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$498,525,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE (INCLUDING RESCISSIONS OF FUNDS)

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$1,182,138,000, to remain available until September 30, 2011: Provided, That of the funds appropriated for "Family Housing Construction, Air Force" under Public Law 108-324, \$23,400,000 are hereby rescinded: Provided further, That of the funds appropriated for "Family Housing Construction, Air Force" under Public Law 109-114, \$42,800,000 are hereby rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and authorized by law, insurance premiums, as \$755,071,000.

FAMILY HOUSING CONSTRUCTION, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$8,808,000, to remain available until September 30, 2011.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$48,506,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$2,500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stock-pile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$140,993,000, to remain available until September 30, 2011, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$191,220,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$5,237,100,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea if that country has not increased its defense spending by at least 3 percent in calendar year 2005, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of

Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$750,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(INCLUDING TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 118. (a) Not later than December 1, 2006, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Appropriations of both Houses of Congress a report on actions taken by the Department of Defense and the Department of State during the previous fiscal year to encourage host countries to assume a greater share of the common defense burden of such countries and the United States.

(b) The report under subsection (a) shall include a description of—

(1) attempts to secure cash and in-kind contributions from host countries for military construction projects;

(2) attempts to achieve economic incentives offered by host countries to encourage private investment for the benefit of the United States Armed Forces;

(3) attempts to recover funds due to be paid to the United States by host countries for assets deeded or otherwise imparted to host countries upon the cessation of United States operations at military installations;

(4) the amount spent by host countries on defense, in dollars and in terms of the percent of gross domestic product (GDP) of the host country; and

(5) for host countries that are members of the North Atlantic Treaty Organization (NATO), the amount contributed to NATO by host countries, in dollars and in terms of the percent of the total NATO budget.

(c) In this section, the term "host country" means other member countries of NATO, Japan, South Korea, and United States allies bordering the Arabian Sea.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to

the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 121. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. In addition to any other transfer authority to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 123. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with envi-

ronmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year: Provided further, That nothing in this section precludes the Secretary of a military department, after notifying the congressional defense committees and waiting 21 days, from using funds derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, for the maintenance or repair of general and flag officer quarters at the military service academy under the jurisdiction of that Secretary: Provided further, That each Secretary of a military department shall provide an annual report by February 15 to the congressional defense committees on the amount of funds that were derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, in the previous year and were obligated for the construction, improvement, repair, or maintenance of any military facility or infrastructure.

SEC. 124. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 125. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS PROGRAMS

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38

U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), \$38,007,095,000, to remain available until expended: Provided, That not to exceed \$28,112,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses" and "Medical services" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), \$3,262,006,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapter 19; 70 Stat. 887; 72 Stat. 487, \$49,850,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2007, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$153,185,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$53,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$4,242,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$305,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$615,000: Provided, That no new loans in excess of \$30,000,000 may be made in fiscal year 2007.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by subchapter VI of chapter 37 of title 38, United States Code, not to exceed \$750,000 of the amounts appropriated by this Act for "General operating expenses" and "Medical services" may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment and salaries and expenses of healthcare employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; and for necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); \$28,689,000,000, plus reimbursements: Provided, That of the funds made available under this heading) not to exceed \$1,350,000,000 shall be available until September 30, 2008: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry and food services, \$3,569,000,000, plus reimbursements, of which \$250,000,000 shall be available until September 30, 2008.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, to remain available until September 30, 2008, \$412,000,000, plus reimbursements, of which not less than \$15,000,000 shall be used for Gulf War Illness research.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemetery expenses as authorized by law; purchase of one passenger motor vehicle for use in cemetery operations; and hire of passenger motor vehicles, \$160,733,000, of which not to exceed \$8,037,000 shall be available until September 30, 2008.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, \$1,467,764,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That the Veterans Benefits Administration shall be funded at not less than \$1,167,859,000: Provided further, That of the funds made available under this heading, not to exceed \$75,000,000 shall be available for obligation until September 30, 2008: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978, \$70,599,000, of which \$3,474,950 shall remain available until September 30, 2008.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$429,000,000, to remain available until expended, of which \$2,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: Provided, That except for advance planning activities) including needs assessments which may or may

not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2007, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2007; and (2) by the awarding of a construction contract by September 30, 2008: Provided further, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations of both Houses of Congress any approved major construction project in which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$168,000,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131–8137 of title 38, United States Code, \$85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$32,000,000, to remain available until expended.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; including pay and associated cost for operations and maintenance associated staff; for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations au-

thorized by chapter 3109 of title 5, United States Code, \$1,255,900,000, to remain available until September 30, 2008: Provided, That none of these funds may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; (2) complies with the Department of Veterans Affairs enterprise architecture; (3) conforms with an established enterprise life cycle methodology; and (4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That within 60 days of enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming base letter which provides, by project, the costs included in this appropriation.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Sec. 201. Any appropriation for fiscal year 2007, in this Act or any other Act for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

Sec. 202. Amounts made available for fiscal year 2007, in this Act or any other Act, under the "Medical services" and "Medical facilities" accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

Sec. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefor, as authorized by sections 5901–5902 of title 5, United States Code.

Sec. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for the construction of any new hospital or home.

Sec. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under sections 7901–7904 of title 5, United States Code or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of cost is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

Sec. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2006.

Sec. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and

3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and pensions".

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2007, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the "General operating expenses" account for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2007 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2007 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed \$31,246,000 for the Office of Resolution Management and \$3,059,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to "General operating expenses" for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental is more than \$300,000 unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 7 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction,

major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of this account.

SEC. 216. Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall allow veterans eligible under existing Department of Veterans Affairs medical care requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Service or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan veterans in areas where an existing Department of Veterans Affairs facility or Veterans Affairs-contracted service is unavailable; (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with Capital Asset Realignment for Enhanced Services activities; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds available to the Department of Veterans Affairs, in this Act, or any other Act, may be used for payment for E-Gov initiatives.

SEC. 219. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 220. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Amounts made available under the "Medical services", "Medical facilities", "General operating expenses", and "National Cemetery Administration" accounts for fiscal year 2007, may be transferred to or from the "Information technology systems" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. For purposes of perfecting the funding sources of the Department of Veterans Affairs' new "Information technology systems" account, funds made available for fiscal year 2007, in this or any other Act, may be transferred from the "General operating expenses",

"National Cemetery Administration", and "Office of Inspector General" accounts to the "Medical services" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Amounts made available for the "Information technology systems" account may be transferred between projects: Provided, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 224. No funds in this Act may be deposited into the DOD/VA Health Care Sharing Incentive Fund.

SEC. 225. The authority provided by section 2011 of title 38, United States Code, shall continue in effect through September 30, 2007.

SEC. 226. REPORT ON USE OF LANDS AT WEST LOS ANGELES DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER. (a) REPORT.—The Secretary of Veterans Affairs shall submit to Congress a report on the master plan of the Department of Veterans Affairs relating to the use of Department lands at the West Los Angeles Department of Veterans Medical Center, California.

(b) REPORT ELEMENTS.—The report under subsection (a) shall set forth the following:

(1) The master plan referred to in that subsection, if such a plan currently exists.

(2) A current assessment of the master plan.

(3) Any proposal of the Department for a veterans park on the lands referred to in subsection (a), and an assessment of each such proposal.

(4) Any proposal to use a portion of those lands as dedicated green space, and an assessment of each such proposal.

(c) ALTERNATIVE REPORT ELEMENT.—If a master plan referred to in subsection (a) does not exist as of the date of enactment of this Act, the Secretary shall set forth in the report under that subsection, in lieu of the matters specified in paragraphs (1) and (2) of subsection (b), a plan for the development of a master plan for the use of the lands referred to in subsection (a) during the period beginning on the date of the enactment of this Act and ending 25 years later and during the period beginning on the date of the enactment of this Act and ending 50 years later. The master plan referred to in subsection (a) shall be completed prior to the adoption of the Capital Asset Realignment for Enhanced Services (CARES) plan for that property, or prior to the issuance of any enhanced use lease on the subject property. The CARES plan for the subject property shall be consistent with the master plan required by this section.

(d) LIMITATIONS ON IMPLEMENTATION.—

(1) IN GENERAL.—The Secretary may not implement any portion of the master plan referred to in subsection (a) until 120 days after the date of the receipt by the Committees on Appropriations of the Senate and the House of Representatives of the report required by that subsection.

(2) ACTIONS OTHER THAN DIRECT VETERANS SERVICES.—In the case of any portion of the master plan referred to in subsection (a) that does not relate exclusively to direct veterans services on the site referred to in subsection (a), the Secretary may not carry out such portion of the master plan without the approval of the Committees on Appropriations of the Senate and the House of Representatives.

(e) EXEMPTIONS.—Nothing contained in this provision shall prevent the Department of Veterans Affairs from providing maintenance, service or programs consistent with the mission of the Department.

SEC. 227. None of the funds available to the Department of Veterans Affairs, in this Act, or

any other Act, may be used to replace the current system by which the Veterans Integrated Services Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 228. The major medical facility project for a Department of Veterans Affairs Medical Center in New Orleans, Louisiana, for which funds were appropriated for the Department of Veterans Affairs for the "Construction, major projects" account in Public Law 109-234 and Public Law 109-148 shall be treated for purposes of section 8104(b) of title 38, United States Code, as a major medical facility project that has been specifically authorized by law, and the Secretary of Veterans Affairs may obligate and expend amounts so appropriated for that account for that project for the purchase of a site including property exchange for, and new construction, restoration, or replacement of, the Department of Veterans Affairs Medical Center in New Orleans, Louisiana.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$37,088,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, \$4,900,000, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251-7298 of title 38, United States Code, \$19,790,000: Provided, That \$1,260,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-29.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed \$1,000 for official reception and representation expenses, \$26,550,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$54,846,000.

ADMINISTRATIVE PROVISIONS

SEC. 301. None of the funds in this title under the heading "American Battle Monuments Commission" shall be available for the Capital Security Costs Sharing program.

(INCLUDING RESCISSION OF FUNDS)

SEC. 302. (a) For an additional amount for "United States Court of Appeals for Veterans Claims, Salaries and Expenses", \$500,000, to remain available until expended, for implementation of the Appellate Case Management Electronic Case Files System.

(b) Of the amount appropriated under the heading "United States Court of Appeals for Veterans Claims, Salaries and Expenses", in the Military Quality of Life, Military Construction, and Veterans Affairs Appropriations Act, 2006 (Public Law 109-114), \$500,000 are rescinded.

(c) This section shall take effect immediately upon enactment of this Act.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2007 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

This Act may be cited as the "Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2007".

The committee amendment in the nature of a substitute was agreed to.

Mrs. HUTCHISON. Madam President, it is my pleasure today to bring the fiscal year 2007 Military Construction, Veterans Affairs, and related agencies bill to the Senate for consideration. The bill provides \$16.26 billion for military construction, \$77.9 billion for the Department of Veterans Affairs, and \$143.5 million for the related agencies.

The bill provides the much needed resources for the Department of Veterans

Affairs to care for our brave veterans returning from Afghanistan and Iraq, as well as those who have served with honor in our past wars. We fully support our veterans and appreciate the sacrifices they made for our country, by increasing the VA's funding by \$6.45 billion from last year's enacted level to the President's request of \$77.9 billion.

This year, we are proposing to bring medical services and medical administration under one account. This merger of the two accounts will give the VA the flexibility to manage and budget all medical services operations, including hospital staff personnel, from one account for better management, organization, and efficiency. The funding for the new combined medical services account is \$28.7 billion, which is \$3.1 billion above last year's level and equal to the President's request. The funding recommendation also includes the full request of \$3.6 billion for medical facilities; \$412 million for medical and prosthetic research, which is equal to last year's level and \$13 million above the President's request; \$429 million for major construction; and \$85 million for grants for construction of State extended-care facilities.

This bill bridges a significant funding gap in fiscal year 2007 for the Department of Veterans Affairs. The administration's budget request included legislative proposals for the VA's health care system that would have instituted new enrollment fees and increased the copayments for prescription drugs, both of which would have been paid by veterans. Revenue estimate for those proposals was \$795 million. The administration assumed this revenue in the VA's budget request. The subcommittee has denied these proposals and has provided the \$795 million difference for VA health care.

The bill also contains additional resources in the areas of advanced prosthetics, recognizing that veterans returning from Operations Iraqi Freedom and Enduring Freedom are experiencing the loss of limbs due to combat injury.

The bill provides much needed funds for military construction. With the impending return of troops as a result of the current overseas rebasing effort, which our subcommittee recommended and strongly supports, BRAC, Army modularity, and the global war on terror, our service men and women are in a time of great transformation, and the funds will be provided for these accounts. It is important that they receive these facilities to enable the transformation. We are also continuing to press our NATO allies to share the burden of construction costs for NATO facilities and have been successful.

The bill provides necessary funds for the rebasing effort as well as continues the emphasis on family housing initiatives within the Department of Defense. It also provides \$1.1 billion for Guard and Reserve components which is \$215 million above the requested level. The bill includes funding total-

ing \$5.2 billion to implement the BRAC 2005 decisions. This is an increase of \$3.7 billion over last year. We do recommend a minor cut of 7 percent to this account because we found flexibility in supplies and equipment will not be needed next year because of the slow pace of BRAC implementation. I would emphasize, however, that no BRAC construction projects are affected.

Putting our bill together was certainly a bipartisan effort. Let me say now we are giving notice to Members on both sides of the aisle that we plan to come forward tomorrow about 2:15 with all of the amendments we have had requested so far, and anything a Member might want to put in this bill needs to be in our hands by close of business today, 5 o'clock. We wish to finish up the bill, deal with the amendments at 2:15 on Tuesday, and have our vote then lined up for later in the afternoon on Tuesday, in the 5 o'clock to 5:30 range. So we are giving notice, and we hope if there are any amendments we have not already been given, anyone with that kind of request will come forward.

I thank Senator FEINSTEIN, the ranking member, for her partnership. We have worked so well together throughout our time on this subcommittee. We actually have been chairman and ranking member, both of us. I have been chairman and she has been ranking member, and we have been the other way, and I think we will be the other way come January. I know it will make no difference. I know we will meet the needs of military construction. We will meet the needs of our veterans. We will do it the right way, and we will do it in agreement, because we have the same goals—that we honor our veterans with the services they deserve and that we provide for our military housing and military construction and cleanup for BRAC in the most responsible way. I couldn't ask for a better working relationship than I have with my ranking member and her staff. I look forward to the years to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, as I was standing here looking out at a woman presiding and a woman chairman, a woman ranking member. I thought, there has been progress.

I am very pleased to join my chairman in recommending the 2007 Military Construction-Veterans Affairs, and Related Agencies appropriations bill to the Senate. I thank my friend Chairman HUTCHISON for her hard work on this bill, and I especially thank the chairman of the Appropriations Committee, Senator COCHRAN, and the ranking member, Senator BYRD, for their support and help in bringing this bill to the floor.

This past weekend the Nation observed Veterans Day, the day we set aside to honor America's veterans with ceremonies across this great land.

Today the Senate takes up a bill that backs up the speeches and ceremonies with the funding necessary to provide the services our veterans were promised and that they both need and deserve. The bill before us today is a critically important funding measure for our Nation's veterans and for the Active and Reserve Forces in the military. It is a good bill.

The bill provides a total of \$94.3 billion in its three titles. The bulk of the funding, \$77.9 billion, is for the Department of Veterans Affairs. Of that amount, \$41.4 billion is mandatory spending for veterans benefit programs, such as veterans compensation and pensions, and \$36.5 billion is discretionary spending, primarily for the medical program. This means that medical service programs are funded at the level necessary to meet the needs of our veterans. Both the chairman and I believe this is so.

The funding in this bill for the Department of Veterans Affairs is equal to the President's budget request and almost \$6.5 billion—that is an increase of 9 percent—over the fiscal year 2006 enacted level. This increase is necessary due to the Iraq and Afghanistan situation.

For veterans health, the bill provides \$32.67 billion. That is an increase of 11.3 percent above the 2006 level. It includes \$3.2 billion for mental health, a \$340 million increase over last year's enacted level. And it includes \$4.3 billion, a \$228 million increase over last year's enacted level, for geriatrics and extended care to assist the Nation's aging veterans population.

For military construction, which 2 years ago was all that we did together—now we also have the veterans budget for the second year—the bill includes \$16.3 billion in funding. That is for a wide range of mission-critical facilities—barracks, daycare centers, family housing projects, both within the United States and overseas. Also included in that funding is \$5.24 billion to implement the most recent base realignment and closure round, not so fondly known as BRAC around here.

Last but not least, the bill includes \$143 million for a group of small but essential agencies, including the American Battle Monuments Commission and the Armed Forces Retirement Home. This title of the bill also funds Arlington National Cemetery, a sacred site familiar to all Americans which in many ways is the centerpiece of our homage to those who serve the Nation and our military in war and in peace.

In a year in which the Appropriations Committee has been faced with severe budget constraints, we are fortunate to be able to bring to the Senate a bill that fully funds the President's request for veterans and meets the pressing infrastructure requirements of the military. We were able to accomplish this without imposing any new fees or co-payments on veterans. Most importantly, perhaps, is we do not appear to be facing the same kind of shortfall in

funding for VA health care that the Senate was confronted with last year.

Providing affordable, accessible, first-rate health care to our Nation's veterans is a priority for this Senate and for both the chairman and myself. At a time when our Nation is at war and over 155,000 Iraq and Afghanistan war veterans are seeking VA health care services, many with grievous physical and mental wounds, veterans health care must be placed at the top of the list. Money is tight, to be sure. But like America's military forces currently fighting in Iraq and Afghanistan, the veterans who have fought in those and past wars deserve the fullest measure of our support and gratitude.

Likewise, the Nation's military forces need and deserve quality facilities in which to live and work. With the new round of BRAC and the ongoing global realignment of United States forces in Europe, Korea, and elsewhere overseas, the Defense Department's base structure is undergoing change. Tens of thousands of military personnel are returning to the United States from bases that are being closed overseas, placing great demand on domestic installations that will absorb them and their families.

At the same time, the Army is in the midst of reinventing its military structure, transforming from cumbersome divisions and brigades into more mobile and agile modular units. This modularity carries with it a new set of infrastructure requirements, and new emphasis regarding new facilities is being placed on the Nation's special operations forces, including the fielding of a new Marine Corps special operations command. All of this restructuring, of course, is going on while upwards of 170,000 United States military personnel remain fully engaged in Iraq and Afghanistan.

In all, there are many challenges facing the military construction budget. Yet when the \$5.2 billion for a new BRAC round is taken out of the equation, the amount of military construction funding requested by the President remained nearly level with last year's funding. Nevertheless, with the budget constraints we face this year, we were able to provide sufficient military construction dollars to fund the hundreds of military construction priorities both at home and abroad that have all been authorized in the Defense authorization bill.

This is a carefully balanced, bipartisan bill that is designed to meet the health and welfare needs of America's veterans and the infrastructure requirements of America's military forces with very tight budget limitations.

I again commend Chairman HUTCHISON for her work in developing this package. With the passage of this bill, we will have done our work in the Senate. I firmly believe we can work quickly to complete a conference with the House and send a good bill to the President, if the leadership gives us the

opportunity. There has been some speculation that no appropriations bills will emerge from this lameduck session and that we instead will be operating under a continuing resolution for months to come. I hope that speculation is wrong. It would be a serious disservice to our Nation's veterans and our active-duty military to relegate the programs funded under MilCon-VA to a continuing resolution in the new year. It will be at a \$6.5 billion loss to these programs to do that. I know Chairman HUTCHISON, Chairman COCHRAN, and Senator BYRD share my desire to send a conference report on this bill to the President and see it signed into law before the end of the year. I very much hope we can do so.

A great deal of work on both sides of the aisle has gone into producing this bill. I thank my colleagues for their support, and I thank my staff—Christina Evans on my immediate left, BG Wright on my far left, and Chad Schulken who is back in the staff dock—and also Senator HUTCHISON's staff—Dennis Balkham, Sean Knowles, and Rose Fabia—for the long hours and great effort they have put into this bill.

The bill is a direct result of a remarkable working relationship between Senator HUTCHISON and myself and between her staff and my staff. I thank the chairman again for this warmth and most particularly for her leadership. I am very pleased to recommend passage of this bill to the full Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Madam President, I agree with Senator FEINSTEIN's statement completely that we should pass this bill. I think it would be irresponsible, honestly, for us not to fund the priorities and the increases that are in this bill for our veterans and our military construction projects. So I will make every effort to ensure that we do have this bill go to conference, and I think we will be very close with the House on the conference items.

I do believe we can get this bill to the President. Frankly, I think there are other appropriations bills that would be in the same situation. We have new projects in many of the pieces of legislation. I cannot think of an appropriations bill that is not bipartisan. So it is my hope that we can keep the priorities and spending that we have worked very hard all of this year to produce in all of the appropriations bills, rather than rely on a continuing resolution that does not take into account the bipartisan efforts that have been made to fund the priorities of today. That is especially true in our bill because it is ongoing, defense-related items, but I think there are other bills that have the same kinds of priorities and necessities as well. So we will work together in our bipartisan way and try to make sure that happens.

I will just say once again that if any of our colleagues have amendments,

now is the time to notify us, by the close of business today, 5 o'clock. It is our hope to dispose of amendments starting at 2:15 tomorrow. I am told that votes could occur any time after 2:15, and the offices will be appropriately notified.

Let me end by saying that I, too, want to give so much credit to Senator FEINSTEIN's staff and my staff who have a great working relationship. They work the long hours and they do so much behind the scenes that makes everything come together—the amounts that we have in the budget resolution and the allocations on the Appropriations Committee and all of the different factors that go into an appropriations bill. They do a great job. I thank Senator FEINSTEIN's three staff members, and my three staff members, who were named by Senator FEINSTEIN earlier.

Mr. GREGG. Mr. President, the pending Military Construction and Veterans Affairs appropriations bill for fiscal year 2007, H.R. 5385, as reported by the Senate Committee on Appropriations provides \$89.861 billion in budget authority and \$84.956 billion in outlays in fiscal year 2007 for the Military Construction and the Department of Veterans Affairs programs. Of these totals, \$36.961 billion in budget authority and \$36.814 billion outlays are for mandatory programs in fiscal year 2007.

The bill provides total discretionary budget authority in fiscal year 2007 of \$52.900 billion. This amount is \$111 million above the President's request, at the 302(b) allocations adopted by the Senate, \$8.8 billion above fiscal year 2006 enacted levels, and \$41.8 billion below the House-passed bill.

As my colleagues know, the large difference with the House funding level is due to the difference in allocations. This is primarily due to the Defense Health Program in the Senate's Defense allocation but in the House's Military Quality of Life and Veteran's Affairs allocation.

I commend the distinguished chairman of the Appropriations Committee for bringing this legislation before the Senate, and I ask unanimous consent that a table displaying the Budget Committee scoring of the bill be printed in the RECORD.

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

H.R. 5385, 2007 MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS, SPENDING COMPARISONS—SENATE-REPORTED BILL

(Fiscal Year 2007, \$ millions)

	General Purpose	Mandatory	Total
Senate-reported bill:			
Budget authority	52,900	36,961	89,861
Outlays	48,142	36,814	84,956
Senate 302(b) allocation:			
Budget authority	52,900	36,961	89,861
Outlays	*	*	*
2006 Enacted:			
Budget authority	44,143	38,188	82,331
Outlays	41,803	38,093	79,896
President's request:			
Budget authority	52,789	36,388	89,177
Outlays	46,782	36,284	83,066

H.R. 5385, 2007 MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS, SPENDING COMPARISONS—SENATE-REPORTED BILL—Continued

(Fiscal Year 2007, \$ millions)

	General Purpose	Mandatory	Total
House-passed bill: ¹			
Budget authority	94,705	36,388	131,093
Outlays	89,448	36,284	125,732
Senate-reported bill compared to:			
Senate 302(b) allocation:			
Budget authority	0	0	0
Outlays	na	na	na
2006 Enacted:			
Budget authority	8,757	-1,227	7,530
Outlays	6,339	-1,279	5,060
President's request:			
Budget authority	111	573	684
Outlays	1,360	530	1,890
House-passed bill: ¹			
Budget authority	-41,805	573	-41,232
Outlays	-41,306	530	-40,776

* There is no outlay allocation in the Senate for 2007 appropriations bills.
¹ House and Senate bills having different jurisdictions.

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. GREGG. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 5128

Mr. AKAKA. Mr. President, I would like to call up my amendment for funding for VA oversight. I am talking about properly funding the VA Inspector General's Office. I do have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Hawaii [Mr. AKAKA], for himself and Mr. OBAMA, proposes an amendment numbered 5128.

Mr. AKAKA. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide, with an offset, an additional \$2,500,000 for the Department of Veterans Affairs for the Office of Inspector General)

At the end of title II, add the following:

SEC. _____. (a) ADDITIONAL AMOUNT FOR OFFICE OF INSPECTOR GENERAL OF DEPARTMENT OF VETERANS AFFAIRS.—The amount appropriated by this title under the heading "OFFICE OF INSPECTOR GENERAL" is hereby increased by \$2,500,000.

(b) OFFSET.—The amount appropriated by this title under the heading "CONSTRUCTION, MAJOR PROJECTS" is hereby reduced by \$2,500,000.

Mr. AKAKA. Mr. President, I want to say at the outset that I am cognizant of the constraints placed upon the Appropriations Committee and I am very pleased that funding has been included to obviate the need for the administration's proposals to charge veterans more for their care.

That said, I don't believe it is in anyone's interest—least of all veterans—to

cut funding for the VA watchdog, the inspector general.

The President's budget and this VA-MilCon bill both call for a reduction in 27 IG staff members.

Our amendment seeks to restore this cut and ensure the IG can do his job by adding \$2.5 million in resources. The money for this amendment would be drawn from the construction account and would amount to only a half of a percent of the entire account.

If this bill is enacted as is, the OIG oversight function would suffer. There would be an increased risk of criminal activity, waste, and abuse across VA programs and operations. It would result in fewer monetary benefits in a time of fiscal restraint, fewer reports with recommendations for improved economy and efficiencies, and fewer arrests, indictments, and convictions of individuals who prey on America's veterans or seek to defraud VA. The loss of staff would markedly diminish the IG's ability to address complex issues such as the recent loss of VA data and other information technology issues.

Furthermore, it would reverse the recent trend of the OIG expanding its truly independent oversight of VA's health care programs and operations and reduce OIG field presence where veterans receive care at VA facilities across the Nation.

During the recent VA data theft incident, had it not been for the diligence of investigators from the VA IG's office, it is likely it would have taken even longer for the Secretary, Congress and affected veterans to have learned of the loss.

Now is not the time to cut the IG's funding and staff. Clearly, it is more important than ever that VA has the effective internal oversight that only a robust and fully funded Inspector General's Office can provide.

The authors of the VA independent budget realize this and have written a letter to the House and Senate leadership in support of the amendment.

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

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

THE INDEPENDENT BUDGET.

Washington, DC, November 13, 2006.

Speaker of the House HASTERT,
 House Minority Leader PELOSI,
House of Representatives,
 Senate Majority Leader FRIST,
 Senate Minority Leader REID,
U.S. Senate, Washington, DC.

DEAR ____: We write on behalf of AMVETS, Disabled American Veterans, Veterans of Foreign Wars of the United States, and Paralyzed Veterans of America, joint authors of the Independent Budget, on a matter of concern dealing with the Department of Veterans Affairs (VA) Office of Inspector General (OIG).

Like most Federal agencies, VA currently is subject to a Continuing Resolution until Congress passes VA's appropriations act, which may not occur until very late this calendar year, or perhaps even later. Because the proposed fiscal year 2007 appropriation

for VA's OIG is expected to result in a significant shortfall, we understand VA is preparing to take steps to develop a plan to reduce spending in that office. We also understand that the principal strategy will be a reduction in the number of OIG employees through attrition of the existing work force.

The VA OIG budget is formulated based on 458 full-time employee equivalents (FTEE). However, that office is currently staffed at 473 FTEE. The longer that office remains above 458 FTEE, the more they will be required to reduce staffing in order to achieve the lower FTEE limitation. Given this situation, we have been advised that a number of steps are being taken or are planned, including not filling vacant positions except on a case-by-case examination of need versus alternatives.

While we sometimes disagree with findings in a particular OIG review or investigation, the OIG constitutes a major segment of VA's management system to assure accountability, and within VA serves as an independent voice on patient safety, health care quality, financial stewardship, systems and facilities management and data integrity. Reducing the OIG's ability to carry out such vital functions, even on a marginal basis as has been proposed, ultimately could put veterans in jeopardy. We understand Senator Daniel Akaka has proposed an amendment to the Fiscal Year 2007 Veterans Affairs-Military Quality of Life appropriations bill that would replenish these funds to the OIG. We strongly support Senator Akaka's proposal and urge the House and Senate Leadership to include funds associated with Senator Akaka's amendment in the final conference report on VA's appropriation for the new fiscal year. We believe this small investment will pay very large dividends for veterans who need and use VA services.

We appreciate your attention to this request.

Sincerely,

DAVID G. GREINER,
Acting National Legislative Director,
AMVETS;

CARL BLAKE,
Acting National Legislative Director, Paralyzed Veterans of America;

JOSEPH C. VIOLANTE,
National Legislative Director, Disabled American Veterans;

DENNIS CULLINAN,
National Legislative Director, Veterans of Foreign Wars of the United States.

Mr. AKAKA. Mr. President, I urge my colleagues to support this amendment. This is a small amount of money relative to the overall spending in this bill. Indeed, such a modest amount is essential to ensuring the billions included in this bill are spent wisely.

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

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

Mr. DEWINE. I ask unanimous consent to speak as in morning business.

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

HONORING OUR ARMED FORCES

LANCE CORPORAL ERIC BERNHOLTZ

Mr. DEWINE. Mr. President, I rise today to honor a brave young man from my home State of Ohio, Marine LCpl Eric Bernholtz. Lance Corporal Bernholtz was killed on August 3, 2005, when an improvised explosive device detonated under his military vehicle during combat operations south of Haditha, Iraq. He is survived by his parents, James and Catherine, his brother Adam and sister-in-law Sarah, and his long-time girlfriend Erica Scott.

Growing up in Grove City, OH, Eric enjoyed playing sports and video games with his friends. Eric loved children; his father said that even when he was in high school, little kids would knock on the door and say, "Can Eric come out and play?" He enjoyed reading and rock climbing and talked about becoming a firefighter and remodeling houses. Shortly after the attacks of September 11, Eric decided that he wanted to serve his country. He decided to do so by enlisting in the Marines in 2003.

Former neighbor Andy Unger described the 23-year-old Marine Reservist as a carefree kid who found his focus in the military. Jim, Eric's father, agreed that his son had found what he was looking for in the military, even though he knew it meant fighting in Iraq. These are Jim's words describing a conversation he had with his Eric: "When Eric told me he had joined the Marines I said, 'You know you will have to go over there.' And he told me, 'Somebody has to do this Dad.' He wanted to be one of those people."

Grove City High School guidance counselor John Hampson knew Eric well and said that he was simply the kind of person who always made others feel good. "He would always greet you," John recalls. "He was always making a point to go out of his way to say hello. He knew how to have fun, but to have fun in an appropriate manner." He remembers Eric as a jokester who liked to make everyone laugh and that he talked of being a firefighter when he ended his tour of duty.

The night before Eric's funeral, his friends shared humorous stories about their friend the prankster. They recalled how they would sneak into church to play basketball, drink chocolate milkshakes, and talk all night. In the words of his childhood friend, Brent Carman, "There was never a moment without a joke or a smile." They laughed about Eric's trademark footwear, which he called "shandals." This particular style involved Eric cutting off the toes and heels off his old gym shoes, and hence turning them into something resembling sandals. Dave Montgomery, a friend, reflected that Eric was simply the type of person who loved life.

At Eric's funeral, the Reverend Rob Paugh laughingly recalled his navigational skills. "Eric thought he had a

sense of direction" he said. He then shared a story about how Eric once managed to find a wedding in Louisiana by simply driving south—without knowing either the name of the town or the church. The minister was amazed to see him there in a suit—but no socks.

Eric was a man of tremendous dedication—dedication to his family and friends and dedication to his faith. A devoted member of the Grove City Church of the Nazarene, Eric spent much of his time and energy there. He acted in church dramas and coached church youth sports teams.

Those close to Eric said he was known for being full of life and personality, having a soft-spoken heart and a love of God. These same friends stood watch over Eric from the time the Marines brought his body to the funeral home until the morning of his burial.

And on July 19, few weeks before his death, this is what he told his mother over the phone: "I'm not afraid and you know, Mom, if something happens to me, I'm okay with Jesus. I'm fine. You're going to see me again."

Other friends have also reflected upon how important his faith was to Eric. Jerrod "Butter" Watson of Newark, OH, said:

Eric was a soldier for our country but more importantly, for God. He is guarding the gates of heaven now. We mourn the loss of such an honorable young man but rejoice that he is in a far better place and we will see him soon. May God bless the family and friends left behind. I am honored to have known such an amazing man of faith and courage. He will never be forgotten.

A fellow marine commented upon his friendship with Eric Bernholtz, also making special note of his strong faith in the Lord:

[Eric] was a solid Marine, with endless potential. I know he's in a better place now. He would never shy away from his faith and would try to convince others to believe. I remember that being one of his greatest qualities. I was always envious of his faith in the Lord. He will be greatly missed, and the Marine Corps is just a little bit weaker without him. To his parents, I couldn't have met a better man. I grieve with you, but couldn't begin to understand your pain. Be proud of Eric, he was a great person. To Eric, so long friend, I look forward to the day we meet again.

This strength in the Lord also gives Eric's parents the necessary willpower to make it through the loss of their beloved son. Jim Bernholtz said that when he and his wife learned of their Eric's death, the Lord gave them both peace right away. They miss him every day but they know exactly where Eric is. In an interview, Jim said that in twenty-some-odd years he would be shaking hands with his son again.

Eric Bernholtz was a brave young man who always wanted to do the right thing. His father said, "Eric told me when he was on the phone with me last, 'Dad, I'm not scared. I'm ready to come home, but I now have to finish what I came here to do.'"

His parents Jim and Cathy remember Eric as a "constant joy." Even when he

came home late, missing his curfew by minutes, as upset as they would try to be with him he would have them all laughing together within minutes.

At his brother's funeral, Adam Bernholtz, who is deaf, gave the eulogy in sign language. Eric was his best friend growing up and was his bridge to the hearing world. Eric grew up with sign language as much as the spoken word and fit into the deaf world as easily as the hearing. As Adam finished, he signed: "I love you. I can't wait to run and hug you when I see you again."

Eric Bernholtz will be greatly missed by all those who had the privilege of knowing and loving him. I am so honored to have been given the privilege of sharing his bravery with all of you today. Fran and I continue to pray for this courageous young man and his family.

LANCE CORPORAL CHRISTOPHER J. DYER

Mr. President, this afternoon I would also like to speak about a fellow Ohioan who gave his life during Operation Iraqi Freedom—Marine LCpl Christopher J. Dyer, from Evendale, OH. On August 3, 2005, Lance Corporal Dyer died near Haditha, Iraq, when a roadside bomb exploded under his vehicle.

Chris was only 19 years old when he gave his life in service to this Nation. But 19 years was more than enough time for him to inspire all who knew him. There are very few—young or old—who live with the same determination and joy that Chris did. Jason Rosser, one of his classmates and friends, remembers that Chris "lived every day to the fullest—if I was given 100 years more, I still couldn't catch up to him."

Winston Churchill once said something that was very simple, but which perfectly illustrates the life of Chris Dyer—"Never, never, never give up." Chris never gave up. No matter how difficult the challenge, he wasn't satisfied unless he excelled at it. In fact, Chris consistently sought out challenges that tested him both mentally and physically. Giving up simply wasn't an option in his world. He was the kind of person who sets goals—and then achieves them.

Chris graduated with honors from Princeton High School in 2004. He had excelled in his classes, taking 5 years of German and 3 of physics. "If there was a tougher course to take," his father, John, recalls, "he wanted to take it. He was such a fine young man."

Chris was well-rounded. He played viola in the orchestra and dove for the swim team. His teammates remember his drive to excel in all sports, even though he wasn't always the athlete who had the most natural ability. His father, John, remembers that Chris played football for the first time in eighth grade—and was team captain by the end of the season. And during one high school swim meet, Chris attempted a dive that fell somewhat short of what a dive should be—he belly flopped into the water with a loud smacking noise. But 5 minutes later,

Chris was bravely climbing the ladder once again—still red from the slapping of the water.

Princeton High School Principal Ray Spicher said:

Chris was a young man who had tremendous drive and tremendous potential. He was really intense about a lot of aspects of life but also fun-loving. He knew how to have a good time. Chris was the kind of guy we would all hope our kids would grow up to be like.

Chris was also involved in his community, and took the time to write to the second- and third-graders in a Sunday school class, thanking them for the letters they had sent him in Iraq—correspondence he had enjoyed sharing with his fellow marines.

I have talked about Chris the honors student and Chris the athlete. It is time for me to talk about Chris, the marine.

Chris joined the Marines out of a strong sense of duty, and because he felt it was an honor to serve. Growing up, Chris had kept his sights on his goal of one day serving his country. In high school, the advanced studies coordinator at Princeton High, Tim Dugan, was also an ex-Marine. He and Chris grew close, and had many discussions about Chris's own interest in joining the Corps.

Chris also viewed the Marines as the ultimate challenge. His father, John, recalls that his son joined the Marines for two reasons. One was to serve his country, and the other was to prove himself as one of the best. For Chris, the Marines were just another way of testing himself.

Chris also understood what it truly meant to be a marine. John remembers walking with his son just after he graduated from boot camp. These were Chris's words:

Dad, I know you're going to be worried. I don't want you to worry. I'm going to come home. I couldn't be any happier with what I am in life right now. Dad, I know this is hard for you, but if it comes to it and I have to give my life for one of my fellow Marines, I'll do it without thinking.

John says that the Marines gave Chris the focus that helped him fulfill his enormous potential. "I think, for him not to reach his dreams," John said, "would have killed him just as much as that bomb in Iraq." Upon arriving in Iraq, Chris was offered a job training Iraqis. Although this meant an immediate promotion and a job off the front lines, Chris—who was the only PFC in his company to carry a squad automatic weapon, or SAW—refused. He explained his decision in a long letter to his father, writing:

I was offered that job training Iraqis. But, Dad, I'm a SAW gunner, and you know what that firepower means to my squad, so I turned it down. So, no promotion, no safe haven, no worries.

I think Chris's letter says a lot about the type of marine he was—and about the type of marines he served with.

Chris was a member of Lima Company, which lost thirteen other men—eight of them from Ohio—on the day

Chris died. It was a tragedy felt not only by Ohio but by the entire Nation. The bond among these men was something not seen everyday. Chris' father, John, remembers that his son described them as closer than brothers. In video footage of the unit in Iraq, the musical Chris is seen strumming his guitar and singing Puff the Magic Dragon, while his Marine brothers laugh around him.

I attended Chris' funeral at Arlington Cemetery and was honored to meet his family and friends, who have been truly inspired by his strength of character and dedication to his country. Chris' little sister Sarah has also enlisted in the Marines, and is currently attending the Ohio State University on a Navy ROTC scholarship. She obtained her parents' permission to graduate from high school a year early, and was the second youngest recruit in her graduating class at Parris Island. "My brother did influence my decision in that he wanted to serve his country," she said. "He realized we have so many freedoms. We have a debt to society."

Sarah wrote the following poem in honor of her brother:

Dear Dear Brother
You have gone home,
To your Father, your Savior,
Your Kingdom is come.
Dear Dear Brother,
You fought bravely as a knight,
You are a Devil Dog with the fiercest bite.
Dear Dear Brother
We miss you so,
Your father, mother, sisters.
All your friends and Joe.
Dear Dear Brother
We will see you again,
After triumphs, and troubles, and all of our pain.
Dear dear brother,
Stay Tough on high.
We will remember you.
SEMPER FI

A bright future awaited Chris Dyer. He had been accepted into the honors program at the Ohio State University and was planning to study finance so that he could become a partner in an investment firm. In the last email he sent to his father, he asked that his coming home party include salmon, burgers, steaks, and brats. He wanted to purchase a 1999 Jeep Grand Cherokee, complete with power V-6 and a Moon roof.

Chris also wrote that he wouldn't be working during the few months he was home before beginning classes—he was going to take that time to get his pilot's license, something that had been his dream for years. In a mural painted in his memory, a plane flies across a midnight blue background towards a single star representing Chris' spirit.

Chris Dyer was a man who was always reaching for the next goal, the next accomplishment. With his life he selflessly defended the values that we all cherish—freedom, liberty, and democracy. His mother, Kathy, spoke as Chris during a memorial service in his honor. "Today I am not a fallen hero," she said. "I am a risen one."

There is no one for whom that statement could be truer than Chris Dyer.

He always wanted to be the absolute best in whatever he did, be it a new sport, an honors student, a caring brother, or a marine. His parents John can take comfort in knowing that their son was successful in all of the above.

My wife Fran and I wish to express our deepest thanks to Christopher Dyer for giving his life for our freedom. We will keep his family—his parents John Dyer and Kathy Dyer, and his sisters Laura and Sarah—in our thoughts and prayers.

LANCE CORPORAL DANIEL MCVICKER

Mr. President, this afternoon I come to the Senate floor to pay tribute to a remarkable young man and a fellow Ohioan—Marine LCpl Daniel M. McVicker from Alliance, OH. Lance Corporal McVicker was killed in the city of Al Qaim, Iraq on October 6, 2005, while driving an armored vehicle that was hit by a roadside bomb. He was 20 years old.

Daniel is survived by his father and stepmother, Mark and Irma McVicker, and his mother and stepfather, Carey and Bill Meissner. He was also the loving brother of Mollie McVicker and Eddie Ricci. Daniel is also survived by his grandparents Chet and Nancy Wiley; his grandfather Morgan McVicker; and his great-grandmother Dorothy Bingham.

Danny—as he was known to family and friends—lived his life to the fullest. His mother, Carey, remembers him as “a wonderful son and a guy who always liked to have fun.” He had many interests, and was deeply involved in school extracurricular activities. As a freshman at West Branch High School in Beloit OH, he wrestled and played football until he injured his ankle. But this didn’t stop Danny, who quickly turned to a new love—music.

He joined the school’s concert choir and became a favorite participant in West Branch’s annual spring musicals, playing roles in “Guys and Dolls,” “The Wizard of Oz,” and “Grease.” During his junior and senior year, he joined the school’s highly competitive ensemble choir, Young and Alive, and also traveled to perform at Disneyland. And during his senior year, Danny earned the honor of being elected by his peers as “Assistant Warrior Chief,” one of three mascots for the school.

Danny was something we could all aspire to—a young man who simply had the confidence to be himself. This is what his father, Mark McVicker, had to say about him:

He had his own drum and people loved him for it. If you met him, you loved him. He was very strong, very friendly, very popular.

Dr. Scott Weingart, the superintendent of West Branch High School, expressed a similar sentiment. He said:

Our students remember Dan McVicker as a student who was nice to everyone, who had friends in many, many different circles.

And Mr. John Zamarelli, Danny’s music teacher, described Danny as “the rarest of teenagers—one so secure that he never worried about what anybody thought of him.”

Danny was indeed an individual with many interests. But his strongest passion was the desire to serve our Nation. Danny and his friends were only high school juniors when the September 11, 2001, terrorist attacks occurred. And yet they were deeply moved by the events of that day. Inspired to serve his country, Danny joined the Marines Corp shortly after he graduated in 2003. Nine of his classmates joined along with him, all motivated by the same desire. Together, these young men gave new meaning to the mascot of West Branch—the Warriors.

Dr. Weingart was not surprised when he learned that Danny had decided to enlist. “He was just that kind of young man,” he said.

Once Danny made the decision to enlist in the Marines, he was surrounded by love and support. Eleven family members accompanied him to his enlistment ceremony in Cleveland. They were all very proud.

In Iraq, Danny served in the Combat Logistics Battalion Security Company, providing security for convoys as part of the II Marine Expeditionary Force. His fellow marines thought very highly of him. Joe Vickery of Mantua, Ohio, remembers that he saw Danny “transform into a great marine.” In Joe’s words, Danny “never gave up.”

Indeed, Danny was a great marine who “knew what he had to do.” While stationed at the Marine Corps Air Station in Cherry Point, NC, he volunteered to go to Iraq on several occasions. In the words of his father, Mark:

He truly felt like he wasn’t contributing unless he was over there.

This was just typical of Danny. He was always willing to help out—be it his country, community, or fellow man. He was a proud member of the First Brethren Church of North Georgetown, someone deeply rooted in his church and community. After joining the Marines, he corresponded on a regular basis with his pastor, Rev. Mitchell Funkhouser. Reverend Funkhouser particularly recalls one letter, the last that Danny sent. Referring to his duty to protect the other troops, Danny had written:

They called us the Guardians. It’s a humbling title.

I would like to share a story that his father Mark relates about Danny, who had wanted to get a tattoo since he was 18, but waited until he joined the Marines to do so. Danny had waited until after his 18th birthday to enlist because he wanted to sign up on his own—he didn’t want his dad to do it for him. Well, Danny talked over the tattoo decision with his father Mark and his stepmother Irma. A Bible verse was what he wanted, he said, thinking that because it was religious they would agree to it quicker. As his father, Mark, says:

So one Sunday the three of us sat down in the living room and researched the Bible. He said I want something that describes strength and it must be in the Book of Daniel.

Mark and Irma—but mostly Danny—agreed after a couple hours of Bible study that Daniel 10:6 was going to be his first tattoo once he was a Marine. Danny unveiled the new tattoo that Thanksgiving. It was on his left shoulder and read:

His body also was like the beryl, and his face as the appearance of lightning, and his eyes as lamps of fire, and his arms and his feet like in colour to polished brass, and the voice of his words like the voice of a multitude.

Danny was proud of the chosen verse, and Mark himself even agreed that it was a nice-looking tattoo. And 10/6—the number of the Bible verse that Danny chose—also became the month and day that he died a hero serving his Nation, a symbol of strength and dedication.

Danny McVicker was dearly loved and respected by all who knew him. Over 400 friends, neighbors, and strangers came to his funeral to pay their respects. At the funeral, Danny’s old roommate, Marine Corporal Ben Fiddler, said that “having Daniel as a friend was a blessing.”

Danny’s schoolmates at West Branch felt the same way. After his death, they honored him with a makeshift memorial in front of the school. The school has also formalized a tribute by naming a senior award in his honor, and a moment of silence was observed in his honor before a West End versus Alliance High School football game, a game which Danny’s Warriors won with a thrilling, last minute field goal.

Indeed, his family, friends, and neighbors will never forget Danny McVicker. He lived life to the fullest, and was model of what we all hope our children will become. His heart was big, and he had a tremendous sense of dedication to his family, community, and country. His parents should be applauded for having raised such a wonderful son and patriot.

My wife Fran and I will continue to keep the family of Daniel McVicker in our thoughts and prayers.

I yield the floor and 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. DEWINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. DEWINE. Mr. President, I ask unanimous consent the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

Mr. DEWINE. 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 rescinded.

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

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

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

MEDICARE ENHANCEMENTS FOR NEEDED DRUGS ACT

Mr. WYDEN. Mr. President, a new public opinion poll shows that Americans are particularly concerned about the restriction that keeps Medicare from bargaining to hold down the costs of the medicine older people purchase.

In fact, a new poll yesterday indicated 93 percent of the American people want this restriction lifted—and for obvious reasons. The fact of the matter is, millions of older people simply cannot pay their skyrocketing prescription drug bills and they want to know why the Government isn't doing more to contain these costs.

Fortunately, we have been able to make a little bit of headway on this issue in the Senate. Senator SNOWE and I, in particular, earlier this year, got the support of 54 Senators, a majority of the Senate, to lift this restriction and take stronger action to hold down the cost of medicine.

Medicare is sort of like the guy going to Costco buying toilet paper one roll at a time. The Government is not acting like a smart shopper. The Government is not taking practical steps like everyone in Tennessee, Oregon, Iowa, or anywhere else, to use bargaining power to hold down the cost of this essential for older people, prescription drugs.

We have made a bit of headway. I have been particularly pleased the distinguished Senator from Nevada, Mr. REID, made it clear this would be a top priority for the Senate to take up when we begin our work early next year.

Given that and in hopes that the Senate can come together on a bipartisan basis—and I believe the approach Senator SNOWE and I have been taking for the past 3 years can now get over 60 votes in the Senate—I take a few minutes tonight to outline a bit as to how it would work if this restriction was lifted and Medicare could genuinely act to hold down the cost of medicine.

So let's start with the example of a new drug coming out on the market for cancer, and it is an expensive drug. Let's say this drug that many seniors will need will cost \$100,000. At present, each of the plans that offers the prescription drug benefit has to negotiate for the few people in each of those plans who might need the new drug.

If the legislation Senator SNOWE and I have been advocating became law, the Secretary could negotiate on behalf of all the people in the Medicare private plans who need the drug. That way, there would be new leverage for older

people in the private marketplace to hold down the cost of medicine. If you had a small number of people in a private plan, say, in Tennessee, and a small number of people in a private plan in Oregon, and a small number of people in a private plan in Iowa, the Secretary could negotiate on behalf of all of those people in Medicare's private plans. That could mean real savings to folks in Tennessee and folks in Oregon and folks elsewhere who right now do not have a lot of leverage in the private marketplace.

Now, think about the implications of this proposal. Nobody is talking about price controls. Nobody is talking about a one-size-fits-all run-from-Washington, DC, approach that would freeze innovation.

I know the distinguished Senator from Tennessee has been particularly interested, as I have, in taking approaches that promote innovation in the science and biomedical fields. What I have just described, which is something that could be done under the approach Senator SNOWE and I have been advocating, will not freeze research, will not freeze innovation, but will make darn sure the senior citizens of this country and the taxpayers of this country have a new opportunity to hold down the cost of medicine and also protect the wallets of our taxpayers.

Let me give another example of how this approach can contain the costs of medicine. Let's say we have an older person in Portland, OR, or Miami or New York. They are in a metropolitan area, and in the metropolitan area they may have a choice of major plans because a lot of folks are vying to get a part of the "big city" market with a lot of older people. So let's say one of the seniors is in an HMO, a health maintenance organization, or they are in something called a PPO, a preferred provider organization, or maybe they are in a drug-only private plan. All of those private entities may be looking for ways to hold down the costs, but if one of those private plans does not get the same deal the other big private buyers get, then one of those plans can ask Medicare to step in at that point. In effect, one of those private plans that is not getting a fair shake in the marketplace can say to Medicare: Hey, look, we are not getting a very good deal when it comes to negotiating for our seniors. At that point, Medicare could step in and say: We are going to assist in that kind of bargaining process.

I happen to think just the fact Medicare is in a position to have that leverage—if the private marketplace is not willing to bargain seriously, is not willing to negotiate seriously—just the fact there would be that kind of leverage for Medicare can help to be a force to contain the cost of medicine for older people.

So here again I have cited an example of how you can hold down the cost of medicine without price controls,

without national formularies and approaches that could constrain innovation, just by using plain old common sense and bargaining power, the way every business does in North Carolina, Tennessee, and across the country.

Now, finally, it seems to me we ought to be thinking about the fact that with many older people, they will have a private retirement package as well. So a lot of those seniors are concerned about their overall health care bill, knowing they are going to get some help from Medicare and some help from a private health package as well. But if you hold down the costs of the Medicare plan, then you are going to have more money in the pockets of older people as they try to cope with their extra out-of-pocket costs.

So when the Medicare plans save seniors money on medicine, that is simply less cost the retiree plan has to make up. Seniors are going to be looking at their overall bill, and they want to know that every step possible is being taken to hold down their Medicare expenses, as Senator SNOWE and I have been advocating for the last 3 years, because if that is done, there is simply less cost for the retiree plan to make up.

Containing the costs on the Medicare side has the potential to help keep costs down for employers insuring their retirees. So if you do that, you are also going to provide some relief to the taxpayers of this country because included in the original Medicare bill are a lot of subsidies designed to help employers keep insuring their retirees so a lot of older people do not just get pushed back entirely into Medicare when their employers ought to be helping them. By containing drug costs through Medicare and containing some of the costs for those employers, then the need for taxpayer dollars to shore up those employer plans goes down.

What is the bottom line? We are going to be able to help seniors not through a Government cost-containment approach but by empowering those who are supposed to advocate for them in the private marketplace. That is what 54 Members of the U.S. Senate have voted for. It is a comprehensive, market-based, cost-containment approach. It will help older people in the marketplace if they are part of a small plan. And the Secretary is in a position to negotiate on behalf of all of those in those small plans, say, for an expensive cancer drug. It could help the older person in a big city where some plans are getting a good deal but one senior is not. At that point, the senior wants somebody to make sure there is some extra clout in the marketplace.

Finally, I think what Senator SNOWE and I have been advocating over these last 3 years will help employers and taxpayers as well. If you hold down the costs on the Medicare side, that is going to mean the employers—the employers—of this country are not going to have to come up with as much

money on their side to protect their retirees. Containing costs on the Medicare side clearly has the potential to keep costs down for employers insuring their retirees.

So now, as the Senate begins to schedule for early next year and Senators look at the variety of issues that are coming up, I hope they will look in particular at this concept which has won the support of 93 percent of the American people. I think most Americans just scratch their heads and say: How in the world could the Government say the only people in the United States—the only people in the United States—who will not bargain to hold down the costs of medicine are those running Medicare?

If you are in North Carolina and you are in the technology sector or you are in Oregon in the natural resources sector, the first thing you try to do is use your bargaining power and get the most for your dollar. You act as a smart shopper. And people have been flabbergasted that Medicare is the only “person” out there shopping without using every bit of clout that would be available to older people in the marketplace.

That is why this evening I wanted to take a few minutes to outline specifically how the changes Senator SNOWE and I have been advocating for the last few years would work. They are common sense. They use the marketplace to protect the wallets of senior citizens and our taxpayers. I am particularly pleased Senator REID has indicated this would be a high priority. Fifty-four Members of the U.S. Senate have already voted for it. I hope next year—as people begin to understand, with the examples I have given tonight and others, how this would work—my hope is early next year a significant step will be taken finally to hold down the costs of the medicines that are essential for this country’s older population.

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

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

The legislative clerk proceeded to call the roll.

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

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

EDWARD MCGAFFIGAN, JR.

Mr. BINGAMAN. Mr. President, the Nuclear Regulatory Commission was established on January 19, 1975, to regulate the Nation’s civilian nuclear power industry. Since then, 25 men and three women have served as members of that commission. Members are appointed by the President by and with the advice and consent of the Senate for 5-year terms. On November 3, Commissioner Ed McGaffigan, Jr. became the longest serving member of the NRC. Of the 28 men and women who have served as commissioners since

1975, only 6 have been reappointed to a second term. Only one, Ed McGaffigan, has been reappointed to a third term. First appointed by President Clinton in 1996, Ed was reappointed to a second term in 2000, and reappointed by President Bush to a third term in 2005.

The Senate rarely confirms NRC nominations before the date set by law for the term to begin, so none of the six commissioners who have served 2-year terms have served a full 10 years. Until this month, the longest serving NRC commissioner was Kenneth Rogers, who served a week short of 9 years and 11 months. On November 3 of this year, Ed McGaffigan broke that record.

Length of time in office, of course, is not an end in itself. How long a commissioner serves is not as important as how well he or she serves the public interest while on the commission. By this measure, too, Ed McGaffigan stands out.

Congress created the Nuclear Regulatory Commission not to promote nuclear power but to regulate nuclear power. The commission’s job, in the words of the Atomic Energy Act, is to “promote the common defense and security and to protect the health and safety of the public.” Ed has taken those words to heart.

Throughout his time on the commission, Ed has worked to improve the efficiency and the effectiveness of the NRC’s regulatory programs. He has been instrumental in improving the reactor oversight process, focusing it more directly on risks and on activities important to plant safety and, at the same time, making it more transparent and open to the public. Following 9/11, he helped revamp the NRC’s security and emergency preparedness programs to strengthen the Nation’s nuclear facilities against the possibility of a terrorist attack. He has helped lay the groundwork for licensing the next generation of nuclear powerplants, new uranium enrichment plants, and the nuclear waste depository. He has also taken an active role in managing the generation change confronting the NRC by helping to hire and train a new generation of nuclear regulators to replace the current generation which is now retiring. He is a firm but fair regulator and an effective nuclear safety watchdog.

I take special interest in Ed’s achievements on the commission because Ed was one of the first people I hired when I came to the Senate in 1983. He was a legislative assistant. Later he was my legislative director and, finally, my senior policy adviser. He was my right hand on defense and technology policy, on personnel and acquisition reform, on nuclear non-proliferation and export control policy, all of that until he joined the NRC in 1996.

Ed had already established himself as a brilliant physicist and a dedicated public servant before I hired him. He had earned degrees in physics from both Harvard and Cal Tech and in pub-

lic policy from Harvard’s Kennedy School of Government. He had served in the Foreign Service. He had been a science attache at our embassy in Moscow. He held simultaneous senior posts on both the staff of the National Security Council and the Office of Science and Technology Policy. He was, in short, an established expert on science and technology and energy and defense issues when he joined my staff. As a newly elected Senator, I was indeed fortunate to have his counsel at the start of my work here in the Senate. He is an invaluable ally, a tenacious adversary, and a fine human being. I am honored to have his friendship.

It comes as no surprise to me that Ed has served the commission as long or as ably as he has. He has devoted his career to public service. He has served us well with his scientific skill, his expert knowledge, and his sound judgment.

At his third confirmation hearing before the Committee on Environment and Public Works last year, Ed spoke movingly of his Irish immigrant father. He had encouraged Ed to “dream big dreams” and taught him, by acting on those dreams, to make them possible. In a lifetime of public service, Ed has dreamed big dreams and the Nation is better for it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SERVING FLORIDIANS

Mr. NELSON of Florida. Mr. President, it is a great privilege for this Senator from Florida to continue public service as a result of the will expressed in last Tuesday’s election by the people of my State of Florida. It is a great privilege for a lifetime of public service. It is especially a great privilege serving in this body at this time in our Nation’s history, with the challenges that are facing us.

I believe there are many messages that have come from the American people in this election that we have just experienced. Clearly, the issue of Iraq and the policy of the United States Government toward Iraq is one. That was discussed during the election all over this country, and it was particularly discussed as two of the main items of interest in the two televised debates that we had in the Senate election in Florida.

The other message coming out of this election, in addition to Iraq, is that the American people are tired of the partisan bickering. They have seen excessive partisanship operative in Washington. When they see that excessive partisanship overlaid with ideological

rigidity, the result is gridlock. That is what we have had, in large part. People would like for their public servants to perform by reaching out to each other across the aisle and bringing people together in order to build that consensus in order to govern. That has not been the main theme in the American Government in the last several years.

I hope that both the House of Representatives and the Senate are getting that message loudly and clearly from the American people. I can tell you, Mr. President, I know what Floridians are thinking. It is my business to know that. Interestingly, also, Florida is a microcosm of the Nation. People are tired of this bickering. Folks do not want a Republican or a Democratic solution; they want the right solution. If you do what is right, you can get a lot done. That is what the American people want.

Certainly, a thorny problem, such as how to bring about stability in Iraq, is going to require a bipartisan solution. It is going to take a great deal of cooperation between the legislative branch, the Congress, and the executive branch, the President. The statements that we have heard by the new majority leaders of both the House and the Senate, as well as the statements made by the President, are certainly statements in the right direction. Now we will see if those statements can, in fact, become a reality in deeds and accomplishments.

This Senator is dedicated to reaching out and building that consensus across the aisle, when you look at the enormous challenges that are facing this country in addition to Iraq—the whole war on terror, the defense of the homeland, the protection of our seaports; the stability of the U.S. budget, the attempt to bring the budget back into balance, an approach of pay-as-you-go; attending to the needs of our senior citizens, particularly senior citizens who have been lifted out of so much poverty as a result of these programs, such as Medicare and Social Security, and the protection of those programs and the proper financing of those programs; the need of the United States to address the needs of assisting State and local governments on education; the preparation for the big one that is surely to come in terms of natural disasters because, surely, we are going to have it—and the two Senators in the Chamber, both, are coastal Senators. A category 4 or 5 hit directly from the water on a highly dense urbanized area, and that will cause economic havoc that will be even over and above what we have seen, and the potential of insurance losses in excess of what we experienced in the 2005 and 2004 hurricanes that hit a lot of our Southeastern States.

When the economic loss and insurance loss hits \$50 billion, there is no one State, no one insurance company that can withstand that kind of loss. That is another challenge facing us. Then there is the straightening up of

FEMA and its ability to respond, and respond quickly, which I have great hopes under Administrator of FEMA Paulison that we are much better prepared than we were in the 2004 and 2005 hurricane cycles.

As we go down the list of the challenges that are facing this country—and there are many that I have not named—these cannot be solved as a Democratic or as a Republican solution; they have to be solved with the right solution; otherwise, you will never get consensus, particularly in the Senate. So this is my profound hope, and I want to express it to the Senate on this first day after the Tuesday election of November 7.

The message has been clear: Stop the partisan bickering. Reach out across the aisle. Bring people together with the enormous geographical and philosophical differences as are expressed in this Senate, reflecting the opinions of the people of the United States to reach out across these partisan lines and bring people together.

Mr. President, again, I appreciate the privilege of continuing my service to our country as I express this heartfelt opinion.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Georgia.

TRIBUTE TO DR. ROBERT LIPSON

Mr. ISAKSON. Mr. President, simultaneous with my remarks tonight at Kennesaw University Convocation Center in Cobb County, GA, there is a memorial service where thousands of my fellow citizens are paying tribute to the life, the times, and the contributions of Dr. Robert Lipson. On Saturday night, Dr. Lipson, leaving Kennestone Hospital, was killed in a tragic automobile accident with a motorcycle just two or three blocks from the health care facility to which he had dedicated the majority of his life.

Dr. Lipson was just not any ordinary doctor; he was an extraordinary human being. Dr. Lipson was president and CEO of WellStar Health Systems, the owner and operator of five hospitals in metropolitan Atlanta, in Cobb, Douglas, and Paulding Counties, the employer of hundreds of doctors and thousands of caregivers, and one of the true leaders in modern health care today in our State.

Dr. Lipson, in his time at Kennestone Hospital, did a \$68 million capital improvement with an 84-bed residential tower. He brought an open-heart surgical unit to Kennestone Hospital, and at the time of his tragic loss, Dr. Lipson's emergency room at Kennestone Hospital was the second largest emergency room in the State of Georgia and one of the largest in the United States, serving victims of tragic trauma throughout the metropolitan area.

But it wasn't only his leadership as the head of WellStar Health Systems. For 25 years prior to his appointment, he had a practice in internal medicine

in our community. He was a leader in his synagogue, Etz Chaim, and brought to that leadership tremendous involvement in our community. He was a gifted photographer. In fact, only 8 weeks ago—8 weeks before his death—his photography was displayed at Kennesaw University for all to see because of his great insight, his great talent, his credibility, and the way he had captured not only our community but all the special places in the world he visited.

So tonight on the floor of the Senate, on behalf of myself and thousands and thousands of citizens in my State, I extend to his wife, his mother, his son, and his daughter our sympathy in this tragic loss but also our pride and joy in the great contributions of Dr. Robert Lipson to the betterment of the health of countless thousands of citizens and the betterment and the health of our community.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HONORING OUR ARMED FORCES

CORPORAL LANCE M. THOMPSON

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Upland, IN. Cpl Lance M. Thompson, 21 years old, died on November 15th. Lance was killed by an improvised explosive device while conducting combat operations in the Al Anbar Province of Iraq. With his entire life before him, Lance risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

A 2001 graduate of Eastbrook High School, Lance followed in his brother Phillip's footsteps by joining the Marines. His father, Gregory, told the Kokomo Tribune that his son had been a committed member of the Armed Forces and believed in what the Marines were doing in Iraq. Reflecting on Lance's life, his half-brother, Matt, told the Marion Chronicle-Tribune that his "motto" had been "gung-ho." This selfless dedication carried Lance through his first tour of duty in Iraq and led him back again for a second tour, which began in September of this year.

Lance was the 38th Hoosier soldier to be killed while serving his country in Operation Iraqi Freedom. He was assigned to the Weapons Company, 2nd Battalion, 5th Marine, 1st Marine Division, Camp Pendleton, CA. This brave young soldier leaves behind his wife Dawn, his father Gregory, his mother Melanie, his brother, Phillip; and his half-brothers, Matt and Alexander.

Today, I join Lance's family, his friends, and the entire Upland community in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Lance, a memory that will burn brightly during these continuing days of conflict and grief.

Lance was known for his dedication to family and his love of country. According to friends and loved ones, he also enjoyed spending time outdoors, being with children and animals, and was always making jokes. Today and always, Lance will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Lance's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Lance's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Lance M. Thompson in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged and the unfortunate pain that comes with the loss of our heroes, I hope that families like Lance's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Lance.

LANCE CORPORAL JAMES BROWN

Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Owensville. James Brown, 20 years old, died on November 2 after being struck by a sniper bullet while on patrol in Al Anbar Province west of Baghdad. James risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Inspired by the Sept. 11, 2001, terrorist attacks, James joined the Marines after graduating from Gibson Southern High School in 2005 and was deployed to Iraq in June. He planned to marry his high school sweetheart, Jamie Coleman, when he returned home in a few months. Family friend

Kenny Dewig said James had been a leader in the Marines just as he had been a leader with his Titans high school football team, "He was just in charge of the whole squad on patrols. He was just a really good boy."

Jonathan was killed while serving his country in Operation Iraqi Freedom. He was assigned to the 3rd Battalion, 2nd Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, NC. This brave soldier leaves behind father James Ling of Evansville, mother Joanne Van Antwerp of Owensville, sister Carma Dart, and brother Dillen Friend.

Today, I join James's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of James, a memory that will burn brightly during these continuing days of conflict and grief.

James was known for his dedication to his family and his love of country. He was looking forward to his wedding and starting a life with Jamie. Today and always, James will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring James's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of James's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of James Brown in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged and the unfortunate pain that comes with the loss of our heroes, I hope families like James's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with James.

SERGEANT BROCK BABB

Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave Hoosier from Evansville. Brock Babb, 40 years old, died on October 15 after a roadside bombing in Al Anbar Province, Iraq.

Brock risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Brock enlisted in the Marines after graduating from Reitz High School in 1984. He served in the first Gulf war and then returned home to become a sheet metal worker and raise his family. In 2004, Brock decided to reenlist, feeling that he had unfinished business in Iraq. Brock was remembered by his mother Susie as a dedicated and caring American happy to carry out his duty, when she said that he wanted to help young marines survive.

Brock was killed while serving his country in Operation Iraqi Freedom. He was assigned to Marine Forces Reserve's 3rd Battalion, 24th Marines, 4th Marine Division. This brave soldier leaves behind wife Barbara Babb; parents Susie and Terry Babb; and children Tanner, Zoie, and Levi Babb.

Today, I join Brock's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Brock, a memory that will burn brightly during these continuing days of conflict and grief.

Brock was known for his dedication to his family and his love of country. He had only been in Iraq for 2 weeks at the time of the attack and was looking forward to helping his fellow marines. Brock's dedication and sense of duty made him a model marine and a true leader for the others serving with him. Today and always, Brock will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Brock's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Brock's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Brock Babb in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged and the unfortunate pain that comes with the loss of our heroes, I hope families like Brock's can find comfort in the words of the prophet Isaiah who said, "He

will swallow up death in victory; and the Lord God will wipe away tears from off all faces.”

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Brock.

SERGEANT KRAIG FOYTECK

Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from LaPorte. Kraig Foyteck, 26 years old, died on October 30 after being hit by small arms fire during a raid on a house near Baghdad. Kraig risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Kraig enlisted in the military at 23 in search of adventure. He had a passion for gymnastics and enjoyed parachuting. Kraig's mother spoke of his deep sense of patriotism and commitment to his country, telling a local news outlet that the night before he left for his tour she sensed second thoughts, but her son wanted to honor his commitment. In August 2005, Kraig was sent to Mosul in northern Iraq, where his mother said he patrolled with his Stryker unit and handed out candy and toys to Iraqi children. Kraig was supposed to have finished his tour in August, but the day before leaving Iraq, he was told he would be sent to Baghdad for a few months. He was due to return in January. He had hoped to reenroll in college after being discharged from the Army and planned to study medicine.

Kraig was killed while serving his country in Operation Iraqi Freedom. He was assigned to A Company, 2nd Battalion, 1st Infantry Regiment, 172nd Stryker Brigade Combat Team, Fort Wainwright, AK. This brave soldier leaves behind his mother, Connie Foyteck of LaPorte; father Rik Gutzke of Oregon; a brother, Christopher; and grandparents Virginia and Jack Foyteck.

Today, I join Kraig's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Kraig, a memory that will burn brightly during these continuing days of conflict and grief.

Kraig was known for his dedication to his family and his love of country. The Army awarded him a Purple Heart in December after he broke four bones in his back, but Kraig insisted that he return to his unit. Today and always, Kraig will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Kraig's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: “We cannot dedicate, we cannot consecrate, we

cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.” This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Kraig's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Kraig Foyteck in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Kraig's can find comfort in the words of the prophet Isaiah who said, “He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.”

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Kraig.

PRIVATE FIRST CLASS NATHAN J. FRIGO

Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Kokomo, IN. Nathan J. Frigo, 23 years old, died on October 17 in Baqubah, Iraq. Nathan risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Nathan enlisted in the Army after graduating from Northwestern High School in 2001. He is remembered as an active student and athletic leader, having lettered in both track and cross country. Nathan chose the position of infantryman and volunteered to serve a 4-year tour of duty. Nathan's father spoke of his deep sense of patriotism and commitment to his country, saying, “He knew the risks, but he wanted to go where he was needed. He wanted to help, and he wanted to make a difference with his life.”

Nathan was killed while serving his country in Operation Iraqi Freedom. He was assigned to Headquarters and Headquarters Company, 1st Battalion, 68th Armor Regiment, 4th Infantry Division, Fort Carson, CO. This brave soldier leaves behind parents Maureen and Fred Frigo and sisters Sarah and Beth.

Today, I join Nathan's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Nathan, a memory that will burn brightly during these continuing days of grief.

Nathan was known for his dedication to his family and his love of country, having aspired since he was a child to become a member of the military. The Army announced that he has been elevated to specialist and awarded a

Bronze Star and a Purple Heart. Today and always, Nathan will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to justly honor the Frigo family's sacrifice, I am reminded of President Lincoln's condolences to the mother of two fallen soldiers: “I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours, to have laid so costly a sacrifice upon the altar of Freedom.” These words of comfort withstand the tests of time and circumstance, and remind us all that the impact of Nathan's actions will live on far longer than any record of them.

It is my sad duty—and great honor—to enter the name of Nathan Frigo in the official RECORD of the U.S. Senate for his service to his country and for his profound commitment to freedom, democracy, and peace. When I think about the terrible pain that comes with the loss of our heroes, I hope that families like Nathan's can find comfort in the words of the prophet Isaiah who said, “He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.”

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Nathan.

SERGEANT 1ST CLASS SCOTT E. NISELY

Mr. GRASSLEY. Mr. President, today I rise to pay tribute to SFC Scott E. Nisely, who made the ultimate sacrifice while serving his country. Sergeant Nisely, of Marshalltown, IA, was assigned to C Company, 1st Battalion, 133rd Infantry Regiment, 34th Infantry Division, Army National Guard, based out of Iowa Falls, IA. He was mobilized for Operation Iraqi Freedom with the unit in September 2005 and arrived in Iraq in early May 2006. He died at the age of 48, on September 30, 2006, in Al Asad, Iraq, when his military vehicle encountered small arms fire.

Staff Sergeant Nisely will be posthumously awarded the Bronze Star for the second time, the Purple Heart, the Iraq Campaign Medal, the Army Good Conduct Medal, the Armed Forces Reserve Medal with Mobilization device for the second time, and the Combat Infantryman Badge.

My thoughts and prayers have been with Scott's wife Geri and his children, Justin and Sarah, as well as all those other family and friends who are grieving his loss. Scott's family said, “Scott was a dedicated and loving husband and father. He was actively involved in his children's lives. He was a loyal, compassionate, and caring friend that everyone liked. He loved and was committed to God, and was very involved with his church and community.”

Learning about the sacrifice of Scott Nisely, I am reminded of the words of

John 15:13: "Greater love has no man than this, that he lay down his life for his friends."

His family also said of Scott that he "loved his country and was a volunteer career service-member that was proud and honored to serve his country." Our Nation will be forever grateful for Scott Nisely's loyal service and sacrifice. His loss is tragic, but he will be remembered as an American hero.

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of U.S. Army National Guard SFC Scott Nisely of Nebraska. Sergeant Nisely died during a firefight with insurgents near Asad, Iraq, on September 30. He was 48 years old.

Sergeant Nisely was born in Syracuse, NE. After high school, he attended Doane College in Crete, NE, where he competed in track and cross country. He would later settle in Marshalltown, IA, with his wife Geri. In addition to his service in the Armed Forces, Sergeant Nisely also worked for the U.S. Postal Service in Iowa for 12 years.

While at Doane, Sergeant Nisely enlisted with the Marine Corps Reserve and served 22 years with the Marines on active duty and as a reservist. He was a veteran of Operation Desert Storm. In July, 2002, Sergeant Nisely accepted a demotion in rank to fill a vacancy in the Iowa Army National Guard and served in that capacity until his death.

Sergeant Nisely will be remembered for his strong faith and his desire to serve his country. In honor of Sergeant Nisely, Doane College will rename an annual track and field event the Scott Nisely Memorial Track Classic.

In addition to his wife, Sergeant Nisely is survived by his son Justin and his daughter Sarah.

I ask my colleagues to join me and all Americans in honoring SFC Scott Nisely.

A MALL MEMORIAL FOR DR. KING

Mr. LEAHY. Mr. President, this morning, our Nation took an important step toward honoring one of our most preeminent leaders. The National Mall in Washington, DC, is graced with memorials to America's greatest presidents. Today we broke ground on a memorial to honor the Reverend Dr. Martin Luther King, Jr. Although never elected to national office, Dr. King courageously led the Nation through a crucial chapter of American history and became the voice of the entire civil rights movement.

In his famous "I Have A Dream" speech on the National Mall, Dr. King noted that "[w]hen the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir."

This past summer we reaffirmed and reauthorized one of the most important methods of enforcing this promise and

upholding the Constitution—the Voting Rights Act. Over the course of dozens of Judiciary Committee hearings and markups, we recalled the great historic struggle for civil rights led by American heroes of vision and strength, including Martin Luther King, Jr., and his widow, Coretta Scott King.

The pervasive discriminatory tactics that led to the original Voting Rights Act were deeply rooted. As a Nation, this effort to ensure equal protection dates back more than 135 years to the ratification of the 15th amendment in 1870, the last of the post-Civil War Reconstruction amendments. It took the passage of the Voting Rights Act of 1965 for people of all races in many parts of our country to effectively begin exercising the rights granted 95 years earlier by the 15th amendment. Despite the additional gains we have made in enabling racial minorities to participate fully in the political life of our country, the work of the Voting Rights Act is not yet complete, and the dream of Dr. King has not yet been fully realized. But his dream lives on, as vital and as inspirational as the day it was delivered.

Just last week, we had an historic national election. Men and women of every color and creed came to polling places around the country to have their voices heard. Nonetheless, some citizens experienced problems casting their votes. The Senate Judiciary Committee will hold a long-overdue oversight hearing this week to examine shortcomings in the enforcement of our civil rights laws and the guarantees of political equality enshrined in the 14th and 15th amendments. In doing so, we continue to honor the promissory note written to all Americans.

I look forward to bringing my children and grandchildren to the Martin Luther King, Jr. Memorial when it is completed in 2008. I trust it will be a moving tribute befitting one of our Nation's greatest leaders.

NATIONAL HERITAGE AREAS ACT

Mr. LIEBERMAN. Mr. President, I rise to celebrate final passage of the National Heritage Areas of 2006. I am grateful that Congress finally has recognized the Upper Housatonic Valley in Connecticut and Massachusetts for its special contribution to the American experience. This new law designates the Upper Housatonic Valley as a National Heritage Area and authorizes \$10 million to preserve its historic and cultural assets.

Today's victory has been a long time in coming. In 2000, I sponsored legislation directing the Secretary of the Interior to conduct a study of the feasibility of establishing the Upper Housatonic Valley as a National Heritage Area. After the Interior Department completed that report, Senator DODD and I in 2003 introduced the first bill to create the Upper Housatonic National Heritage Area. Last Congress, a

bill that would have created that area and a dozen others passed the Senate but died in the House. In this Congress, we reintroduced the Senate bill, and Representative NANCY JOHNSON reintroduced its House companion. Finally, after 6 years of hard work, I can stand announce that legislation to create the Upper Housatonic National Heritage Area has passed the Senate and the House. The act now goes to the President, who is expected to sign it into law without delay.

The Upper Housatonic Valley's history is this Nation's history in microcosm—spanning Native American civilization, European settlement, the industrial revolution, and the present day. In contrast to many other areas of the country, the Upper Housatonic Valley's early historical and natural landscape remains largely intact. What is more, the area presents excellent opportunities for outdoor recreation, on waterways and greenways or trails, and a wide range of other activities for visitors or residents. For example, the section of the river below Falls Village, Connecticut is one of the Northeast's most prized fly-fishing centers.

This unique 950-square-mile region encompasses 29 towns in the Housatonic River watershed, extending 60 miles from Lanesboro, MA, to Kent, CT. The valley brims with more than 100 historically important sites—some dating back to pre-Revolutionary times—including five National Historic Landmarks and four National Natural Landmarks.

The Iron Heritage Trail celebrates the valley's distinctive role in iron production. During the Revolutionary War, cannons and rifles were forged for Gen. George Washington's Army from abundant local iron ore, and iron used in the USS *Constitution* also came from this area. More than 40 iron blast furnaces in the region fueled the Industrial Revolution.

Within Upper Housatonic Valley, the African-American Heritage Trail celebrates the region's significant contributions to our Nation's African-American history, including the abolitionist and civil rights movements. For example, the valley was home to Elizabeth "Mumbet" Freeman, a pioneer in the fight against slavery. W.E.B. Du Bois, a father of the modern civil rights movement, NAACP leader Mary White Ovington, and Frank Grant of the Negro Baseball League.

The valley has produced writers, painters, sculptors, photographers, and musicians, among them Herman Melville, Edith Wharton, Norman Rockwell, Daniel Chester French, James VanDerZee, and James Weldon Johnson. These artists have left the Nation a rich cultural inheritance. Today, the region remains a vibrant center for ongoing literary, artistic, musical, and architectural achievements.

Coordinated efforts to preserve the natural and cultural resources of this region are already well underway. The designation of the Upper Housatonic

Valley National Heritage Area supports and enhances these local efforts to interpret, preserve, and showcase the diverse historic, cultural, and natural resources of the valley.

In closing, I would like to congratulate the many dedicated advocates in Connecticut, whose dogged efforts led to today's achievement.

LONG ISLAND SOUND STEWARDSHIP ACT

Mr. LIEBERMAN. Mr. President, I rise to celebrate final passage of the Long Island Sound Stewardship Act. I am proud to have coauthored and introduced this bill in the Senate in April 2004. This body passed the bill that October, but then the bill died in the House. So we reintroduced it in the Senate last January, and Representative ROB SIMMONS reintroduced its House companion. The House passed its bill on Wednesday, and we in the Senate have just followed suit. Now the bill will go to the President, who is expected to sign it into law without delay. Today's final passage will ensure expanded protection and restoration of a national treasure.

A healthy Long Island Sound is crucial to our region's economy, quality of life, and heritage. I am deeply gratified that Congress has acted to support a new way for communities and citizens to work together to preserve this ecologically important estuary for years to come. The Long Island Sound Stewardship Act, or LISSA, will help protect the sound by providing financial incentives for land owners within the sound area to preserve the environmental quality of and public access to this endangered habitat.

Long Island Sound is a unique estuary with profound economic, ecological and cultural importance for the United States. This critical resource contributes approximately \$6 billion annually to the economy of the region, and it is especially important to the tens of millions of people who live within 50 miles of its shores.

We have come a long way in restoring the Sound and its rich biodiversity. Take, for example, the osprey—a bird that has come to symbolize the Sound. In 1940, there were approximately 1,000 osprey nests along the Sound shoreline. But by 1974, pollution reduced the number of osprey nests to just nine. Because of proactive conservation measures, the osprey has rebounded. That is real progress.

Despite our efforts, however, the sound remains in a diminished condition. It suffers from hypoxia, habitat loss, and contamination by toxic substances, pathogens, and solid waste, all of which negatively affect the health of all the organisms, including humans, who live in or near the sound.

I have been working to defend the sound since I arrived in the Senate. In 1989, I sponsored legislation that established a Long Island Sound office within the U.S. Environmental Protection

Agency. EPA's Long Island Sound Office went on to identify the sound region as vulnerable to degradation and, with my support, established the Long Island Sound Study to develop a plan for protecting the sound. In 2000, I kicked off a "Listen to the Sound" campaign, which focused on establishing a comprehensive network of open space and natural areas along the sound's rim, as well as creating more opportunities for public access and habitat restoration. More than 1,500 Connecticut and New York residents attended those meetings. In 2002, the EPA released the results of its Long Island Sound study, which concluded that coordinated action to save the sound was necessary.

Building on several of the EPA study's recommendations and on feedback from my Listen to the Sound meetings, I introduced LISSA in April 2004 with Senators DODD, SCHUMER, and CLINTON as cosponsors.

LISSA establishes a broad-based Long Island Sound Stewardship Advisory Committee comprised of all sound stakeholders, including Federal, State, local governments, tribal interests, nongovernmental organizations, academic interests, private interests including land, agriculture, and business interests, and recreational and commercial fishing interests. The advisory committee is charged with evaluating the parcels of land within the sound region and recommending crucial parcels for designation by the Environmental Protection Agency as Stewardship Sites eligible for special preservation funds. LISSA authorizes \$25 million per year for fiscal years 2007 through 2011 to the EPA Administrator to carry out this act.

By enacting this legislation, we aim to preserve the natural beauty and ecological wonder of this majestic waterway between New York and Connecticut. LISSA will ensure that our children and grandchildren can enjoy the sound's beauty, ecology, and recreational opportunities.

In closing, I wish to acknowledge the many Long Island Sound advocates in Connecticut and New York who have worked so hard to achieve today's great success.

TRIBUTE TO ALTHIA HARRIS

Mr. ROCKEFELLER. Mr. President, today I rise to honor a longtime member of my staff, Ms. Althia Harris, who has served over 30 years in the Senate. Ms. Harris has reached an incredible benchmark in her career, and I stand today to reflect on her service.

Ms. Harris began working in the Senate on April 30, 1975, for distinguished Senator Philip A. Hart of Missouri. Just a few days before the end of his term, Senator Hart lost his battle with cancer on December 26, 1976. Ms. Harris then served Senator Adlai E. Stevenson III of Illinois for 5 years. Upon Senator Stevenson's retirement, she joined the office of his successor, Senator Alan J.

Dixon. I was then lucky enough to inherit a most loyal and experienced Senate employee when Ms. Harris joined my staff in 1984.

Upon joining my team, Althia initially helped with my transition from the West Virginia Governor's office to Capitol Hill. An immeasurable and invaluable aide, I am sure without Althia's able assistance the job would have taken much longer to accomplish. I know it would have been more difficult without a seasoned Senate staffer knowledgeable in how to really make things work in the Senate.

On September 12, 1986, Althia began working part time in my office so she could take on new challenges in the private sector and other areas of government. She first worked for the Advertising Council and then for the National Aeronautics and Space Administration, NASA. At NASA, she continues to work as a contractor for the Office of Education. As an active member of her community, she has never abandoned her work here in the Senate.

With continual service in my office for over 20 years, Althia is someone who has helped keep my office operation running with important day-to-day tasks. She is a lover of urban gardening, a collector of African art, and a domestic and international traveler.

As Senators, we are each here to represent our respective States and to work on the needs of our constituents. But the work we do is directly dependent on those who support us—our staff who are always there, always pushing behind the scenes. Each and every devoted member of my staff helps me accomplish the job I am here to do, and Althia has made a real contribution to my work for over 20 years.

I am honored to recognize Althia's devotion and service and to extend my deepest appreciation for her ongoing contributions. Althia is a true gem—the kind of person you are lucky to find and retain for what time they can give. It has been a wonderful 20 years.

INTERNATIONAL EDUCATION WEEK

Mr. FEINGOLD. Mr. President, in honor of the seventh annual International Education Week, November 13 to 17, 2006, I would like to talk about the importance that international education and exchange programs play in establishing closer relations between the United States and the world.

The U.S. Government has a proud tradition of supporting international education and exchange programs, and we must continue that tradition. Why? First of all, international education is necessary for our children to remain competitive in the increasingly global economy. Second, exchange programs also attract future leaders from abroad, exposing them to the opportunities and freedoms afforded by our democratic system. Third, international education and exchange programs expand horizons and change the

lives of the participants for the better. Finally, international education builds bridges between communities and improves understanding of cultures different from our own—something that has perhaps never been as important as it is today.

International Education Week will be observed in all 50 States and in over 100 countries. I encourage my colleagues to take a moment during International Education Week to acknowledge the work the citizens of their States are doing to ensure the successful future of the United States through the promotion of international education.

In Wisconsin, schools such as Fox Valley Technical College in Appleton, Northcentral Technical College in Wausau, and the University of Wisconsin system, to name a few, will hold events recognizing the importance of international education in higher education. Community organizations will be recognizing the week as well; the International Institute of Wisconsin will be hosting a Community Summit on Citizen Diplomacy to discuss the important role citizen diplomacy—including international education—plays in today's world. I am proud that these and many other Wisconsin institutions and organizations are working to recognize the important role of international education and exchanges.

I am a strong supporter of international education and exchange programming. On April 12, 2005, I introduced S. Res. 104, the "People-to-People Engagement in World Affairs" resolution. My resolution recognized the importance of international programs and exchanges and called on Americans to strive to become more engaged in international affairs and more aware of peoples and developments outside the United States—including studying abroad. I have also cosponsored resolutions making 2005 the Year of Foreign Language Study and 2006 as the Year of Study Abroad.

I would like to take a moment to lay out in more detail the reasons international education is so important.

First and foremost, we need to be preparing our children to compete in a global economy. Because the United States is increasingly connected to foreign economies, international education and exchanges are critical for the United States workforce to remain competitive—especially to fulfill the increased need for foreign language proficiency. We cannot compete globally if we are unable to promote and sell our goods and services, and we will hinder ourselves if we do not provide opportunities for American students to learn foreign languages or about other cultures and societies.

In 2006, a University of Wisconsin—Platteville alum, triple majoring in criminal justice, Spanish, and biology, participated on a study-abroad program in Merida, Venezuela. During her studies in Merida, she was able to hone her Spanish language skills and take a specialized course in law. She now

works in Wisconsin as a correctional officer and is called upon regularly to assist with translation services. This student—like many others who study abroad—honed her foreign language proficiency through her international education experience and is directly applying the skills she obtained overseas in her employment. She is a greater asset to her employer because she can provide translation services. International education and exchange programs are crucial components for the United States and must continue to be supported in order to maintain a healthy economy.

International education advances the global economic interests of the United States and has been shown to give students an advantage over their peers in the United States who have not been exposed to international experiences. Most students realize this fact. The Department of State has noted that 88 percent of American college students believe international education will give them a competitive advantage in the workplace.

While international education and exchange programs improve America's competitiveness globally, they also attract current and future leaders from other countries to the United States. According to the Department of State, more than 565,000 international students from over 200 countries study in the United States each year—some of whom will return home to become leaders of their countries. The more they know about the United States and the more connections they have with American citizens, the better.

Emmanuel Sanon of Haiti was a recent participant in the Northcentral Technical College's CASS, Cooperative Association of States for Scholarships, program. CASS is a USAID funded scholarship program for students from countries in the Caribbean, Central America, and Mexico to study at a 2-year college in the United States with hopes of gaining technical and leadership skills in order to return home to become agents for change in their countries.

Bonnie Bissonette, director of international education at Northcentral Technical College, wrote me about Emmanuel's experience and said:

Emmanuel studied Electromechanical Technology and Leadership at Northcentral Technical College in Wausau from 2003-2005 and returned home to Haiti with high hopes for his future. Since returning home, he has had 5 contractual jobs with the U.N. in Haiti and is looking to start a tech school for the youth of his community. He has already started to provide some computer and English language training. Wisconsin has taken a lead role in educating the economically disadvantaged youth of our close neighbors to the south so that they can improve the standard of living and slow the tide of economic emigration. Fox Valley Technical College and NTC are two of only 13 community colleges in the United States that host this highly successful program.

Emmanuel's experience is only one of several success stories I could share about the useful skills exchange stu-

dents gain while studying in the United States which are later used to improve the lives of others in their home countries.

Which brings me to my next point—international education and exchange programs expand horizons and change lives by exposing the participants and programmers to new ways of thinking and living. Those who study abroad are forced to live outside of their comfort zones and as a result they learn a vast amount about themselves and other cultures. They often return home as different people with greater awareness and appreciation for others.

A University of Wisconsin—Whitewater professor wrote to me recently and said:

For about ten years now, I have been the coordinator of a student exchange between UW—Whitewater and Arnhem Business School in the Netherlands. My students change dramatically during their experience. They even 'look' different when they return. At first they are tentative and worried, and by the time they leave, they are truly citizens of the world . . . Working as a coordinator is one of the most rewarding things I do as a professor.

This example drives home the fact that in Wisconsin, and also across the United States, students who choose to engage in international education and exchange opportunities are truly changed forever.

The deeper understanding of other cultures is a two-way street and is vital to enhancing the image of the United States abroad and our national security. Citizen-to-citizen exchanges improve perceptions of the United States: a 2006 study published by the Pew Research Center found that "publics around the world continue to have a more positive opinion of the American people than they do of the United States. In seven of the 14 foreign countries surveyed, at least half of respondents have a favorable impression of Americans; in contrast, four countries give the U.S. positive marks."

Through their international experiences, exchange participants are able to demonstrate American values, listen to different viewpoints, and speak about the similarities they share with populations around the world. Increasing international understanding of America will improve the image of the United States—and an improved perception of the United States will serve to also improve our national security.

International education and exchange programs also have great potential to create beneficial relationships between communities on opposite sides of the world. These relationships can lead to increased opportunities for commerce and development for everyone.

Let me give you an example. For the first time this year, the University of Wisconsin—Green Bay was awarded a Department of State grant to take college students to Jordan to study for 2 weeks. The program, called Journey to Jordan, gave students the opportunity

to spend 6 weeks in Jordan learning Arabic, living with host families, volunteering at civil service organizations, and learning firsthand about Jordanian culture. These students returned with exposure to another language and a greater understanding of another culture.

Just as important, however, is that the program itself built a bridge between Jordan and the United States. Earlier this month, the vice president of the University of Jordan, along with members of the North American Jordanian Association, NAJA, and the American MidEast Leadership Network, traveled to the University of Wisconsin—Green Bay, at their own expense, to discuss future partnership opportunities.

These individuals chose to travel to the United States because they want to maintain a relationship with the University of Wisconsin—Green Bay. This is a wonderful connection between universities and countries that I hope will continue to grow.

I commend those who work every day to promote international education and exchange programs, but we need to work even harder to engage more Americans in international education and exchange programs. To start, we should be following the lead of those who have begun this process. The University of Wisconsin—Oshkosh has a global education certificate program that educates teachers on how to introduce global perspectives in the classroom. Wisconsin's own State superintendent, Elizabeth Burmaster, has worked to encourage K–12 schools to introduce students to global perspectives in the classroom at an earlier age.

But we can do more. I was a strong supporter of the creation of the Commission on the Abraham Lincoln Study Abroad Fellowship Program, an independent commission created in 2004 for the purpose of recommending a program to greatly expand the opportunity for students at institutions of higher education in the United States to study abroad, with special emphasis on studying in developing countries. One of my colleagues—Senator DURBIN—has taken the first step in working to implement the commission's published recommendations by introducing the Abraham Lincoln Study Abroad Act, S. 3744.

The purpose of S. 3744 is to encourage at least 1 million undergraduate students in the United States to participate in study abroad programs academic credit within 10 years, including students in technical and scientific fields of study. The program also seeks to ensure that an increasing portion of study abroad takes place in nontraditional destinations, with substantial increases in developing countries.

The bill would specifically authorize the Secretary of State to establish an Abraham Lincoln Study Abroad Program to facilitate undergraduate study abroad for academic credit through the

creation of undergraduate fellowships and grants to institutions of higher education to reform academic programs and institutional policies that inhibit participation by students in study abroad.

Senator DURBIN's bill—along with other international education and exchange legislative initiatives is an important step to one day having all American students engaged in some type of international education or exchange program, and we need to continue to take the necessary steps to provide our children every opportunity to learn about new cultures and to speak a second, or even third, language.

As we recognize and celebrate International Education Week, I call on all Americans to take a few minutes to learn something new this week about another culture, and I encourage all Americans to recognize and support international education and exchange throughout the year.

ADDITIONAL STATEMENTS

HONORING CLARENCE J. "MAC" MCCORMICK III

• Mr. BAYH. Mr. President, today I pay tribute to the life of a distinguished businessman, community leader, and friend, Mac McCormick, who passed away on October 26. Mac's dedication to the State of Indiana kept him involved in public service throughout his life, and I know that he will be greatly missed.

Mac was a good and decent man who dedicated his life to serving others. From his work in economic development to his involvement with Vincennes University, his career was filled with acts of conscientious service on behalf of friends, family members, and Hoosiers across Indiana.

Mac comes from a long line of distinguished Hoosier public servants, including his father, Jim McCormick, and his grandfather, Clarence McCormick. I have had the privilege of knowing the McCormick family for many years and have seen firsthand the difference his efforts have made in our State. The contributions Mac made through his leadership and philanthropy touched countless lives, and his dedication and good humor made him a role model for a generation of Hoosiers.

In 1981, Mac started Best Way Express, Inc., with four trucks. Through his skillful oversight it grew to the 400-truck operation it is today. Over the past quarter century, Mac has used that same tireless dedication and business savvy to serve the people of Indiana. As a board member of the Indiana Economic Development Corporation and the Indiana Chamber of Commerce, he helped ensure a bright future for the working men and women of our State, and his service to Vincennes University as a member of the board of trustees and vice president of the nonprofit

Jamac Corp. exemplified his spirit of philanthropy.

Mac is survived by father Clarence J. "Jim" McCormick; stepmother Marilyn McCormick; brothers Mike and Pat McCormick; sister Jane Wissell; sons Will, Ry and Eli McCormick; and partner Andre Neal.

A lifelong Hoosier, Mac served in leadership roles in numerous trucking trade associations, including Truck PAC, Truckload Carriers Association, and Indiana Motor Truck Association, and in July he was chosen as the Indiana Chamber of Commerce's 2006 Business Leader of the Year. He was set to assume the chairmanship of the American Trucking Association next week, where he previously had served as vice chairman. It is a rare man who can make such an impact on so many people over the course of one life. Hoosiers will miss Mac as a friend, a community leader, and a committed advocate for our state.

It is my sad duty to enter the name of Clarence J. "Mac" McCormick III in the Record of the U.S. Senate for his service to the State of Indiana.●

HONORING THE 2006 CALIFORNIA NOBEL LAUREATES

• Mrs. BOXER. Mr. President, I would like to take this opportunity to extend my most sincere congratulations to all of the 2006 Nobel laureates. These individuals have shown themselves to possess some of the world's most creative and accomplished minds, and each has made a remarkable contribution to humanity. I am extremely proud to say that California is home to three of these individuals. Their names are Roger D. Kornberg, recipient of the Nobel Prize in chemistry; Andrew Z. Fire, recipient of a share of the Nobel Prize in medicine; and George F. Smoot, recipient of a share of the Nobel Prize in physics.

Dr. Roger D. Kornberg was born into the shadow of a giant in the scientific community. Dr. Kornberg's father, Dr. Arthur Kornberg, won a share of a Nobel Prize in 1959 for his trailblazing work on DNA information transfer. Dr. Roger Kornberg's decision to follow in his father's footsteps reflects a man of clear vision and unshakable will, and it is extraordinarily inspiring to see an individual meet the high standard that was set before him.

Dr. Kornberg graduated from Harvard University in 1967 and went on to get his doctorate from Stanford in 1972. For the last 26 years, Dr. Kornberg has been a professor of structural biology at Stanford, conducting cutting-edge research while guiding his students in their exploration of nature's mysteries. Over that time he tirelessly probed the questions surrounding how information is stored in genes and transferred to other parts of a cell. This process is called transcription, and it holds a key to understanding of how cells operate.

As a result of Dr. Kornberg's efforts, we can now visually demonstrate how

information encoded in a cell's DNA blueprint is read and duplicated into what is called messenger RNA. This constitutes a significant leap forward in our knowledge of cellular mechanics and has brought us closer to identifying and rectifying the disturbances in the transcription of genetic information that is the cause of common killers like heart disease and cancer. Dr. Kornberg's work has already influenced the development of drugs and therapies for various conditions and is opening new avenues for future research.

The story of Dr. Andrew Z. Fire is equally impressive and inspirational. Although extremely modest in demeanor, Dr. Fire has demonstrated world-class intellectual ability and unquenchable drive since childhood. Having graduated high school at the age of 15, Dr. Fire attended the University of California, Berkeley, after being turned down by his other choice: Stanford. Now, at age 47, Dr. Fire has achieved the highest pinnacle of success in his field, opened up previously inaccessible areas of research with vast potential for the future of medicine, and gotten into Stanford, where he is the third Nobel laureate of the institution's proud medical school.

Dr. Fire, like Dr. Kornberg, was recognized for his years of exploration into RNA and its role in transcription of genetic information. More than 15 years ago, Dr. Fire became interested in understanding the genes involved in the earliest steps of cellular development. In an attempt to plot cellular development from the beginning, Dr. Fire designed an experiment that produced the exact opposite of the anticipated result: After injecting a worm with a piece of DNA to increase the expression of a particular gene, Dr. Fire inadvertently succeeded in suppressing the gene completely. This result would eventually lead to the discovery of a fundamental mechanism for controlling the flow of genetic information—that of RNAi, or RNA interference, which quashes the activity of specific genes. This discovery was termed the "Breakthrough of the Year" in 2002 by *Science Magazine* and has earned Dr. Fire and his colleague, Dr. Craig Mello, the 2006 Nobel Prize for medicine.

The potential benefits of the discovery of RNA interference are limitless. By using RNAi to silence one gene at a time and observing abnormalities in the behavior of cells, researchers are able to identify the function of genes, and potentially, use silencing to reduce or eliminate cellular activity harmful to human health. Dr. Fire's many achievements constitute an extraordinary contribution to our understanding of how life operates at its most basic level, and demonstrate his outstanding talent and unwavering commitment to improving the health of his fellow human beings.

Dr. George F. Smoot has for years been examining the cosmos in search of an answer to the biggest question of them all: How did it all begin? To an

amazing degree, Dr. Smoot has been answering this seemingly unanswerable question. For 50 years, scientists struggled in vain to support the Big Bang theory with hard, indisputable evidence. Dr. Smoot dealt the contentious theory a further challenge when, in 1976, he and others found startling evidence that galaxies are clustered together and not, as previously thought, spread evenly throughout the universe. This observation conflicted with temperature readings that consistently found space to be an even temperature of 2.7 degrees above absolute zero. Dr. Smoot had presented the scientific community a quandary: How could the heat be evenly distributed through the universe if galaxies were not?

It is a testament to Dr. Smoot's brilliance, ingenuity, and diligence that he, along with his colleague and co-recipient of this year's Nobel Prize in physics, Dr. John C. Mather, would clear up the confusion resulting from the establishment of a "lumpy" universe and finally cement the Big Bang theory of the creation of the universe. To achieve that ambitious goal, Smoot overcame nearly insurmountable obstacles and broke through barriers that had thwarted previous generations of researchers. Dr. Smoot was a driving force behind NASA's construction and development of the COBE satellite, which under the direction of Dr. Smoot and Dr. Mather succeeded in detecting the minuscule variations in temperature that were anticipated by the Big Bang theory and the "lumpy" nature of the universe.

As a result of Dr. Smoot's incredible achievement, we now have a much clearer picture of where we came from and where we are going. His penetrating vision challenges the limits of human comprehension, transporting us to times and places that were once unreachable. Dr. Smoot has fundamentally changed the way we view the universe and secured his place as one of the most important astrophysicists of all time.

It is with great pleasure that I applaud all three of California's 2006 Nobel laureates. Dr. Kornberg, Dr. Fire, and Dr. Smoot have made extraordinary contributions to our understanding of how the universe operates, from the microscopic level of the cell to the vast level of galaxies. Their phenomenal insights have answered questions that have long puzzled the scientific community and raised new possibilities for the research of future generations. I thank these men for the many valuable gifts they have given humanity, not least of which is the gift of unbridled imagination and the belief that anything is possible.●

IN HONOR OF SHERIFF DON HORSLEY

● Mrs. BOXER. Mr. President, I take this opportunity to recognize San Mateo County sheriff Don Horsley, who is retiring after 38 years of dedicated

service to law enforcement and public safety.

Sheriff Horsley is a San Francisco Bay Area native who was born in San Francisco, raised in Daly City, and educated in the county's public schools. He graduated from Daly City's Westmoor High School before graduating with honors from San Francisco State University in 1969.

After a brief time as a classroom teacher, Sheriff Horsley entered into a career in law enforcement that has spanned 38 years.

Beginning as a patrol officer in Daly City and later serving as a patrol deputy officer in East Palo Alto, Sheriff Horsley was elected Sheriff of San Mateo County in June 1993. From the beginning, Sheriff Horsley has been dedicated to making his community a better and safer place to live. Under his leadership, the San Mateo County Sheriff's Office has implemented an extensive number of innovative programs to make the community safer, including community policing, graffiti abatement, gang intelligence/investigative unit, sexual habitual offender program, high-tech task force, school resource officer program, and a youth camp for at-risk youth. Sheriff Horsley also established an after school Sheriff's Activity League to help kids succeed in school and stay out of gangs.

After the tragedy of September 11, 2001, Sheriff Horsley stepped into a leadership role and joined the FBI in a regional Joint Terrorism Task Force. He established a regional information sharing network with the nine Bay Area counties and directed the Sheriff's Office of Emergency Services to take the lead to ensure that the county's first responders and public health workers had the equipment and training to respond to disasters. Sheriff Horsley also worked with regional transit agencies to establish a transit unit of deputy sheriffs to patrol bus and rail transportation within the county.

Sheriff Horsley was also a fierce advocate for the construction of a state-of-the-art forensic crime lab that is used by local, regional, State, and Federal agencies to solve crimes. Sheriff Horsley tirelessly worked with the Bay Area Congressional Delegation, including my office, to obtain funding to ensure that the forensic crime lab had the latest in crime fighting technology.

Among his many accomplishments, Sheriff Horsley currently serves as co-chair of the Attorney General and State Superintendent of Public Instruction's Safe Schools Task Force; vice chair of the Northern California High Intensity Drug Trafficking Area; chair of the San Mateo County Vehicle Theft Task Force and Vice Chair for the County Narcotics Task Force. Sheriff Horsley has also been a member of the executive board of the California State Sheriffs' Association since 1996, served as the past chair of the San Mateo County Criminal Justice Council and as a past member of the board

of directors of the California Peace Officers' Association.

Sheriff Horsley has not only improved public safety but has worked tirelessly with local elected officials, schools, and community organizations to foster a strong sense of community and improve the lives of children and families in San Mateo County.

Sheriff Horsley's service to San Mateo County and dedication to public safety throughout California is inspiring. I have been honored to work with him. I am confident that, even in retirement, Sheriff Horsley will continue to touch lives with his good will and compassion.●

RECOGNIZING CHARLES A. BIBBS

● Mrs. BOXER. Mr. President, today, I ask my colleagues to join me in recognizing entrepreneur and philanthropist Charles A. Bibbs as he is recognized by the Black Voice Foundation for his exceptional contributions to ethnic art.

Charles Bibbs is a recognized and accomplished artist, known for his representations of ethnic and cultural themes. Throughout his life, he has been lauded and recognized by numerous community and philanthropic organizations for his work in the multi-cultural communities and his dedication to music and art. His work has been featured in several exhibits, on the Internet, and on several local and national television stations.

Since he was a young person, Charles Bibbs has possessed a strong talent for art and artistic creation. Throughout his career, he worked in corporate America and funded his artistic cultivation through that work. In 1985, Bibbs was able to fuse his strengths in business with his passion for artistic expression and formed B Graphics and Fine Arts to publish and distribute his own artwork. Since that time, Bibbs has become a dedicated and renowned ethnic artist and has worked passionately for cohesion and unity within marginalized communities.

Recently, Charles Bibbs has spent much of his time conducting seminars and workshops to educate and inspire young people and reinforce educational institutions. He formed Art 2000, a nonprofit visual art association that works to inform local communities about art, and helps to inspire art patrons and artists themselves. From this organization has come Images Magazine, which is the first national publication dedicated to ethnic art. As well, this has inspired the traveling ethnic art exhibit "Art on Tour." Along this same vein, Bibbs' passion for jazz music led him to the creation and founding of Inland Empire Music and Arts Foundation, a nonprofit organization that has hosted an annual world-class jazz and art festival in southern California for the past 3 years.

Art and graphic representations are powerful tools that can help unite communities and inspire young people. The work and example of Charles Bibbs has

inspired countless individuals and continues to bring art and music to our Nation's youth. I applaud Charles Bibbs and look forward to many more years of cultural representation and youth enrichment from this great American artist.

CELEBRATING THE CITY OF LODI'S 100TH ANNIVERSARY

● Mrs. BOXER. Mr. President, I ask my colleagues to join me in celebrating the 100th anniversary of the city of Lodi, a thriving, family-oriented community located in California's San Joaquin Valley.

The city originally known as Mokelumne was founded in 1869 when Charles O. Ivory and John M. Burt established the Ivory Store, an enterprise that attracted scores of homesteaders and businesses to the area. In order to avoid confusion between the towns of Mokelumne, Mokelumne Hill, and Mokelumne City, the city's name was officially changed to Lodi in 1874. According to local folklore, the city's new name was inspired by a successful local racehorse, as horse racing was a popular activity in the area during this period. By the time its residents overwhelmingly voted for incorporation on November 27, 1906, Lodi was already one of the fastest growing communities in San Joaquin County.

In 1907, in an effort to publicize a large carnival to promote Lodi's famous Tokay grapes, a mission-style arch was erected at Pine and Sacramento Streets. The Lodi Arch, one of the few remaining Mission Revival ceremonial arches left in California, has served as an entrance into Lodi for the past century. In 1919 and 1926, the world-famous A & W Root Beer and the Supertreader, the first successful full-circle tire retreading mold, were respectively introduced to the world within a short distance from the Lodi Arch. To many people, this remarkable landmark symbolizes the city's proud history and economic vitality.

In 1956, the Federal Government officially recognized Lodi as a winegrape growing region, thus allowing vintners to label their wine as originating from Lodi. However, it was not until 1986, when the Lodi Appellation was formally approved, that Lodi began to shed its label as the wine industry's best kept secret to become one of the emerging wine-producing regions in the Nation. Today, Lodi is home to a highly regarded and vibrant wine industry where nearly two dozen wineries utilize exemplary viticulture practices to consistently produce wines that are renowned for their quality.

The city of Lodi has grown from a town of less than 2,000 residents from the time of its incorporation to a flourishing and diverse community of 63,000 that rests in the middle of one of the most dynamic regions of California. The state of the city as it turns 100 is best captured by its slogan: "Livable, Lovable, Lodi." The story of the city's

first 100 years is a testament to the value of community, vision, and optimism. As the residents of the city work together to make their city a better place to call home, I congratulate them on their centennial anniversary and wish them another 100 years of good fortune and success.

A LIFETIME OF NATIONAL SERVICE

● Mr. CRAPO. Mr. President, last month, the State of Idaho lost one of its distinguished citizens. Ralph Ray Harding, who served our State as the 2nd District Congressman for two terms in the 1960s, passed away on October 26 in Blackfoot. He left behind a legacy of public service and community involvement, as well as a remarkable family. Senator CRAIG and I want to take this opportunity to commend his life and send our condolences to his family and friends.

From his humble beginnings in Malad, Ralph made the most of his opportunities, graduating from college, eventually with a master's degree from ISU. He maintained a strong connection with that university, serving as a special advisor to the president for nearly a decade. He also served our country in the military as a U.S. Army lieutenant and was a life member of the American Legion and the Air Force Association.

He was first elected to public office as a member of the Idaho House of Representatives and was then elected to the U.S. House of Representatives, the youngest Member of Congress serving during the Kennedy administration. As a Member of Congress, Ralph worked to ensure women received equal pay, supported civil rights legislation and authored a bill to establish the Peace Corps. But his service didn't end when he completed two terms in Congress.

Ralph continued his community involvement in many ways. He was the cofounder of the Danny Thomas Memorial Golf Tournament, which has helped raise millions of dollars for cancer research and is still raising funds each year. He looked for ways to improve every community and venture he encountered. He was one of the friendliest people you could ever meet and remained in contact with friends from all over the world through his life. He was active in his church, spending time at the local LDS temple and teaching Sunday School each week. Retirement was not a word that meant much to Ralph—he had too much energy with his activities with family, friends, and other interests to take it easy. At 77, he remained active and full of life up to nearly his final day.

Ralph was devoted to his family and his Nation, and he will be deeply missed by all those who knew him. Idaho is honored to have counted him as one of her native sons. During this time, our thoughts and prayers go out to his wife Willa and his children, grandchildren, and great-grandchildren.●

TRIBUTE TO ENOLIA P. McMILLAN

• Ms. MIKULSKI. Mr. President, today I pay tribute to the life and legacy of Enolia P. McMillan. She was a revered and beloved civil rights leader, community leader, and educator.

Mrs. McMillan was an amazing woman with a fantastic story. She had both grace and grit, as well as a personality that would not accept the word "no" for an answer.

When they said: "You can't," she said: "I can!"

When they said: "You won't," she said: "I will!"

When they said: "Wait," she said: "Now!"

Enolia P. McMillan was born to a loving family of modest means. She fought hard for her education, while attending schools that were separate and far from equal.

She wanted to be a doctor—a pediatrician. Although she would never attend medical school, she was certainly a healer. In fact, her thesis was entitled: "The Factors Affecting Secondary Education for Negroes in Maryland Counties," which laid the groundwork for changes in education and the Supreme Court.

She cared not only about her own education but the education of others. That is why Mrs. McMillan was so at home at the NAACP. The NAACP is about empowerment and it is about equality. Mrs. McMillan understood this and focused on the grassroots, which turned the Baltimore branch into a powerhouse.

As national president, she strengthened the NAACP and brought it here to Baltimore. She didn't throw bricks—she sold bricks—to build the NAACP headquarters in Baltimore, and she always supported young leaders, like Kweisi Mfume. Always, she fought for equality and fairness, whether it was for equal pay for teachers in Maryland or for the freedom of the South African people living under apartheid.

On a personal note, I met Mrs. McMillan when I was on the Baltimore City Council. She was the president of the Baltimore Branch of the NAACP and attended every critical meeting and hearing. She also came to my office on occasion. We didn't know each other well, having come from different sides of Baltimore, but I so admired her. She took a keen interest in this spunky, chunky, feisty Baltimorean.

Her greatest passions were schools. We were ending segregation in our schools—not only tearing down old ways but building new ones. To her, the word "public" meant a lot: public schools, public libraries, and the public interest.

Mrs. McMillan was always so supportive and encouraging toward me. I would win some and I would lose some; but she always said: Keep speaking up—keep speaking out. If you were doing well, she told you. If she thought you could do better, she told you; and we did.

She had a passion for young people and spotting new leaders. She thought

all young people had value and always believed in the freedom to achieve—to follow the American dream.

She would say: Barbara, fight for more books and less bombs. Fight for more libraries and fewer jails. Make sure people have drugs to fight cancer, while at the same time fighting the cancer of drugs. Fight for more jobs and make sure people turn the corner. Don't leave them standing at the corner. Most of all, she would say, Barbara, fight for the freedom to achieve.

I marvel at how mysteriously God works. I marvel that he should call Enolia McMillan in the same year as he has called four other great mothers of the civil rights movement: Rosa Parks, Coretta Scott King, Victorine Adams, and Roberta March. I so admired Mrs. McMillan's passion and her activism. I am so grateful for her friendship. I will miss her leadership, her vision, and her political savvy.

The best of her lives on in all of us, as we seek to live up to her courage, conviction, and tenacity. •

25TH ANNIVERSARY OF THE HERREID LIVESTOCK MARKET

• Mr. JOHNSON. Mr. President, today I honor the owners and operators of the Herreid Livestock Market on its 25th anniversary. Each year, hundreds of thousands of animals are moved through the sale barn to be purchased by farmers or by packers, and eventually find their way to supermarket shelves. The Herreid Livestock Market is one of the largest sale barns in the region, and has proven to be a pillar of the local community both by facilitating business and through advocacy and philanthropy.

The Herreid Livestock Market began operating in 1981. A previous sale barn in Herreid had burned down in 1978. Herman Schumacher, the late Gordie Ulmer, and the late Andy Heisler were primarily responsible for the building of the current structure. Joe Vetter quickly joined in the enterprise as an auctioneer and soon purchased a third of the business. Since then, Schumacher and Vetter have remained partners, along with various other individuals, most recently J.R. Scott. Finally, though, last summer the business was sold to Joe Varner. Scott still manages the sale barn, however, and Schumacher and Vetter remain involved as well.

In addition to operating a premier sale barn, Schumacher, Vetter, and Scott have been active in a variety of issues of vital importance to their industry. They have been active in pushing for country-of-origin labeling, helping to close the Canadian border for food safety reasons, and perhaps most notably, Schumacher was a founder of the Ranchers-Cattlemen Action Legal Fund, R-CALF. R-CALF has advocated for producers by opposing market manipulation on the part of meatpackers, working to restrict the importation of foreign cattle into the U.S., and food

safety, among other areas of concern. R-CALF has now merged with the United Stockgrowers of America and has over 18,000 members. The owners of the Herreid Livestock Market have also supported access to local health care by giving large donations to the Linton Hospital Foundation and the Campbell County Clinics.

While drought conditions have caused a spike in short-term sales, the sale barn may be facing some challenging years as producers work to build their herds back up. However, I am confident that the same work ethic that has caused the Herreid Livestock Market to flourish for 25 years will allow the business to continue prospering.

On October 6, 2006, the community celebrated the Herreid Livestock Market with a free BBQ Beef Lunch before the 25th anniversary sale. I wish to congratulate the current and past owners and employees of the Herreid Livestock Market on reaching this milestone for their business, and for their years of service to the community. Once again, I commend the individuals involved in this enterprise and am pleased to see them publicly honored. •

TRIBUTE TO DENNIS COCHRANE

• Mr. KOHL. Mr. President, today I pay tribute to Mr. Dennis Cochrane, a Wisconsin resident who last Thursday concluded his term on the board of directors of the Northeast-Midwest Institute. The Northeast-Midwest Institute is a Washington-based, private, non-profit, and nonpartisan research organization dedicated to economic vitality, environmental quality, and regional equity for Northeast and Midwest States.

During his tenure on the institute's board, Dennis has provided exceptional counsel and guidance, and in the process has helped to improve the economic development and environmental quality of the Northeast-Midwest region.

Dennis is a partner in the law firm of Marcovich, Cochrane, Milliken and Swanson in Superior, WI. Prior to his law practice, he served as assistant district attorney for Douglas County, WI, and city Attorney for the city of Superior. He has served as a member of the city of Superior Harbor Commission and was active in the founding of the Head of the Lakes Council of Governments, which evolved into the Metropolitan Interstate Committee of the Duluth-Superior Region.

I thank Dennis Cochrane for his leadership on the Northeast-Midwest Institute's Board. His valued service and council will not easily be replaced. •

CENTENNIAL OF THE ORDER OF THE THEATINE FATHERS

• Mr. SALAZAR. Mr. President, last Friday, November 10, we celebrated the centennial of the Order of the Theatine Fathers in Colorado. I want the date of this milestone, so important to my

State's history and culture, to be noted in the RECORD.

The Theatine Order serves parishes across Colorado, from the Sacred Heart Parish in Durango and St. Cajetan's Church in Denver to the Sangre de Cristo Parish in my native San Luis Valley. The Order has a noble history in my State and around the world, where its parishioners and pastors have worked to spread virtue and to improve the lives of our citizens.

Saint Cajetan, Paolo Consiglieri, Bonifacio da Colle, and Pope Paul IV founded the Theatine order nearly 5 centuries ago in Italy, partly in response to the upheavals of the Reformation. In the generations that followed, the Theatines established missions in foreign lands, building churches and spreading their teachings to places like Peru, Borneo, Sumatra, Georgia, and Armenia.

The Theatines arrived in Colorado at the end of the 19th century to a young State undergoing rapid changes. Thousands of new immigrants from Ireland, Italy, Mexico, and elsewhere rushed to Colorado's mines, farms, and ranches. These immigrants arrived in places like Durango, San Luis, and Antonito, and found a centuries-old Hispano culture and a deeply rooted Catholic faith.

As these towns and settlements grew, so too did the demands on the parishes of Colorado. In 1906, the Bishop of Colorado, Nicolas Matz, seeing a need for more priests in southwestern Colorado, asked the Theatine Order to serve Sacred Heart Parish in Durango. The Reverend John Licciotti and the Reverend Francisco Maria Blasquez Gomez held their first masses in a former schoolhouse, but the structure, and the missions in the region, grew quickly. In 1920, the order established St. Cajetan's Church in Denver and began staffing the church in Antonito. Three years later, the order expanded to San Luis and its missions, and later to churches in Fort Collins and Colorado Springs. Today, the Theatine Order has 19 priests in Colorado, serving thousands of parishioners.

In honoring the centennial of the Theatine Fathers, we recognize the contributions of the order to the parishes and parishioners of Colorado, but we also celebrate the contributions of the fathers to the culture, faith, and history of our great State. Their work has helped bind communities, build schools, and instill virtue, compassion and character in our citizenry. The Theatines are pillars in their communities, giants who serve the greater good.

I am proud to honor the Order of the Theatine Fathers and to have this opportunity to thank them for their century of service. May the virtues that they teach in the towns and churches across the great State of Colorado continue to fill our hearts and guide our service for generations to come.●

THE RED MASS

● Mr. SANTORUM. Mr. President, today I wish to share with this body the recent remarks of the new Archbishop of Washington, Donald W. Wuerl, at this year's 53rd Annual Red Mass in Washington, DC. I have had the pleasure of working with Archbishop Wuerl in his previous service as the 11th bishop of Pittsburgh, PA. For 18 years, he ministered to 800,000 Catholics throughout southwestern Pennsylvania with generosity and compassion.

The Red Mass is celebrated each year in Washington, DC., at the start of the Supreme Court session and traditionally is held in the Cathedral of St. Matthew the Apostle. Supreme Court Justices, judges, Government officials, lawyers, and people of all faiths regularly attend the Mass to offer prayers for those who administer justice. This Mass is sponsored by the John Carroll Society. The Red Mass enjoys a rich history, originating many centuries ago in European capitols. Red Mass derives its name from the traditional color of vestments worn by the celebrants of the Mass, signifying the scarlet robes worn by royal judges who attended the Mass centuries ago. The tradition in the United States began in 1928 in New York City and spread to cities across the country.

I hope that in sharing his comments with my colleagues, we will continue the ongoing conversations among people of faith about the roles of faith, law, and values in our system of democracy.

Mr. President, I ask that the remarks of Archbishop Wuerl to which I referred be printed in the RECORD.

The material follows.

RED MASS HOMILY

FAITH, LAW AND HUMAN VALUES

Archbishop Donald W. Wuerl, Archbishop of Washington

Cathedral of Matthew the Apostle, Washington, DC, Sunday, October 1, 2006

Brothers and Sisters in the Lord, It is a privilege for me to join each of you at this 53rd annual Red Mass sponsored by the John Carroll Society as part of a noble tradition in our nation's capital of invoking the blessing of God's Holy Spirit on all who are engaged in the service of the law, especially the members of the judiciary.

Recently I received a beautiful plant rooted in a very attractive container with gorgeous flowers mixed throughout the arrangement. Within a few short days, however, even though I took great care of it, some of the flowers began to fade. It was only after I removed one of the withered flowers that I made the startling discovery that not all of the flowers were attached to the plant and rooted in the soil, but instead simply were placed in little plastic containers. As the flowers were not part of the plant and not rooted in the soil, they had no source of nourishment and died.

A beautiful flower in an isolated container is much like the branch that Jesus speaks about in today's Gospel text from St. John, the branch that gets cut off, detached from, isolated from the vine. Such a branch cannot bear much fruit—certainly not for long.

Whatever image we use, the lesson is the same. We cannot be cut off from our

rootedness. We cannot become isolated from our connectedness and expect to flourish. As a people, we have a need to be part of a living unity with roots and a lived experience, with a history and, therefore, a future. Our lives as individuals and as a society are diminished to the extent that we allow ourselves to be cut off or disconnected from that which identifies and nurtures us. Branches live and bear fruit only insofar as they are attached to the vine.

No one person; no part of our society, no people can become isolated, cut off from its history, from its defining experiences of life, from its highest aspirations, from the lessons of faith and the inspiration of religion—from the very "soil" that sustains life and still expect to grow and flourish. Faith convictions, moral values and defining religious experiences of life sustain the vitality of the whole society. We never stand alone, disconnected, uprooted, at least not for long without withering.

A profound part of the human experience is the search for truth and connectedness, and the development of human wisdom that includes the recognition of God, an appreciation of religious experience in human history and life, and the special truth that is divinely revealed religious truth.

Science linked to religiously grounded ethics, art expressive of spirituality, technology reflective of human values, positive civil law rooted in the natural moral order are all branches connected to the vine.

A healthy and vital society respects the wisdom of God made known to us through the gift of creation and the blessing of revelation. We not only need God's guidance, but we are created in such a way that we yearn for its light and direction. Pope John Paul II in his encyclical *Fides et Ratio* reminds us: "... God has placed in the human heart a desire to know the truth—in a word, to know himself—so that, by knowing and loving God, men and women may also come to the fullness of truth about themselves." (Intro., *Fides et Ratio*)

One reason we gather today in prayer for the outpouring of the gifts of the Holy Spirit is our realization that it is the wisdom of God that fills up what is lacking in our own limited knowledge and understanding. Connected to the vine, we access the richness of God's word directing our human experience under the guidance of the Holy Spirit. Cut off from the vine, we have only ourselves.

At times our society, like many contemporary cultures heavily nurtured in a secular vision that draws its inspiration elsewhere, can be tempted to think that we are sufficient unto ourselves in grappling with and answering the great human questions of every generation in every age: how shall I live; what is the meaning and, therefore, the value of life; how should we relate to each other; what are our obligations to one another?

The assertion by some that the secular voice alone should speak to the ordering of society and its public policy, that it alone can speak to the needs of the human condition, is being increasingly challenged. Looking around, I see many young men and women who, in such increasing numbers, are looking for spiritual values, a sense of rootedness and hope for the future. In spite of all the options and challenges from the secular world competing for the allegiance of human hearts, the quiet, soft and gentle voice of the Spirit has not been stilled.

Just as we are told in the first reading today that the Spirit of God was shared with some of the elders so, too, today we have a sense that that Spirit continues to be shared. The resurgence of spiritual renewal in its many forms bears testimony to the atavistic need to be connected to the vine and rooted in the soil of our faith experience.

As Jesus assures us in today's Gospel: "Just as a branch cannot bear fruit on its own unless it remains on the vine, so neither can you unless you remain in me." The revelation of the mystery of God-with-us is not incidental to that human experience. It gives light and direction to the struggle we call the human condition. Religious faith and faith-based values are not peripheral to the human enterprise. Our history, the history of mankind, is told in part in terms of our search for and response to the wisdom of God.

Religious faith has long been a cornerstone of the American experience. From the Mayflower Compact, which begins "In the name of God, Amen," to our Declaration of Independence, we hear loud echoes of our faith in God. It finds expression in our deep-seated conviction that we have unalienable rights from "Nature and Nature's God."

Thomas Jefferson stated that the ideals and ideas that he set forth in the Declaration of Independence were not original with him, but were the common opinion of his day. In a letter dated May 8, 1825, to Henry Lee, former governor of Virginia, Jefferson writes that the Declaration of Independence is "intended to be an expression of the American mind and to give to that expression the proper tone and spirit."

George Washington, after whom this city is named, was not the first, but perhaps was the most prominent, American political figure to highlight the vital part religion must play in the well-being of the nation. His often-quoted Farewell Address reminds us that we cannot expect national prosperity without morality, and morality cannot be sustained without religious principles.

Morality and ethical considerations cannot be divorced from their religious antecedents. What we do and how we act, our morals and ethics, follow on what we believe. The religious convictions of a people sustain their moral decisions.

What is religion's place in public life? As our Holy Father, Pope Benedict XVI, tells us in his first encyclical letter, "Deus Caritas Est" (God Is Love): "[f]or her part, the Church, as the social expression of Christian faith, has a proper independence and is structured on the basis of her faith as a community which the State must recognize. The two spheres are distinct, yet always inter-related" (DCE 28). Politics, law and faith are mingled because believers are also citizens. Church and state are home to the very same people.

The place of religion and religious conviction in public life is precisely to sustain those values that make possible a common good that is more than just temporary political expediency. Without a value system rooted in morality and ethical integrity, there is the very real danger that human choices will be motivated solely by personal convenience and gain.

To speak out against racial discrimination, social injustice or threats to the dignity of life is not to force values upon society, but rather to call our society to its own, long-accepted, moral principles and commitment to defend basic human rights, which is the function of law.

Not only did Thomas Jefferson subscribe to the proposition that all are created equal, but his writings indicate that he extended the logic of that statement. All people are obliged to a code of morality that rests on the very human nature which is the foundation for our human dignity and equality. Jefferson recognizes no distinction between public and private morality. In a letter dated August 28, 1789, to James Madison, who later became the fourth president of our country, Jefferson wrote: "I know but one code of mo-

rality for all, whether acting singly or collectively."

Perhaps nowhere is the relationship of values, religious faith, public policy and the application of the law more deeply rooted in its historic expression than here in our nation's capital. Here is the place where our first president, George Washington, and the first Catholic bishop in our country, John Carroll, recognized so very early on in the life of our country the need to respect, honor and support the understanding that the goals of governance and the expression of faith-based morality mingle and overlap. At the same time, each was respectful of the prerogatives of the other, and both were mindful that all the voices needed to be heard.

In the end, the goal of public policy, and its application and interpretation, must be not what we can do but what we ought to do; not what we have the ability to achieve, but what in our hearts, in our conscience and in our souls we know we must do.

As believers, our hope for a better world is rooted in our faith that God will help us make this happen. Faith is the source of our perennial optimism and our social activism and involvement. If we work and work hard enough, God will be with us to bring about that world of peace, justice, understanding, wisdom, kindness, respect and love that we call His kingdom coming to be on earth.

Our prayer today is that our American democratic society will continue to be a flowering plant connected to the vine with roots sunk deep into the rich soil of our national identity, spiritual experience and faith convictions. May our religious faith, as a foundational part of our national experience, continue to nurture and sustain each branch of our society so that by its very connectedness to the vine it can blossom and flourish.

Thank you.●

REMEMBERING LARRY TICE

● Mr. ROCKEFELLER. Mr. President, I rise today to share with my colleagues in the Senate the story of an awful tragedy that took place in Weirton, WV. Larry Tice, a steelworker at the former Weirton Steel now called Mittal Steel's Weirton Plant took his own life earlier this year after being overwhelmed with a misplaced feeling of failure.

Larry spent decades in Weirton Steel's hot mill before he was transitioned to the tin mill in Mittal's reorganization and shrinking of its operations in Weirton. At its height, Weirton Steel employed 14,000—nearly everyone in a town of roughly 25,000. Twenty years ago employment was approximately 7,000, and today the company employs less than 2,000 people in a town that has shrunk to fewer than 20,000 people. Weirton is a town that had been built around the plant, and the plant served as the town's economic engine for nearly 100 years. Weirton was and is known for its world-class steelmaking.

Mr. Tice was a hard-working veteran at Weirton Steel. There had never been a doubt as to where Larry would work when he was growing up. He, like so many others, had been raised to believe if they worked hard, there would always be a job that included a living wage, competitive benefits, and a guaranteed pension. Larry's father, uncles,

and cousins had all worked at the mill. Larry worked there his whole life after signing up after high school graduation in 1973. Just before his death, his job was in jeopardy, many of his benefits diminished, and his pension had all but disappeared.

Mr. Tice worked at the heart of the mill, in the pit, where glowing molten steel drifted overhead in 340-ton ladles, then roared out of 3½-inch holes. He excelled in his area of work and was crew chief to six employees. Everyone says Mr. Tice enjoyed his work and took pride in what he did. It was not an easy job. The intense heat and the physical nature of the job tax workers physically and mentally, but Mr. Tice was a true steelworker, never complaining and always doing what he was asked.

After many layoffs at Weirton Steel and the closure of the hot end, Mr. Tice was relocated to the tin mill, but he happily accepted this assignment because he was one of those who would still have a job after another massive layoff. With the new job came many new stresses and worries. Mr. Tice had only 2 weeks to master the new machinery and technology; the tin mill was more technologically advanced and was a place that required new skills and processes. At age 51, this new, high-tech job posed a real challenge for Mr. Tice. The stress continued to mount and Mr. Tice began to feel inferior, as his friends report, looking back on his last few months of life.

Mr. Tice worried that the new management of Weirton would not tolerate a slow learning curve. He worried that if he didn't pick up his new craft quickly enough that he would be fired. In the end, friend and family pointed to some negative reinforcement and a general feeling of inadequacy on Mr. Tice's part. This steelworker of two-plus decades worried that if he didn't catch on quickly enough he wouldn't be able to provide for his family or allow them the opportunities they deserved—worries that anyone who cares for a family can understand. Larry Tice was a family man to his last days.

This hardship and uncertainty, along with his constant pressure and concern for his family's welfare, ultimately led to him taking his own life. Mr. Tice's widow, Mary, is now only left to wonder what was so inescapable. Mary spoke with Larry over the phone moments before his death and he told her he had 'screwed up,' though he did not elaborate further. At home, Larry hung up the telephone. When Mary tried calling back, there was no answer. She then drove home, though it was too late.

I stand before you today to ask that Larry Tice's story be remembered, along with the ongoing struggle of all steelworkers. Many ask why we in steel States fight so hard for our steel jobs, and it is because of stories like Larry Tice's that touch our hearts. It is so that no more steelworkers will suffer the agony Mr. Tice endured and

which conquered him. We work to ensure that fair trade conditions exist so no more families find themselves agonizing as a loved one worries about their livelihood and ability to provide for their family. The steel industry is very important to the prosperity of our State and is something that touches many West Virginians' lives and our country. My deepest sympathy goes out to the Tice family.●

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 treaty which were referred to the appropriate committees.

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

MEASURES REFERRED

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

H.R. 383. To designate the Ice Age Floods National Geologic Route, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 971. An act to extend the deadline for commencement of construction of certain hydroelectric projects in Connecticut, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1215. An act to provide for the implementation of a Green Chemistry Research and Development Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1344. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1472. An act to designate the facility of the United States Postal Service located at 167 East 124th Street in New York, New York, as the "Tito Puente Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1711. An act to provide assistance to the State of New Mexico for the development of comprehensive State water plans, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1796. An act to amend the National Trails System Act to designate the route of the Mississippi River from its headwaters in the State of Minnesota to the Gulf of Mexico for study for potential addition to the National Trails System as a national scenic trail, national historic trail, or both, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2069. An act to authorize the exchange of certain land in Grand and Uintah Counties, Utah, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2110. An act to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2679. To amend the Revised Statutes of the United States to prevent the use of the legal system in a manner that extorts money from State and local governments, and the Federal Government, and inhibits such governments' constitutional actions under the first, tenth, and fourteenth amendments; to the Committee on the Judiciary.

H.R. 3534. An act to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3606. An act to modify a land grant patent issued by the Secretary of the Interior; to the Committee on Energy and Natural Resources.

H.R. 3626. An act to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized; to the Committee on Energy and Natural Resources.

H.R. 3871. An act to authorize the Secretary of Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc., certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail; to the Committee on Energy and Natural Resources.

H.R. 3961. An act to authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park; to the Committee on Energy and Natural Resources.

H.R. 4275. An act to amend Public Law 106-348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States; to the Committee on Energy and Natural Resources.

H.R. 4382. An act to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard; to the Committee on Energy and Natural Resources.

H.R. 4545. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4720. An act to designate the facility of the United States Postal Service located at 200 Gateway Drive in Lincoln, California, as the "Beverly J. Wilson Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4750. An act to authorize the Secretary of the Interior to conduct a study to determine the feasibility of implementing a water supply and conservation project to improve water supply reliability, increase the capacity of water storage, and improve water management efficiency in the Republican River Basin between Harlan County Lake in Nebraska and Milford Lake in Kansas; to the Committee on Energy and Natural Resources.

H.R. 4766. To amend the Native American Programs Act of 1974 to provide for the revitalization of Native American languages through Native American language immersion programs; and for other purposes; to the Committee on Indian Affairs.

H.R. 4772. An act to simplify and expedite access to the Federal courts for injured parties whose rights and privileges under the United States Constitution have been deprived by final actions of Federal agencies or other government officials or entities acting under color of State law, and for other purposes; to the Committee on the Judiciary.

H.R. 4789. An act to require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district; to the Committee on Energy and Natural Resources.

H.R. 4844. To amend the Help America Vote Act of 2002 to require each individual who desires to vote in an election for Federal office to provide the appropriate election official with a government-issued photo identification, and for other purposes; to the Committee on Rules and Administration.

H.R. 4846. To authorize grants for contributions toward the establishment of the Woodrow Wilson Presidential Library; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4876. An act to ratify a conveyance of a portion of the Jicarilla Apache Reservation to Rio Arriba County, State of New Mexico, pursuant to the settlement of litigation between the Jicarilla Apache Nation and Rio Arriba County, State of New Mexico, to authorize issuance of a patent for said lands, and to change the exterior boundary of the Jicarilla Apache Reservation accordingly, and for other purposes; to the Committee on Indian Affairs.

H.R. 4942. An act to establish a capability and office to promote cooperation between entities of the United States and its allies in the global war on terrorism for the purpose of engaging in cooperative endeavors focused on the research, development, and commercialization of high-priority technologies intended to detect, prevent, respond to, recover from, and mitigate against acts of terrorism and other high consequence events and to address the homeland security needs of Federal, State, and local governments; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4981. An act to amend the National Dam Safety Program Act; to the Committee on Environment and Public Works.

H.R. 5016. An act to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5079. To update the management of Oregon water resources, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5108. An act to designate the facility of the United States Postal Service located at 1213 East Houston Street in Cleveland, Texas, as the "Lance Corporal Robert A. Martinez Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5136. An act to establish a National Integrated Drought Information System within the National Oceanic and Atmospheric Administration to improve drought monitoring and forecasting capabilities; to the Committee on Commerce, Science, and Transportation.

H.R. 5313. An act to reserve a small percentage of the amounts made available to the Secretary of Agriculture for the farmland protection program to fund challenge

grants to encourage the purchase of conservation easements and other interests in land to be held by a State agency, county, or other eligible entity, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 5323. An act to require the Secretary of Homeland Security to provide for ceremonies on or near Independence Day for administering oaths of allegiance to legal immigrants whose applications for naturalization have been approved; to the Committee on the Judiciary.

H.R. 5340. An act to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5347. An act to reauthorize the HOPE VI program for revitalization of public housing projects; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5418. An act to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges; to the Committee on the Judiciary.

H.R. 5454. An act to authorize salary adjustments for Justices and judges of the United States for fiscal year 2007; to the Committee on the Judiciary.

H.R. 5483. An act to increase the disability earning limitation under the Railroad Retirement Act and to index the amount of allowable earnings consistent with increases in the substantial gainful activity dollar amount under the Social Security Act; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5503. An act to amend the National Housing Act to increase the mortgage amount limits applicable to FHA mortgage insurance for multifamily housing located in high-cost areas; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5516. An act to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5533. An act to prepare and strengthen the biodefenses of the United States against deliberate, accidental, and natural outbreaks of illness, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5637. An act to streamline the regulation of nonadmitted insurance and reinsurance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5681. An act to authorize appropriations for the Coast Guard for fiscal year 2007, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5692. To direct the Secretary of the Interior to conduct a special resource study to determine the feasibility and suitability of establishing a memorial to the Space Shuttle Columbia in the State of Texas and for its inclusion as a unit of the National Park System; to the Committee on Energy and Natural Resources.

H.R. 5736. An act to designate the facility of the United States Postal Service located at 101 Palafox Place in Pensacola, Florida, as the "Vincent J. Whibbs, Sr. Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5825. An act to update the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

H.R. 5835. An act to amend title 38, United States Code, to improve information management within the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5857. An act to designate the facility of the United States Postal Service located at 1501 South Cherrybell Avenue in Tucson, Arizona, as the "Morris K. 'Mo' Udall Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5861. An act to amend the National Historic Preservation Act, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5923. An act to designate the facility of the United States Postal Service located at 29-50 Union Street in Flushing, New York, as the "Dr. Leonard Price Stavisky Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5989. An act to designate the facility of the United States Postal Service located at 10240 Roosevelt Road in Westchester, Illinois, as the "John J. Sinde Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5990. An act to designate the facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, as the "Wallace W. Sykes Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6014. An act to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to improve California's Sacramento-San Joaquin Delta and water supply; to the Committee on Energy and Natural Resources.

H.R. 6062. An act to enhance community development investments by financial institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6072. An act to amend the Federal Deposit Insurance Act to provide further regulatory relief for depository institutions and clarify certain provisions of law applicable to such institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6078. An act to designate the facility of the United States Postal Service located at 307 West Wheat Street in Woodville, Texas, as the "Chuck Fortenberry Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6079. An act to require the President's Working Group on Financial Markets to conduct a study on the hedge fund industry; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6102. An act to designate the facility of the United States Postal Service located at 200 Lawyers Road, NW in Vienna, Virginia, as the "Captain Christopher Petty Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6115. An act to extend the authority of the Secretary of Housing and Urban Development to restructure mortgages and rental assistance for certain assisted multifamily housing; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6131. An act to permit certain expenditures from the Leaking Underground Storage Tank Trust Fund; to the Committee on Finance.

H.R. 6143. An act to amend title XXVI of the Public Health Service Act to revise and extend the program for providing life-saving care for those with HIV AIDS; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6151. An act to designate the facility of the United States Postal Service located at 216 Oak Street in Farmington, Minnesota, as the "Hamilton H. Judson Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6160. An act to recruit and retain Border Patrol agents; to the Committee on

Homeland Security and Governmental Affairs.

H.R. 6162. An act to require financial accountability with respect to certain contract actions related to the Secure Border Initiative of the Department of Homeland Security; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6164. An act to amend title IV of the Public Health Service Act to revise and extend the authorities of the National Institutes of Health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6166. An act to amend title 10, United States Code, to authorize trial by military commission for violations of the law of war, and for other purposes; to the Committee on Armed Services.

H.R. 6203. An act to provide for Federal energy research, development, demonstration, and commercial application activities, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 6233. An act to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; to the Committee on Environment and Public Works.

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

H. Con. Res. 222. Concurrent resolution supporting the goals and ideals of National Pregnancy and Infant Loss Remembrance Day; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res. 317. Concurrent resolution requesting the President to issue a proclamation annually calling upon the people of the United States to observe Global Family Day, One Day of Peace and Sharing, and for other purposes; to the Committee on Foreign Relations.

H. Con. Res. 430. Concurrent resolution recognizing the accomplishments of the American Council of Young Political Leaders for providing 40 years of international exchange programs, increasing international dialogue, and enhancing global understanding, and commemorating its 40th anniversary; to the Committee on Foreign Relations.

H. Con. Res. 471. Concurrent resolution congratulating The Professional Golfers' Association of America on its 90th anniversary and commending the members of The Professional Golfers' Association of America and The PGA Foundation for the charitable contributions they provide to the United States; to the Committee on Commerce, Science, and Transportation.

H. Con. Res. 473. Concurrent resolution supporting the goals and ideals of Gynecologic Cancer Awareness Month; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res. 478. Concurrent resolution supporting the goals and ideals of "Lights On Afterschool!", a national celebration of after-school programs; to the Committee on Health, Education, Labor, and Pensions.

MEASURES PLACED ON THE CALENDAR

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

S. 3994. A bill to extend the Iran and Libya Sanctions Act of 1996.

S. 4041. A bill to protect children and their parents from being coerced into administering a controlled substance in order to attend school, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 4047. A bill to prohibit the issuance of transportation security cards to individuals who have been convicted of certain crimes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that he had presented to the President of the United States the following enrolled bills:

On October 3, 2006:

S. 2430. An act to amend the Great Lakes Fish and Wildlife Restoration Act of 1990 to provide for implementation of recommendations of the United States Fish and Wildlife Service contained in the Great Lakes Fishery Resources Restoration Study.

S. 2856. An act to provide regulatory relief and improve productivity for insured depository institutions, and for other purposes.

S. 3661. An act to amend section 29 of the International Air Transportation Competition Act of 1979 relating to air transportation to and from Love Field, Texas.

On October 5, 2006:

S. 2562. An act to increase, effective as of December 1, 2006, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

S. 3728. An act to promote nuclear non-proliferation in North Korea.

On October 10, 2006:

S. 3930. An act to authorize trial by military commission or violations of the law of war, 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-8928. A communication from the Administrator, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "For-Profit Center Participation in the Child and Adult Care Food Program" (RIN0584-AD66) received on November 6, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8929. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Removal of Obsolete Regulations" (RIN0560-AH65) received on November 6, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8930. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Imported Fire Ant; Addition of Counties in Arkansas and Tennessee to the List of Quarantined Areas" (Docket No. APHIS-2006-0080) received on November 6, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8931. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved retirement of Vice Admiral Walter B. Massenburg, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-8932. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved

retirement of General James L. Jones, Jr., United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-8933. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved retirement of Lieutenant General Jan C. Huly, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-8934. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report on the Department's decision to convert functions currently performed by Navy personnel to contractors; to the Committee on Armed Services.

EC-8935. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to a streamlined competition of military personnel; to the Committee on Armed Services.

EC-8936. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Acquisition of Major Weapon Systems as Commercial Items" (RIN0750-AF38) (DFARS Case 2006-D012) received on November 6, 2006; to the Committee on Armed Services.

EC-8937. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Free Trade Agreements—Guatemala and Bahrain" ((RIN0750-AF49) (DFARS Case 2006-D028)) received on November 6, 2006; to the Committee on Armed Services.

EC-8938. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Berry Amendment Notification Requirement" ((RIN0750-AF33) (DFARS Case 2006-D006)) received on November 6, 2006; to the Committee on Armed Services.

EC-8939. A communication from the Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Extension of Minimum Funding Under the Indian Housing Block Grant Program" (RIN2577-AC69) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8940. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the report of (2) officers authorized to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-8941. A communication from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Department of Defense Personnel Security Program Regulation" (DoD-2006-OS-0038) received on November 6, 2006; to the Committee on Armed Services.

EC-8942. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Buy American Act Exemption for Commercial Information Technology" ((RIN0750-AF23) (DFARS Case 2005-D011)) received on November 6, 2006; to the Committee on Armed Services.

EC-8943. A communication from the General Counsel, National Credit Union Admin-

istration, transmitting, pursuant to law, the report of a rule entitled "General Lending Maturity Limit and Other Financial Services" (RIN3133-AD30) received on November 7, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8944. A communication from the Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Demolition or Disposition of Public Housing Projects" (RIN2577-AC20) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8945. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Rules 13e-4 and 14d-10" (RIN3235-AJ50) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8946. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "National Flood Insurance Program; Appeal of Decisions Relating to Flood Insurance Claims" (RIN1660-AA41) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8947. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (71 FR 59398) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8948. A communication from the White House Liaison, Department of the Treasury, transmitting, pursuant to law, (12) reports relative to vacancy announcements within the Department, received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8949. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report relative to the national emergency that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-8950. A communication from the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Federal Home Loan Bank Elective Directors" (RIN3069-AB31) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8951. A communication from the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Privacy Act and Freedom of Information Act; Implementation" (RIN3069-AB32) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8952. A communication from the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Affordable Housing Program Amendments" (RIN3069-AB26) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8953. A communication from the Under Secretary and Director, United States Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Eliminate the Disclosure Document Program" (RIN0651-AC01) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8954. A communication from the Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Temporary Rule; Inseason Retention Limit Adjustment" (ID No. 092506B) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8955. A communication from the Director, National Marine Fisheries Service, Department of Commerce, 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 Pot Gear in the Bering Sea and Aleutian Islands Management Area" (ID No. 101206F) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8956. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Specifications and Management Measures; End of the Pacific Whiting Primary Season for the Mothership Sector (ID No. 100206A) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8957. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (ID No. 100306E) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8958. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands" (ID No. 100306D) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8959. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area" (ID No. 100506B) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8960. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper/Grouper Resources of the South Atlantic; Closure" (ID No. 092606D) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8961. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Economic Exclusive Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area" (ID No. 100506C) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8962. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Economic Exclusive Zone

Off Alaska; Trawl Gear in the Gulf of Alaska" (ID No. 100606A) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8963. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Offshore Component in the Western Regulatory Area of the Gulf of Alaska" (ID No. 101106A) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8964. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Implement Measures Approved in Framework Adjustment 42 to the Northeast Multi-species Fishery Management Plan" (RIN0648-AT24) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8965. A communication from the White House Liaison, Economics and Statistics Administration, Department of Commerce, transmitting, pursuant to law, the report of a change in previously submitted reported information and action on a nomination for the position of Under Secretary for Economic Affairs, received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8966. A communication from the White House Liaison, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a change in previously submitted reported information and action on a nomination for the position of Assistant Secretary for Export Administration, received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8967. A communication from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report relative to aviation operations in the airspace serving Love Field and the Dallas-Fort Worth area; to the Committee on Commerce, Science, and Transportation.

EC-8968. A communication from the Acting Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Innovation Research and Small Business Technology Transfer Contractor Recertification of Program Compliance" (RIN2700-AD17) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8969. A communication from the Acting Secretary of Transportation, transmitting, pursuant to law, a report relative to the disability-related complaints that U.S. and foreign passenger air carriers operating to and from the U.S. received during the 2005 calendar year; to the Committee on Commerce, Science, and Transportation.

EC-8970. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Annual Report to Congress on Federal Government Energy Management and Conservation Programs, Fiscal Year 2005"; to the Committee on Energy and Natural Resources.

EC-8971. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Procedures for the Acquisition of Petroleum for the Strategic Petroleum Reserve" (RIN1901-

AB16) received on November 6, 2006; to the Committee on Energy and Natural Resources.

EC-8972. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Nitrogen Oxides Allowance Allocations for 2008" (FRL No. 8238-9) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8973. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; North Carolina; Redesignation of the Rocky Mount 8-Hour Ozone Nonattainment Area to Attainment" (FRL No. 8239-5) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8974. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Ohio Particulate Matter" (FRL No. 8228-2) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8975. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri; Nitrogen Oxides Allowance Allocations for 2008" (FRL No. 8239-3) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8976. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Louisiana; 2006 Low Enhanced Vehicle Inspection/Maintenance Program" (FRL No. 8241-2) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8977. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Iowa" (FRL No. 8240-6) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8978. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Export Notification; Change to Reporting Requirements" (FRL No. 8101-3) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8979. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Louisiana: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 8241-3) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8980. A communication from the Principal Deputy Associate Administrator, Office

of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Lake County Air Quality Management District, Monterey Bay Unified Air Pollution Control District, San Joaquin Valley Unified Air Pollution Control District, and Ventura County Air Pollution Control District" (FRL No. 8234-9) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8981. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report entitled "FY 2005 Superfund Five-Year Review Report to Congress"; to the Committee on Environment and Public Works.

EC-8982. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Department's possible need to operate the Mississippi River headwaters reservoirs; to the Committee on Environment and Public Works.

EC-8983. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Collaborative Demonstration-Based Review of Physician Practice Expense Geographic Adjustment Data"; to the Committee on Finance.

EC-8984. A communication from the Acting Social Security Regulations Officer, Office of Disability and Income Security Programs, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Representative Payment Policies and Administrative Procedure for Imposing Penalties for False or Misleading Statements or Withholding of Information" (RIN0960-AG09) received on November 6, 2006; to the Committee on Finance.

EC-8985. A communication from the Acting Social Security Regulations Officer, Office of Disability and Income Security Programs, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Continuing Disability Review Failure to Cooperate Process" (RIN0960-AG19) received on November 6, 2006; to the Committee on Finance.

EC-8986. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Concerning Use of 2001 CSO Tables Under Section 7702" (Notice 2006-95) received on November 6, 2006; to the Committee on Finance.

EC-8987. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Taxation and Reporting of Excess Inclusion Income" (Notice 2006-97) received on November 6, 2006; to the Committee on Finance.

EC-8988. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "AJCA Modifications to the Section 6011, 6111, and 6112 Regulations" (RIN1545-BF98) received on November 6, 2006; to the Committee on Finance.

EC-8989. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "United States Treaties That Meet the Requirements of Section 1(h)(1)(C)(i)(II)" (Notice 2006-101) received on November 6, 2006; to the Committee on Finance.

EC-8990. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled

"Impact of Increased Financial Assistance to Medicare Advantage Plans"; to the Committee on Finance.

EC-8991. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Standards for Calculating Energy Savings for the New Energy Efficient Home Credit" (Announcement 2006-88) received on November 6, 2006; to the Committee on Finance.

EC-8992. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Excess Inclusion Income and Charitable Remainder Trusts" (Rev. Rul. 2006-58) received on November 6, 2006; to the Committee on Finance.

EC-8993. A communication from the Special Assistant, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report on the United States Participation in the United Nations for the year 2005; to the Committee on Foreign Relations.

EC-8994. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to methods employed by the Government of Cuba to comply with an agreement it made with the United States; to the Committee on Foreign Relations.

EC-8995. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report relative to the international agreements other than treaties that have been entered into in the past sixty days; to the Committee on Foreign Relations.

EC-8996. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from April 1, 2005 through September 30, 2006; ordered to lie on the table.

EC-8997. A communication from the Administrator, Office of Foreign Labor Certification, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Labor Condition Applications and Requirements for Employers Using Nonimmigrants on H1B Visas in Specialty Occupations and as Fashion Models; Labor Attestations Regarding H-1B1 Visas" (RIN1205-AB38) received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8998. A communication from the Administrator, Office of Workforce Security, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Federal-State Unemployment Compensation (UC) Program; Confidentiality and Disclosure of State UC Information" (RIN1205-AB18) received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8999. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the 2005 report relative to the Food and Drug Administration's methods for meeting the necessary conditions specified in the Prescription Drug User Fee Act of 1992; to the Committee on Health, Education, Labor, and Pensions.

EC-9000. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report detailing the means by which the conditions specified in the Animal Drug User Fee Act of 2003 were met; to the Committee on Health, Education, Labor, and Pensions.

EC-9001. A communication from the White House Liaison, Office of Communications and Outreach, Department of Education, transmitting, pursuant to law, the report of

action on a nomination for the position of Assistant Secretary for Communications and Outreach, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9002. A communication from the White House Liaison, Office of Communications and Outreach, Department of Education, transmitting, pursuant to law, the report of the discontinuation of service in the acting role for the position of Assistant Secretary for Communications and Outreach, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9003. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, (2) reports relative to vacancy announcements in the Department, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9004. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of change in previously submitted reported information and the designation of an acting officer for the position of Assistant Secretary for Planning and Evaluation, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9005. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of change in previously submitted reported information and discontinuation of service in an acting role for the position of Assistant Secretary for Planning and Evaluation, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9006. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Surgeon General, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9007. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Administrator, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9008. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of discontinuation of service in an acting role and action on a nomination for the position of General Counsel, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9009. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Administrator of the Centers for Medicare and Medicaid Services, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9010. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Recordkeeping Requirements for Human Food and Cosmetics Manufactured From, Processed With, or Otherwise Containing, Material from Cattle" ((RIN 0910-AF48) (Docket No. 2004N-0257)) received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 3591. A bill to improve efficiency in the Federal Government through the use of high-performance green buildings, and for other purposes (Rept. No. 109-358).

By Ms. COLLINS, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 1838, a bill to provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, and for other purposes (Rept. No. 109-359).

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. ENZI for the Committee on Health, Education, Labor, and Pensions,

*John Peyton, of Florida, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2011.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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 Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. LIEBERMAN, Mr. LEAHY, Ms. CANTWELL, Mr. COLEMAN, Mr. COBURN, Mr. KERRY, Mr. SALAZAR, Mr. SUNUNU, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. WYDEN, Mr. BIDEN, Mr. LEVIN, Mr. BYRD, Mr. SCHUMER, Mr. WARNER, Ms. SNOWE, and Mr. BENNETT):

S. 4046. A bill to extend oversight and accountability related to United States reconstruction funds and efforts in Iraq by extending the termination date of the Office of the Special Inspector General for Iraq Reconstruction; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DEMINT (for himself and Mr. ENSIGN):

S. 4047. A bill to prohibit the issuance of transportation security cards to individuals who have been convicted of certain crimes; read the first time.

ADDITIONAL COSPONSORS

S. 724

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 724, a bill to improve the No Child Left Behind Act of 2001, and for other purposes.

S. 1002

At the request of Mr. GRASSLEY, the name of the Senator from Pennsyl-

vania (Mr. SPECTER) was added as a cosponsor of S. 1002, a bill to amend title XVIII of the Social Security Act to make improvements in payments to hospitals under the medicare program, and for other purposes.

S. 1147

At the request of Mr. ROCKEFELLER, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1147, a bill to amend the Internal Revenue Code of 1986 to provide for the expensing of broadband Internet access expenditures, and for other purposes.

S. 1353

At the request of Mr. REID, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1353, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1915

At the request of Mr. ENSIGN, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from New York (Mrs. CLINTON), the Senator from Delaware (Mr. BIDEN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1915, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 2010

At the request of Mr. HATCH, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2010, a bill to amend the Social Security Act to enhance the Social Security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 2342

At the request of Ms. STABENOW, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2342, a bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program.

S. 2487

At the request of Mr. CRAIG, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2487, a bill to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops.

S. 2545

At the request of Mr. OBAMA, his name was added as a cosponsor of S. 2545, a bill to establish a collaborative program to protect the Great Lakes, and for other purposes.

S. 2635

At the request of Mr. WYDEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2635, a bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters.

S. 2702

At the request of Mr. JOHNSON, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 2702, a bill to require the Secretary of Defense to carry out a program on the provision of assistance to certain military families.

S. 3128

At the request of Mr. BURR, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 3128, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 3608

At the request of Mr. ALLARD, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 3608, a bill to modify the boundary of Mesa Verde National Park, and for other purposes.

S. 3651

At the request of Mr. DURBIN, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 3651, a bill to reduce child marriage, and for other purposes.

S. 3705

At the request of Mr. KENNEDY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 3705, a bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes.

S. 3768

At the request of Mr. LEAHY, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Oregon (Mr. WYDEN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 3768, a bill to prohibit the procurement of victim-activated landmines and other weapons that are designed to be victim-activated.

S. 3771

At the request of Mr. HATCH, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 3771, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 3795

At the request of Mr. SMITH, the name of the Senator from Texas (Mr.

CORNYN) was added as a cosponsor of S. 3795, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

S. 3814

At the request of Mr. ROBERTS, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 3814, a bill to amend part B of title XVIII of the Social Security Act to restore the Medicare treatment of ownership of oxygen equipment to that in effect before enactment of the Deficit Reduction Act of 2005.

S. 3910

At the request of Mrs. CLINTON, the names of the Senator from California (Mrs. BOXER), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 3910, a bill to direct the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the Capitol.

S. 3920

At the request of Mr. HATCH, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 3920, a bill to amend part B of title XVIII of the Social Security Act to assure access to durable medical equipment under the Medicare Program.

S. 3936

At the request of Mr. FRIST, the names of the Senator from Utah (Mr. BENNETT) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 3936, a bill to invest in innovation and education to improve the competitiveness of the United States in the global economy.

S. 3962

At the request of Mr. DOMENICI, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 3962, a bill to enhance the management and disposal of spent nuclear fuel and high-level radioactive waste, to assure protection of public health and safety, to ensure the territorial integrity and security of the repository at Yucca Mountain, and for other purposes.

S. 3972

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 3972, a bill to amend title XXI of the Social Security Act to reduce funding shortfalls for the State Children's Health Insurance Program (SCHIP) for fiscal year 2007.

S. 3980

At the request of Mr. DODD, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 3980, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Edu-

cation, to develop a policy for managing the risk of food allergy and anaphylaxis in schools, to establish school-based food allergy management grants, and for other purposes.

S. 4014

At the request of Mr. LUGAR, the names of the Senator from Ohio (Mr. VOINOVICH), the Senator from Ohio (Mr. DEWINE), the Senator from Minnesota (Mr. COLEMAN), the Senator from Florida (Mr. MARTINEZ), the Senator from Connecticut (Mr. DODD), the Senator from New Hampshire (Mr. SUNUNU) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 4014, a bill to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of Albania, Croatia, Georgia, and Macedonia to NATO, and for other purposes.

S. 4015

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 4015, a bill to amend the Internal Revenue Code of 1986 to increase the amount of gain excluded from the sale of a principal residence.

S. 4043

At the request of Mrs. HUTCHISON, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 4043, a bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate a portion of Interstate Route 14 as a high priority corridor, and for other purposes.

S. CON. RES. 84

At the request of Mr. KYL, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. Con. Res. 84, a concurrent resolution expressing the sense of Congress regarding a free trade agreement between the United States and Taiwan.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. LEIBERMAN, Mr. LEAHY, Ms. CANTWELL, Mr. COLEMAN, Mr. COBURN, Mr. KERRY, Mr. SALAZAR, Mr. SUNUNU, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. WYDEN, Mr. BIDEN, Mr. LEVIN, Mr. BYRD, Mr. SCHUMER, Mr. WARNER, Ms. SNOWE, and Mr. BENNETT):

S. 4046. A bill to extend oversight and accountability related to United States reconstruction funds and efforts in Iraq by extending the termination date of the Office of the Special Inspector General for Iraq Reconstruction; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, today Senator FEINGOLD and I are introducing the Iraq Reconstruction Accountability Act of 2006. This bipartisan legislation, is co-sponsored by Senators LIEBERMAN, LEAHY, COLEMAN,

CANTWELL, SALAZAR, KERRY and COBURN, has a single purpose: to ensure continuing, vigorous oversight of American tax dollars in Iraq by repealing the premature termination date for the Office of the Special Inspector General for Iraq Reconstruction (SIGIR).

This legislation would restore SIGIR's termination date to its previous schedule of 10 months after 80 percent of Iraq reconstruction funds have been expended. It would repeal conference language in the 2007 Defense Authorization Bill that would close SIGIR on October 1, 2007, and transfer oversight to the Inspectors General of the Departments of State, Defense, and the U.S. Agency for International Development.

Departmental and agency Inspectors General perform an important service with dedication and expertise. However, those offices are configured to provide audits, inspections, and investigations of continuing government operations. The traditional approach of IG oversight—extensive inquiries, lengthy preparation and delivery of reports, recommendations for corrective action—is thorough. But it also is time-consuming and can allow wasteful or fraudulent practices to continue for some time.

Iraq reconstruction is a unique situation, with enormous amounts of money being spent in a relatively short period of time on a specific range of programs and operations. A number of agencies across the federal government are active in Iraq reconstruction, including the Department of Defense, the Department of State, the U.S. Agency for International Development, the Department of Justice and others. Reconstruction managers, and ultimately the taxpayers, do not have the luxury of waiting months to receive recommendations to correct wasteful or fraudulent practices. Oversight of Iraq reconstruction requires that the Inspector General be able to cross departmental boundaries and deliver the results of his work quickly and efficiently.

Effective oversight of Iraq reconstruction requires the unique approach provided by the SIGIR. Special Inspector General Stuart Bowen described this approach in testimony before the Homeland Security and Governmental Affairs Committee in a hearing on August 2. SIGIR's auditors and inspectors provide on-the-spot guidance to managers as soon as problems are discovered, so corrective action can begin immediately. This "real time" method allows most of his reports to document not only how problems were detected, but also how they were corrected.

This method works. It should continue as long as American funds are being used for Iraq reconstruction, not terminate on some arbitrary and premature date. As of October 30, 2006, SIGIR estimates that the financial impact of its audit operations is \$441 billion, its investigative operations is \$20 million and its inspection operations is

\$1.44 billion. It has achieved these results while costing the taxpayer \$72 million. This means that for every dollar SIGIR has spent there has been a financial impact of \$25 dollars, a very impressive ratio. SIGIR has also opened 256 cases thus far, and has either referred for prosecution or cleared 164. SIGIR has an impressive record. The Office has 92 open cases, with 25 of them at the Department of Justice. SIGIR has issued 73 audit reports and 65 project assessments. Its work has led to the arrests of five people, and the convictions of four, with more than \$17 million in assets seized. During the current quarter, SIGIR investigators opened 20 new cases and closed 10.

There is no question that SIGIR has proven itself to be a much-needed watchdog, auditing reconstruction contracts in Iraq and spotlighting numerous cases of waste, fraud and abuse. We must keep this watchdog on the job.

In addition, SIGIR has taken on a mission that will benefit our nation long after the Iraq reconstruction efforts conclude. Through its Lessons Learned Initiative, the experience gained in Iraq—and the methods developed to track, evaluate, and correct programs—will provide critical guidance to managers and policymakers in the future. The efficient and speedy SIGIR approach would have helped the initial urgent stages of Katrina recovery immeasurably, and it will be invaluable in the aftermath of new disasters to come.

SIGIR has performed admirably in the most difficult of circumstances. Mr. Bowen and his exemplary staff have put themselves in harm's way numerous times. This incredible dedication is reflected in their work, which provides a high degree of oversight and accountability that is essential for Iraq reconstruction to succeed, and it is creating a template for success in the challenges that lie ahead. I urge my colleagues to support the Iraq Reconstruction Accountability Act. 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. 4046

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 "Iraq Reconstruction Accountability Act of 2006".

SEC. 2. MODIFICATION OF THE TERMINATION DATE FOR THE OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR IRAQ RECONSTRUCTION.

Section 3001(o) of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of Public Law 95-452), as amended by section 1054(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), is amended to read as follows:

"(o) TERMINATION.—(1)(A) The Office of the Inspector General shall terminate 10 months after 80 percent of the funds appropriated or

otherwise made available to the Iraq Relief and Reconstruction Fund have been expended.

"(B) For purposes of calculating the termination of the Office of the Inspector General under this subsection, any United States funds appropriated or otherwise made available for fiscal year 2006 for the reconstruction of Iraq, irrespective of the designation of such funds, shall be deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund.

"(2) The Special Inspector General for Iraq Reconstruction shall, prior to the termination of the Office of the Special Inspector General under paragraph (1), prepare a final forensic audit report on all funds deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund."

AMENDMENTS SUBMITTED AND PROPOSED

SA 5122. Mr. STEVENS submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table.

SA 5123. Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. LIEBERMAN, Mr. LEAHY, Ms. CANTWELL, Mr. COLEMAN, Mr. COBURN, Mr. WARNER, Mr. KERRY, Mr. SALAZAR, Mr. SUNUNU, Mr. KENNEDY, Ms. SNOWE, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. WYDEN, Mr. BIDEN, Mr. LEVIN, Mr. BYRD, Mr. SCHUMER, and Mr. BENNETT) submitted an amendment intended to be proposed by her to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5124. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5125. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5126. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5127. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5128. Mr. AKAKA (for himself and Mr. OBAMA) proposed an amendment to the bill H.R. 5385, supra.

SA 5129. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5130. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5131. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5132. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5133. Mr. FRIST (for Mr. MCCAIN) proposed an amendment to the bill S. 3501, to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program.

SA 5134. Mr. BAUCUS submitted an amendment intended to be proposed by him to the

bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table.

SA 5135. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5136. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 5385, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5122. Mr. STEVENS submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) Of the amount appropriated or otherwise made available by this title under the heading "FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY", \$7,500,000 may be available for the lease of not more than 300 additional housing units in the vicinity of Fairbanks, Alaska. Such funds may not be available for the construction or purchase of such units.

(b)(1) The total cost of a unit leased under subsection (a), including the cost of utilities, maintenance, and operation, may not exceed \$25,000 per year.

(2) A lease entered into under subsection (a) may not exceed 5 years in duration or include an option to extend the lease beyond the 5-year period beginning on the date the lease commences.

SA 5123. Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. LIEBERMAN, Mr. LEAHY, Ms. CANTWELL, Mr. COLEMAN, Mr. COBURN, Mr. WARNER, Mr. KERRY, Mr. SALAZAR, Mr. SUNUNU, Mr. KENNEDY, Ms. SNOWE, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. WYDEN, Mr. BIDEN, Mr. LEVIN, Mr. BYRD, Mr. SCHUMER, and Mr. BENNETT) submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Section 3001(o) of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of Public Law 95-452), as amended by section 1054(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), is amended to read as follows:

"(o) TERMINATION.—(1)(A) The Office of the Inspector General shall terminate 10 months

after 80 percent of the funds appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund have been expended.

“(B) For purposes of calculating the termination of the Office of the Inspector General under this subsection, any United States funds appropriated or otherwise made available for fiscal year 2006 for the reconstruction of Iraq, irrespective of the designation of such funds, shall be deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund.

“(2) The Special Inspector General for Iraq Reconstruction shall, prior to the termination of the Office of the Special Inspector General under paragraph (1), prepare a final forensic audit report on all funds deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund.”.

SA 5124. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following:

SEC. 229. (a) REPORTS ON RULEMAKING FOR PROCEDURES TO ADD EMBLEMS OF BELIEF TO GOVERNMENT-PROVIDED HEADSTONES AND MARKERS.—As soon as practicable after the date of the enactment of this Act, and every 90 days thereafter until such rulemaking is complete, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report on the status of the rulemaking of the Secretary to establish procedures for adding new emblems of belief to the list, maintained by the National Cemetery Administration, of emblems of belief that are approved for inscription on headstones and markers provided by the Government for the graves of veterans.

(b) EVALUATION OF PENDING REQUESTS FOR NEW EMBLEMS OF BELIEF.—Not later than 30 days after the completion of the rulemaking described in subsection (a), the Secretary shall make a final decision on each request for the inclusion on the list described in that subsection of a new emblem of belief for headstones and markers for the graves of veterans that is submitted to the Department of Veterans Affairs before the completion of such rulemaking but on which no final decision has been made by the Secretary as of the completion of such rulemaking.

SA 5125. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) Of the amount appropriated or otherwise made available by this title under the heading “MILITARY CONSTRUCTION, NAVY AND MARINE CORPS”, \$3,410,000 may be avail-

able for the replacement of a vehicle bridge at Naval Station, Newport, Rhode Island.

(b) The amount appropriated or otherwise made available by this title under the heading “MILITARY CONSTRUCTION, NAVY AND MARINE CORPS” and available for the Hazardous Material Storage Facility at Naval Station, Newport, Rhode Island, is hereby reduced by \$3,410,000.

SA 5126. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Subsection (c) of section 1077 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) is hereby repealed.

SA 5127. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following new section:

SEC. 229. Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report on the actions taken by the Secretary to test veterans for vestibular damage.

SA 5128. Mr. AKAKA (for himself and Mr. OBAMA) proposed an amendment to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the end of title II, add the following:

SEC. _____. (a) ADDITIONAL AMOUNT FOR OFFICE OF INSPECTOR GENERAL OF DEPARTMENT OF VETERANS AFFAIRS.—The amount appropriated by this title under the heading “OFFICE OF INSPECTOR GENERAL” is hereby increased by \$2,500,000.

(b) OFFSET.—The amount appropriated by this title under the heading “CONSTRUCTION, MAJOR PROJECTS” is hereby reduced by \$2,500,000.

SA 5129. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other

purposes; which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following new section:

SEC. 229. (a) INCREASE IN THRESHOLD FOR MAJOR MEDICAL FACILITY PROJECTS.—Section 8104(a)(3)(A) of title 38, United States Code, is amended by striking “\$7,000,000” and inserting “\$10,000,000”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2006, and shall apply with respect to fiscal years beginning on or after that date.

SA 5130. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following:

SEC. 229. (a) COLOCATION OF COMMUNITY BASED OUTPATIENT CLINIC WITH WAGNER INDIAN HEALTH SERVICE UNIT, WAGNER, SOUTH DAKOTA.—No amount appropriated or otherwise made available for the Department of Veterans Affairs by this title may be obligated or expended to implement a business plan of Veterans Integrated Service Network 23 (VISN 23) for the implementation a Community Based Outpatient Clinic (CBOC) in Wagner, South Dakota, unless such business plan contains an evaluation and an analysis of the prospect of colocating such Community Based Outpatient Clinic with the Wagner Indian Health Service unit in Wagner, South Dakota.

(b) AVAILABILITY OF AMOUNTS FOR EMERGENCY ROOM SERVICES AT WAGNER INDIAN HEALTH SERVICE UNIT.—Of the amount appropriated or otherwise made available to the Department of Veterans Affairs by this title under the heading “MEDICAL FACILITIES”, up to \$500,000 may be available for emergency room services at the Wagner Indian Health Service unit pending implementation of a business plan meeting the requirements in subsection (a).

SA 5131. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) The amount appropriated or otherwise made available by this title under the heading “MILITARY CONSTRUCTION, AIR FORCE” is hereby increased by \$750,000.

(b) Of the amount appropriated or otherwise made available by this title under the heading “MILITARY CONSTRUCTION, AIR FORCE”, as increased by subsection (a), \$750,000 shall be available for the Air Force Financial Management Center.

(c) The amount appropriated or otherwise made available by this title under the heading “NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM” is hereby reduced by \$750,000.

SA 5132. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) The amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, AIR FORCE" is hereby increased by \$1,500,000.

(b) Of the amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, AIR FORCE", as increased by subsection (a), \$1,500,000 shall be available for making base security improvements at Ellsworth Air Force Base, South Dakota.

(c) The amount appropriated or otherwise made available by this title under the heading "NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM" is hereby reduced by \$1,500,000.

SA 5133. Mr. FRIST (for Mr. MCCAIN) proposed an amendment to the bill S. 3501, to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program; as follows:

On page 2, strike lines 19 through 22 and insert the following:

"(2) TRANSFERS TO ACQUISITION FUND.—There are transferred to the Acquisition Fund any funds made available, but not expended, under subsection (f).

SA 5130. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following:

SEC. 229. Of the amount appropriated by this title under the heading "NATIONAL CEMETERY ADMINISTRATION" up to \$1,000,000 may be available for the construction of the first phase of the Yellowstone County National Veterans Cemetery, Montana, for roads, irrigation, and site improvements. The amount so available shall supplement funds raised by the local community for purposes of the cemetery.

SA 5135. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. 229. Notwithstanding any other provision of law, the Secretary is authorized to carry out major medical facility projects and leases for which any funds have been appropriated under this Act or any other Act. Further, for major medical facility projects authorized under Public Law 108-170, the Secretary may carry out contracts through September 30, 2007, including land purchase on projects for which Phase I design has been authorized.

SA 5136. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

"SEC. 126. (a) The amount available for "Military Construction, Air Force" is hereby reduced by \$25,400,000 for "Basic Expeditionary Airmen Training Facility, Lackland AFB, Texas".

(b) The amount available for "Military Construction, Defense-wide" is hereby increased by \$651,600 for "Planning and Design: Special Operations Command".

(c) The amount available for "Family Housing Operation and Maintenance, Navy and Marine Corps" is hereby increased by \$10,601,000 for "Leasing".

(d) The amount available for "United States Court of Appeals for Veterans Claims" is hereby increased by \$311,400 for "Salaries and Expenses".

SEC. 127. On page 65, line 5, strike "\$72,065,000" and insert "\$8,229,000".

NOTICE OF HEARING

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. COLEMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled "Failure to Identify Company Owners Impedes Law Enforcement."

The Permanent Subcommittee on Investigations' hearing will examine the issue of States routinely incorporating hundreds of thousands of new, non-publicly traded companies in the United States each year without obtaining the identity of the corporate owners, thereby impeding law enforcement investigations into persons misusing U.S. shell corporations for money laundering, tax evasion, terrorist financing, or other crimes. The hearing will feature the April 2006 Government Accountability Office (GAO) report prepared at the Subcommittee's request, "Company Formations: Minimal Ownership Information Is Collected and Available." Witnesses for the upcoming hearing will include representatives of GAO, the Department of Justice, the Financial Crimes Enforcement Network, and the Internal Revenue Service, as well as representatives of several states. A final witness list will be

available on Thursday, November 9, 2006.

The Subcommittee hearing is scheduled for Tuesday, November 14, 2006, at 2:30 p.m. in Room 342 of the Dirksen Senate Office Building. For further information, please contact Raymond V. Shepherd III or Elise J. Bean, of the Permanent Subcommittee on Investigations at 224-3721.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the Subcommittee on National Parks hearing for Wednesday, November 15, 2006 at 4 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC, has been postponed until further notice.

For further information, please contact Tom Lillie at (202) 224-5161, David Szymanski at (202) 224-6293, or Sara Zecher 202-224-8276.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. COLEMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled "The Defense Travel System: Boon Or Boondoggle (Part 2)."

The Permanent Subcommittee on Investigations plans to hold this second hearing on the Department of Defense's (DOD) Defense Travel System (DTS) as part of its ongoing investigation of DOD's travel policies and practices. The DTS was intended to be a seamless integrated computer-based travel system that would facilitate travel for DOD employees and lead to increased efficiency and substantial cost savings. Instead, DTS has cost more than was anticipated, is not fully deployed, does not appear to be widely used and may end up costing more than it has saved. The Subcommittee's first hearing on DTS on September 29, 2005, established that DOD proceeded with the implementation of DTS despite warnings from the DOD Inspector General (IG) and the Secretary of Defense's Program Analysis and Evaluation section that DTS might not be the most cost effective solution to DOD's travel needs. Following the hearing, the Chairman asked the Government Accountability Office (GAO) and the DOD IG to respectively determine if the projected cost savings were justified and to perform a cost benefit analysis of DTS. The upcoming hearing will present the results of those reviews and provide DOD an opportunity to respond. Witnesses for the upcoming hearing will be representatives of GAO and DOD.

The Subcommittee hearing is scheduled for Thursday, November 16, 2006, at 10 a.m. in Room 342 of the Dirksen Senate Office Building. For further information, please contact Raymond V. Shepherd, III, Staff Director and Chief Counsel to the Permanent Subcommittee on Investigations, at 224-3721.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Monday, November 13, 2006, at 2:30 p.m. to consider the nomination of Susan E. Dudley to be Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

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

PRIVILEGES OF THE FLOOR

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that Rose Fabia, a detailee to the Appropriations Committee from the Department of Veterans Affairs and a staff member on our committee, be granted floor privileges for the duration of debate on H.R. 5385.

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

MEASURES PLACED ON THE CALENDAR—S. 3994 AND S. 4041

Mr. FRIST. 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 for a second time.

The legislative clerk read as follows:

A bill (S. 3994) to extend the Iran and Libya Sanctions Act of 1996.

A bill (S. 4041) to protect children and their parents from being coerced into administering a controlled substance in order to attend school, and for other purposes.

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

The PRESIDING OFFICER. Objection is heard. The bills will be placed on the calendar.

MEASURE READ THE FIRST TIME—S. 4047

Mr. FRIST. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

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

The legislative clerk read as follows:

A bill (S. 4047) to prohibit the issuance of transportation security cards to individuals who have been convicted of certain crimes.

Mr. FRIST. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

PUEBLO OF ISLETA SETTLEMENT AND NATURAL RESOURCES RESTORATION ACT OF 2006

Mr. FRIST. Mr. President, I ask unanimous consent to proceed to the

immediate consideration of H.R. 5842, which is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 5842) to compromise and settle all claims in the case of Pueblo of Isleta v. United States, to restore, improve, and develop the valuable on-reservation land and natural resources of the Pueblo, and for other purposes.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and that any statements relating to this measure be printed in the RECORD.

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

The bill (H.R. 5842) was ordered to a third reading, was read the third time, and passed.

TO PROVIDE FOR THE CONVEYANCE OF THE REVERSIONARY INTEREST OF THE UNITED STATES IN CERTAIN LANDS TO THE CLINT INDEPENDENT SCHOOL DISTRICT, EL PASO COUNTY, TEXAS

Mr. FRIST. I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 860 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 860) to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clint Independent School District, El Paso County, Texas.

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

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The bill (H.R. 860) was ordered to a third reading, was read the third time, and passed.

AMENDING THE SHIVWITS BAND OF THE PAIUTE INDIAN TRIBE OF UTAH WATER RIGHTS SETTLEMENT ACT

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 531, S. 3501.

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

The legislative clerk read as follows:

A bill (S. 3501) to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acqui-

sition fund for the water rights and habitat acquisition program.

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

Mr. MCCAIN. Mr. President, I am pleased that today the Senate has agreed to pass S. 3501, a bill to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program, with an amendment that I have also offered. This bill amends the Shivwits Band of Paiute Indian Tribe of Utah Water Rights Settlement Act, enacted in 2000, which ratified a negotiated settlement of the Shivwits Band of Paiute Indian Tribe's water entitlement to flow from the Santa Clara River in UT.

S. 3501 was introduced to address a deficiency in the original statutory language of the Shivwits Water Rights Settlement Act. Section 10 of that Act authorized a water rights and habitat acquisition program. Congress appropriated \$3 million that was authorized by Section 10. When the Department of the Interior attempted to implement the law, the Treasury Department advised that the language in Section 10 was insufficient for this purpose. The Treasury Department and Department of the Interior developed technical correction language to address this deficiency in the original statutory language. S. 3501 facilitates this correction in the Shivwits Water Rights Settlement Act.

However, subsequent to approval of this measure by the Indian Affairs Committee, the Congressional Budget Office determined that the language developed by Treasury and Interior, as reflected in S. 3501, could be interpreted to authorize an additional \$3 million to the Acquisition Fund and thereby increase direct spending.

Therefore, I have offered an amendment with the bill in an effort to avoid any ambiguity in S. 3501 concerning prior appropriations for the Acquisition Fund. The amendment strikes the potentially ambiguous language in the bill, and inserts new language, to the effect, that funds transferred to the Acquisition Fund are funds made available but not expended. The technical amendment therefore avoids the possibility of any redundant appropriations, keeping S. 3501 budget neutral, as was originally intended, and fully implements Section 10 of the Shivwits Band of Paiute Indian Tribe of Utah Water Rights Settlement Act of 2000.

Mr. FRIST. I ask unanimous consent the amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The amendment (No. 5133) was agreed to, as follows:

(Purpose: To modify a provision relating to transfers to the Acquisition Fund)

On page 2, strike lines 19 through 22 and insert the following:

“(2) TRANSFERS TO ACQUISITION FUND.—There are transferred to the Acquisition Fund any funds made available, but not expended, under subsection (f).

The bill (S. 3501), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3501

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

SECTION 1. ACQUISITION FUND.

Section 10 of the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act (Public Law 106-263; 114 Stat. 743) is amended—

(1) in subsection (f), by striking the second sentence; and

(2) by adding at the end the following:

“(g) ACQUISITION FUND.—

“(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the ‘Santa Clara Water Rights and Habitat Acquisition Fund’ (referred to in this section as the ‘Acquisition Fund’), consisting of—

“(A) such amounts as are appropriated to the Acquisition Fund under paragraph (2); and

“(B) any income earned on investment of amounts in the Acquisition Fund under paragraph (4).

“(2) TRANSFERS TO ACQUISITION FUND.—There are transferred to the Acquisition Fund any funds made available, but not expended, under subsection (f).

“(3) EXPENDITURES FROM ACQUISITION FUND.—On request by the Secretary, the Secretary of the Treasury shall transfer from the Acquisition Fund to the Secretary such amounts as the Secretary determines to be necessary to carry out this section.

“(4) INVESTMENT OF AMOUNTS.—

“(A) IN GENERAL.—On request by the Secretary, the Secretary of the Treasury shall invest such portion of the Acquisition Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

“(B) OBLIGATIONS.—Investments may be made only in public debt securities with maturities suitable to the needs of the Acquisition Fund, as determined by the Secretary, that bear interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

“(C) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under subparagraph (A), obligations may be acquired—

“(i) on original issue at the issue price; or

“(ii) by purchase of outstanding obligations at the market price.

“(D) SALE OF OBLIGATIONS.—Any obligation acquired by the Acquisition Fund may be sold by the Secretary of the Treasury at the market price.

“(E) CREDITS TO ACQUISITION FUND.—The income on, and the proceeds from the sale or redemption of, any obligations held in the Acquisition Fund shall be credited to, and form a part of, the Acquisition Fund.

“(5) TRANSFERS OF AMOUNTS.—

“(A) IN GENERAL.—The amounts required to be transferred to the Acquisition Fund under this subsection shall be transferred at least monthly from the general fund of the Treasury to the Acquisition Fund on the basis of estimates made by the Secretary of the Treasury.

“(B) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

“(6) MANAGEMENT.—The Acquisition Fund (including the principal of the Acquisition Fund and any interest generated on that principal) shall be managed in accordance with this section.”.

WAIVING APPLICATION OF THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 642, S. 3687.

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

The legislative clerk read as follows:

A bill (S. 3687) to waive application of the Indian Self-Determination and Education Assistance Act to a specific parcel of real property transferred by the United States to 2 Indian tribes in the State of Oregon, and for other purposes.

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

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid on the table with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (S. 3687) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3687

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

SECTION 1. FINDINGS.

With respect to the parcel of real property in Marion County, Oregon, deeded by the United States to the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon by quitclaim deed dated June 18, 2002, and recorded in the public records of Marion County on June 19, 2002, Congress finds that—

(1) the parcel of land described in the quitclaim deed, comprising approximately 19.86 acres of land originally used as part of the Chemawa Indian School, was transferred by the United States in 1973 and 1974 to the State of Oregon for use for highway and associated road projects;

(2) Interstate Route 5 and the Salem Parkway were completed, and in 1988 the Oregon Department of Transportation deeded the remaining acreage of the parcel back to the United States;

(3) the United States could no longer use the returned acreage for the administration of Indian affairs, and determined it would be most appropriate to transfer the property to the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon;

(4) on request of the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon, the United States transferred the parcel jointly to the Tribes for economic development and other purposes under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.);

(5) the transfer of the parcel was memorialized by the United States in 2 documents, including—

(A) an agreement titled “Agreement for Transfer of Federally Owned Buildings, Improvements, Facilities and/or Land from the

United States of America the [sic] Confederated Tribes of the Grand Ronde Community of Oregon and the Confederated Tribes of Siletz Tribe [sic] of Oregon”, dated June 21, 2001; and

(B) a quitclaim deed dated June 18, 2002, and recorded in the public records of Marion County, Oregon, on June 19, 2002 (reel 1959, page 84);

(6) use of the parcel by Tribes for economic development purposes is consistent with the intent and language of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) and other Federal Indian law—

(A) to encourage tribal economic development; and

(B) to promote economic self-sufficiency for Indian tribes;

(7) the United States does not desire the return of the parcel and does not intend under any circumstances to take action under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or any other legal authority to seek the return of the parcel; and

(8) in reliance on this intent, the Tribes have committed over \$2,500,000 to infrastructure improvements to the parcel, including roads and sewer and water systems, and have approved plans to further develop the parcel for economic purposes, the realization of which is dependent on the ability of the Tribes to secure conventional financing.

SEC. 2. WAIVER OF APPLICATION OF INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.

(a) NONAPPLICATION OF LAW.—Notwithstanding any other provision of law, the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) shall not apply to the transfer of the parcel of real property in Marion County, Oregon, deeded by the United States to the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon by quitclaim deed dated June 18, 2002, and recorded in the public records of Marion County on June 19, 2002.

(b) NEW DEED.—The Secretary of the Interior shall issue a new deed to the Tribes to the parcel described in subsection (a) that shall not include—

(1) any restriction on the right to alienate the parcel; or

(2) any reference to any provision of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(c) PROHIBITION ON GAMING.—Class II gaming and class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall not be conducted on the parcel described in subsection (a).

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 109-21

Mr. FRIST. As in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on November 13, 2006, by the President of the United States:

Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs, Treaty Document No. 109-21.

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Geneva At of the Hague Agreement Concerning the International Registration of Industrial Designs (the "Agreement"), adopted in Geneva on July 2, 1999, and signed by the United States on July 6, 1999. I also transmit, for the information of the Senate, a report of the Department of State with respect to the Agreement.

This Agreement promotes the ability of U.S. design owners to protect their industrial designs by allowing them to obtain multinational design protection through a single deposit procedure. Under the Agreement, U.S. design owners would be able to file for design registration in any number of the Contracting Parties with a single standardized application in English at either the U.S. Patent and Trademark Office or at the International Bureau of the World Intellectual Property Organization (WIPO). Similarly, renewal of a design registration in each Contracting Party may be made by filing a single request along with payment of the appropriate fees at the International Bureau of WIPO. This Agreement should make access to international protection of industrial designs more readily available to U.S. businesses.

In the event that the Senate provides its consent to ratify the Agreement, the United States would not deposit its instrument of ratification until the necessary implementing legal structure has been established domestically.

I recommend that the Senate give early and favorable consideration to this Agreement and give its advice and consent to its ratification, subject to the declarations described in the accompanying report of the Department of State.

GEORGE W. BUSH.

THE WHITE HOUSE, November 13, 2006.

ORDERS FOR TUESDAY, NOVEMBER 14, 2006

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2:15 p.m. on Tuesday, November 14. 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 resume consideration of H.R. 5385, the Military Construction and Veterans Affairs appropriations bill.

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

PROGRAM

Mr. FRIST. Mr. President, tomorrow we will continue to work on the bill we

began today, the Military Construction and Veterans Affairs appropriations bill. The bill's managers, Senators HUTCHISON and FEINSTEIN, were here today and will be here on the floor tomorrow. Senators should consult with them at the earliest time possible if they want to have an amendment considered to this important funding bill.

We do expect to complete this legislation tomorrow afternoon. Senators are reminded we will be voting tomorrow late afternoon, and we will alert everyone once a vote is scheduled.

As I mentioned earlier this morning, we plan this week to do a continuing resolution, to do a Vietnam trade agreement, and to do the U.S./India nuclear agreement, as well as other appropriations bills as they come to the floor.

ADJOURNMENT UNTIL 2:15 P.M. TOMORROW

Mr. FRIST. 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.

There being no objection, the Senate, at 6:02 p.m., adjourned until Tuesday, November 14, 2006, at 2:15 p.m.

NOMINATIONS

Executive nominations received by the Senate November 13, 2006:

DEPARTMENT OF AGRICULTURE

MARK EVERETT KEENUM, OF MISSISSIPPI, TO BE UNDER SECRETARY OF AGRICULTURE FOR FARM AND FOREIGN AGRICULTURAL SERVICES, VICE J.B. PENN.

COMMODITY CREDIT CORPORATION

MARK EVERETT KEENUM, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE J.B. PENN.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SCOTT A. KELLER, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE STEVEN B. NESMITH, RESIGNED.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

CHARLES E. DORKEY III, OF NEW YORK, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION, VICE JAMES S. SIMPSON.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

DAINE HUMETWEA, OF ARIZONA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION FOR A TERM EXPIRING AUGUST 25, 2012, VICE RICHARD NARCIA, TERM EXPIRED.

DEPARTMENT OF THE TREASURY

ANTHONY W. RYAN, OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE TIMOTHY S. BITSBERGER.

SOCIAL SECURITY ADMINISTRATION

ANDREW G. BIGGS, OF NEW YORK, TO BE DEPUTY COMMISSIONER OF SOCIAL SECURITY FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 19, 2007, VICE JAMES B. LOCKHART III.

ANDREW G. BIGGS, OF NEW YORK, TO BE DEPUTY COMMISSIONER OF SOCIAL SECURITY FOR A TERM EXPIRING JANUARY 19, 2013. (REAPPOINTMENT)

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

KATHERINE ALMQUIST, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE LLOYD O. PIERSON, RESIGNED.

DEPARTMENT OF LABOR

LEON R. SEQUEIRA, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE VERONICA VARGAS SIDIVENT.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

WILLIAM FRANCIS PRICE, JR., OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE EVELYN DEE POTTER ROSE, TERM EXPIRED.

ROBERT BRETLEY LOTT, OF LOUISIANA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE TERESA LOZANO LONG, TERM EXPIRED.

CHARLOTTE P. KESSLER, OF OHIO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE KATHARINE DEWITT, TERM EXPIRED.

JOAN ISRAELITE, OF MISSOURI, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE DON V. COGMAN, TERM EXPIRED.

BENJAMIN DONENBERG, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE MARIBETH MCGINLEY, TERM EXPIRED.

FORESTORY HAMILTON, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE MARY COSTA, TERM EXPIRED.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

RICHARD ALLAN HILL, OF MONTANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING JUNE 10, 2009, VICE JUANITA SIMS DOTY, TERM EXPIRED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

TERRY L. CLINE, OF OKLAHOMA, TO BE ADMINISTRATOR OF THE SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE CHARLES CURIE, RESIGNED.

DEPARTMENT OF HOMELAND SECURITY

PAUL A. SCHNEIDER, OF MARYLAND, TO BE UNDER SECRETARY FOR MANAGEMENT, DEPARTMENT OF HOMELAND SECURITY, VICE JANET HALE, RESIGNED.

POSTAL RATE COMMISSION

DAN GREGORY BLAIR, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE POSTAL RATE COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2012, VICE GEORGE A. OMAS, TERM EXPIRED.

UNITED STATES POSTAL SERVICE

ELLEN C. WILLIAMS, OF KENTUCKY, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2016. (REAPPOINTMENT)

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 STATE

LAURIE JEANNE MEININGER, OF CALIFORNIA

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 STATE

MARSHALL C. DERKS, OF VIRGINIA

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

HEATHER BYRNES, OF ALASKA

DEPARTMENT OF STATE

PATRICK M. AGENTS, OF VIRGINIA
JAMES D. APPLEGATE, OF MICHIGAN
MAHA ANGELINA ARMUSH, OF TEXAS
CHUKA NNONS ASIKE, OF MARYLAND
JAYSHREE BALASUBRAMANIAN, OF NORTH CAROLINA
JASON J. BECK, OF UTAH
RICHARD CLEVELAND BLACKWOOD, OF VIRGINIA
PATRICK A. BOGUE, OF VIRGINIA
STEPHANIE ELIZABETH BOSCAINO, OF VIRGINIA
JEFFREY D. BOWAN, OF WASHINGTON
THOMAS SCOTT BROWN, OF WASHINGTON
CHRISTIANNE CARROLL, OF CALIFORNIA
JEFFREY JOHN CARY, OF THE DISTRICT OF COLUMBIA
MICHAEL G. CATHEY, OF CALIFORNIA
JAMES A. CATTO, OF SOUTH CAROLINA
PERRY YANG CHEN, OF VIRGINIA
GABRIELLE ANN COLLINS, OF THE DISTRICT OF COLUMBIA
WILLIAM EVAN COUCH, OF ALABAMA
CORNELIUS C. CREMIN, OF CALIFORNIA
CHRIS CURRAN, OF NORTH CAROLINA
ROBERTO CUSTODIO, OF FLORIDA
T.A. DADISMAN III, OF VIRGINIA

AMY ELIZABETH DAHM, OF TEXAS
 GREGORY D'ALESANDRO, OF MARYLAND
 MARK S. DAVIES, OF NEW MEXICO
 JOYE L. DAVIS-KIRCHNER, OF MISSOURI
 ANNE B. DEBEVOISE, OF CALIFORNIA
 JAFFAR A. DIAB, OF MASSACHUSETTS
 CHRISTOPHER R. DILWORTH, OF VIRGINIA
 DIANA P. DRAGON, OF VIRGINIA
 THERESA L. DUNN, OF VIRGINIA
 JASON D. EVANS, OF HAWAII
 DAVID FABRYCKY, OF VIRGINIA
 RICHARD P. FELDMAN, OF THE DISTRICT OF COLUMBIA
 RICHARD A. FISHER, OF VIRGINIA
 KATHLEEN FOX, OF CALIFORNIA
 ELAINE C. GLASENAPP, OF VIRGINIA
 COREY M. GONZALEZ, OF THE DISTRICT OF COLUMBIA
 VERONIKA GRAYLESS, OF VIRGINIA
 GEORGE H. GREEN, OF VIRGINIA
 PAULA GREENLEE, OF VIRGINIA
 GRANT S. GUTHRIE, OF CALIFORNIA
 ANDREW S. HAMRICK, OF GEORGIA
 CAROLYN F. HANDY, OF VIRGINIA
 ALISON C. HANNAH, OF MASSACHUSETTS
 ADAM J. HANTMAN, OF MARYLAND
 SARA RUTH HARRIGER, OF ALASKA
 NATALIE A. HENRY, OF VIRGINIA
 RALAN LUCAS HILL, OF CALIFORNIA
 ALICE LADENE HOLDER, OF CALIFORNIA
 BARBARA A. HOLSTON, OF VIRGINIA
 JAMES W. HOLTSNIDER, OF COLORADO
 AARON D. HONN, OF TEXAS
 LUDOVIC HOOD, OF THE DISTRICT OF COLUMBIA
 ERIKA LOREL HOSKING, OF VIRGINIA
 ELIZABETH J. HOWARD, OF MARYLAND
 WILLIAM P. HUMNICKY, OF CALIFORNIA
 BRETT T. HUNT, OF ARIZONA
 STEPHANIE J. HUTCHISON, OF MASSACHUSETTS
 SAMUEL HYON, OF MARYLAND
 LARRY M. JACKSON, OF VIRGINIA
 JOHN CLARK JACOBS, OF TEXAS
 AMANDA SCHRADER JACOBSEN, OF WASHINGTON
 CHARLES L. JARRETT III, OF TENNESSEE
 KIM H. JORDAN, OF CALIFORNIA
 HORMAZD J. KANGA, OF KENTUCKY
 AUDRA A. KEAGLE, OF VIRGINIA
 TAMMY CRITTENDEN KENYATTA, OF VIRGINIA
 AMY D. KUEHL, OF VIRGINIA
 D. KRISTIAN KVOLS, OF FLORIDA
 DENISE D. LAMOUREUX, OF VIRGINIA
 LAWRENCE PAUL LANE, OF CALIFORNIA
 LOLA A. LECERF, OF VIRGINIA
 IRMA M. LOPEZ, OF VIRGINIA
 DIANA LYNCH, OF MARYLAND
 FELICIA D. LYNCH, OF FLORIDA
 DARRIN WILLIAM STUART MACKINNON, OF VIRGINIA
 BRENT AARON MAIER, OF TEXAS
 MEREDITH MANERI, OF NEW JERSEY
 MIKA MCBRIDE, OF TEXAS
 MARGARET M. MC LAUGHLIN, OF THE DISTRICT OF COLUMBIA
 MATTHEW C. MCNEIL, OF OHIO
 JOEL MENDEZ, OF ALABAMA
 JOSHUA J. MILLER, OF VIRGINIA
 KAREN N. MIMS, OF PENNSYLVANIA
 JUDITH H. MONSON, OF NEW YORK
 KELLY E. MURNANE, OF VIRGINIA
 ROSHNI MONA NIRODY, OF NEW JERSEY
 LESLIE SILVIA NUNEZ, OF FLORIDA
 DANIEL ONSTAD, OF THE DISTRICT OF COLUMBIA
 JUAN CARLOS OSPINA, OF FLORIDA
 RONALD D. OWLES, OF FLORIDA
 NICK PARIKH, OF WASHINGTON
 REBECCA SUZANNE PHELPS, OF MICHIGAN
 LAURA ELOISE PYEATT, OF TENNESSEE
 NEVEEN N. RAMIREZ, OF NEW JERSEY
 BENJAMIN NELSON REAMES, OF TEXAS
 JUSTIN ELBERT REYNOLDS, OF IOWA
 DAVID J. ROEHN, OF VIRGINIA
 GEORGE G. SARMIENTO, OF TEXAS
 JULIA REID SCHIFF, OF OHIO
 ASHLEY M. SCHOLL, OF OHIO
 MELISSA SCHUBERT, OF MISSOURI
 VERA B. SEARLES, OF MARYLAND
 ANNIE M. SIMPKINS, OF FLORIDA
 ADAM L. SMITH, OF UTAH
 HEIDI E. SMITH, OF MICHIGAN
 MARC ALAN SNIDER, OF ILLINOIS
 PETER RICARDO SOLANO, OF MINNESOTA
 ADRIENNE BECK TAYLOR, OF VIRGINIA
 ERIC L. THORNTON, OF THE DISTRICT OF COLUMBIA
 HUNTER TRESEDER, OF CALIFORNIA
 WILLIAM FAY VON ZAGORSKI, OF VIRGINIA
 LILLIAN CATHERINE WAHL-TUCO, OF NEW HAMPSHIRE
 CHANIN T. WEBB, OF VIRGINIA
 WILLIAM STEPHEN WELLS, OF THE DISTRICT OF COLUMBIA
 GARY W. WESTFALL, OF FLORIDA
 MATTHEW WRIGHT, OF TEXAS
 CHADWICK JACKSON WYKLE, OF WEST VIRGINIA
 HANSANG YI, OF CALIFORNIA
 SOVANDARA YIN, OF OREGON
 MADELINE M. YOUNG, OF NEW YORK
 MELISSA S. ZADNIK, OF PENNSYLVANIA

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

GREG E. VERSAW, 0000

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE

RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL ROBERT T. BRAY, 0000
 BRIGADIER GENERAL RAYMOND W. CARPENTER, 0000
 BRIGADIER GENERAL HUNTINGTON B. DOWNER, JR., 0000
 BRIGADIER GENERAL JAMES W. NUTTALL, 0000
 BRIGADIER GENERAL DARREN G. OWENS, 0000
 BRIGADIER GENERAL JAMES I. PYLANT, 0000
 BRIGADIER GENERAL STEVEN D. SAUNDERS, 0000
 BRIGADIER GENERAL RANDAL E. THOMAS, 0000
 BRIGADIER GENERAL PATRICK D. WILSON, 0000

To be brigadier general

COLONEL ROMA J. AMUNDSON, 0000
 COLONEL VIRGINIA G. BARHAM, 0000
 COLONEL ROLAND L. CANDEE, 0000
 COLONEL ALLEN M. HARRELL, 0000
 COLONEL JAMES A. HOYER, 0000
 COLONEL STEVEN P. HUBER, 0000
 COLONEL RONALD W. HUFF, 0000
 COLONEL DAVID F. IRWIN, 0000
 COLONEL SCOTT W. JOHNSON, 0000
 COLONEL THEODORE D. JOHNSON, 0000
 COLONEL JEFFERY D. KINARD, 0000
 COLONEL SCOTT D. LEGWOLD, 0000
 COLONEL WALTER E. LIPPINCOTT, 0000
 COLONEL WILLIAM M. MALOAN, 0000
 COLONEL RANDALL R. MARCHI, 0000
 COLONEL CRUZ M. MEDINA, 0000
 COLONEL RICHARD S. MILLER, 0000
 COLONEL STUART C. PIKE, 0000
 COLONEL DANNY K. SPEIGNER, 0000
 COLONEL STANLEY M. STRICKLEN, 0000
 COLONEL MARGARET S. WASHBURN, 0000
 COLONEL TONY N. WINGO, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JEFFREY C. CARSTENS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624, 1552, AND 531:

To be lieutenant colonel

STEPHEN R. GERINGER, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

PAUL M. ROBERTS, 0000

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

WILLIE G. BARNES, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

LESLIE N. SWARTZ, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

DANIEL P. MC LEMORE, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JOSEF R. SMITH, 0000

MICHAEL D. TAYLOR, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

ROBERT M. BLACKMON, 0000
 BRADLEY M. VOORHEES, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be lieutenant colonel

NICHOLAS C. BAKRIS, 0000

To be major

ANDREW D. MAGNET, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE

UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

DAVID E. GREEN, 0000

To be lieutenant colonel

MICHAEL J. WILSON, 0000

To be major

MARTIN L. LADWIG, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

MOON H. LEE, 0000

To be major

RAPHAEL SEMIDIE, 0000
 PHILLIP C. ZINNI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

TERRELL W. BLANCHARD, 0000
 JAMES W. BOLES, 0000
 JAMES M. FUDGE, 0000
 KEITH E. STEELE, 0000
 DEBBIE J. VASUT, 0000
 KEITH R. VESELY, 0000
 ROBERT L. VOGELSANG III, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

VICTORIA L. SMITH, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

IRA S. DERRICK, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JOSEPH W. BROWN, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

REBECCA L. BLANKENSHIP, 0000

THE FOLLOWING NAMED INDIVIDUAL 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

MARK M. KUBA, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

CRAIG H. RHYNE, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

LORRAINE T. BREEN, 0000
 ANDREA E. CRUNKHORN, 0000
 MICHAEL A. ROBERTSON, 0000
 BARBARA A. SPRINGER, 0000
 THOMAS G. SUTLIVE, 0000

IN THE NAVY

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 commander

KIMBERLY S. EVANS, 0000

To be lieutenant commander

JOSEPH W. CURTIN, 0000
 DARRYL J. FLASPHALER, 0000
 STEVEN F. FRILLOUX, 0000
 JEFFREY J. GUZIAK, 0000
 JOHN E. LEE III, 0000

THE FOLLOWING NAMED INDIVIDUAL TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

DAVID J. ALLEN, 0000

EXTENSIONS OF REMARKS

TRIBUTE TO THE GARY, INDIANA, BRANCH OF THE NAACP

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to take this time to recognize the members of the Gary, Indiana branch of the National Association for the Advancement of Colored People, NAACP. On Monday, October 30, 2006, the Gary NAACP held its 90th anniversary dinner, while also celebrating the 45th Annual Mary White Ovington Freedom Fund Awards at Saint Timothy Community Church's Fellowship Hall in Gary, Indiana.

The NAACP was founded on February 12, 1909, with the mission to end all racial discrimination and to secure the political, economic, and social rights of all African-Americans. As the Nation's oldest and largest civil rights organization, the NAACP has worked successfully with allies of all races who believe in and continue to carry out this mission still today. The Gary NAACP, the largest branch in the State of Indiana, was organized by those who felt there was a need for an organization that would monitor and defend the rights of African-Americans in northwest Indiana. The members of the Gary NAACP, who so selflessly serve the community, share the goals of the national organization. They fight each and every day to combat injustice, discrimination, and unfair treatment in their community.

This year's fundraiser event and anniversary dinner featured Dan Parker, Indiana State Democratic Committee chairman; and Murray Clark, Indiana State Republican Committee chairman, as the evening's keynote speakers. The theme for this year's event was, "Remembering the Past. Preparing for the Future. Voting to make a Difference." The featured speakers addressed the importance of voting while promoting their respective party members.

This year, several honorees were recognized at the event with a special awards presentation. Denise Dillard, State Senator Earline Rogers, the Gary Cultural and Historical Society, Willie Watkins, New Mount Moriah Baptist Church, First African Methodist Episcopal Church, Saint Timothy Community Church, the Gary City Clerk's Office, and Marshanelle Hill were among those being honored with various awards for their service to the community and to the branch.

In addition, the Mary White Ovington Award, the most distinguished award of the evening, was presented to Gary residents Jonathan Comer and Cherrie B. White. This very special award annually recognizes those making the greatest contributions to sustaining civil rights.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in commending the members of the Gary NAACP for the efforts, activities, and leadership they have championed to improve the quality of life for

all residents of Indiana's First Congressional District. I also ask that you join me in commending the community leaders who, through their unwavering commitment to their community, are so deserving of the special honors bestowed upon them.

TRIBUTE TO RETIRING BARTON COUNTY OFFICIALS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. SKELTON. Mr. Speaker, it has come to my attention that a number of officials from Barton County, Missouri, are retiring this year after serving the public for a number of years.

I have had the privilege of representing Barton County in the United States Congress on two occasions. Barton County lies in the southwestern part of the Fourth Congressional District. Its county seat of Lamar is the birthplace of President Harry S. Truman, and the people who live there today personify the same common sense, hard working, Show-Me State values that made President Truman an outstanding president and global leader. I am honored to represent these fine Missourians in the United States Congress and to have had the privilege to work with many of these outstanding public officials.

Presiding Commissioner Gerald Miller was born in Idaho but moved to Missouri as a child. He graduated from Lamar High School in 1958 and has been active in the community since that time. Since 1999, Mr. Miller has served as Presiding Commissioner and has worked tirelessly to improve the communities he represents. He is a member of the Lamar Metro Club, the Abou Ben Adhem Shrine, and the Lamar Masonic Lodge. He is a successful businessman who is married to Brenda Rinehart and has two sons, Mark and Matt.

County Clerk Bonda Rawlings is a lifelong resident of Barton County. She graduated from Lamar High School in 1961 and has dedicated much of her life to bettering her community. Since 1983, she has served as the Barton County Clerk and has been a leader in the State Association of County Clerks, serving as president in 1996. While working full time, she is also a member of the Barton County Chamber of Commerce, the Lamar Art League, the Barton County Historical Society, the Truman Area Transportation System, and the Lamar High School Booster Club. In all of these organizations, Mrs. Rawlings has held a leadership position. Bonda is married to Bill Rawlings and has two sons, Stan and Steve.

Circuit Clerk Jerry Moyer has spent his adult life serving Barton County and is a graduate of Golden City High School. In 1976, he graduated from the College of the Ozarks with a degree in criminal justice administration. Mr. Moyer has served as the Clerk of the Circuit Court in Barton County since 1983 and has been a leader among his colleagues, serving

as president of the Circuit Clerk and Records Association in 1994. Mr. Moyer previously served as Deputy Sheriff, a police officer, and a Deputy Juvenile Officer. He is active in the First Assembly of God Church, the Lamar Rotary Club, and the Freedom Singers gospel choir. Jerry Moyer is married to Jena Moyer and has a daughter named Tiffany.

Recorder of Deeds Jean Keithly has lived in Barton County all her life and is a graduate of Lamar High School. From 1984 to 2003, she served as the Deputy Recorder of Deeds in Barton County. In 2003, she became the first elected Recorder of Deeds in Barton County since 1935, when the office had been combined with the Circuit Clerk's office. Mrs. Keithly has been an active member of the Recorder's Association of Missouri for 22 years. She is a long-time member of the Hopewell Cumberland Presbyterian Church and has been an outstanding charitable volunteer. Mrs. Keithly is married to Bob Keithly and has two children, Michael and Teresa.

Deputy Assessor Ona Mullinax has lived in Golden City, Missouri, for the past 41 years and has worked at the Barton County Courthouse since 1983. Throughout her tenure, she has capably worked through many changes within her office and was especially instrumental in assigning emergency 911 addresses to rural Barton County homes. In 1998, Mrs. Mullinax received the Employee of the Year award, which was presented by the Lamar Rotary Club. She and her husband, Rusty, have a shared family of seven children and ten grandchildren.

Mr. Speaker, these five individuals represent the outstanding Missourians who live and work within Missouri's Fourth Congressional District. As they each prepare to spend time with their families and enjoy retirement, I know that my colleagues will join me in wishing them well.

HONORING MR. TOM BENSON, RECIPIENT OF THE CHARLES E. PIPER AWARD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. LIPINSKI, Mr. Speaker, I rise today to honor Mr. Tom Benson, recipient of the 2006 Charles E. Piper Award for exceptional business achievement. Mr. Benson is currently the owner of the World's Largest Laundromat in Berwyn, IL and also serves as president of the Berwyn Development Corporation. His outstanding leadership, receiving both local and national acclamation, has greatly impacted the local community and its businesses.

Since 1999, Benson has owned the World's Largest Laundromat—a business that is technologically innovative and community centered. After a devastating fire in 2004, he rebuilt the facility and powered it with state-of-the-art solar energy, which significantly saves financial and energy resources. The World's

• 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.

Largest Laundromat is as an exceptional model of a cost-effective, energy conserving business—the best of both worlds.

Tom Benson's resourcefulness and visionary outlook extends to the social atmosphere of his laundromat as well. Aside from a spacious interior and 15 flat-screen TVs, the facility offers free wireless access, free pizza on Wednesday nights, and hosts many special events. Additionally, the World's Largest Laundromat has a reputation for promoting community programs that encourage education. One program, Read to Ride, awards bikes to children who read books during the summer.

On November 4, 2006, Benson was presented with the Charles E. Piper Award for his efforts and positive influence on the Berwyn business community. It is my privilege and pleasure to congratulate Mr. Benson on this award and acknowledge his contributions to the community. His unique approach, dedication, and determination serve as an inspiration to the business community, as well as all citizens.

PAYING TRIBUTE TO CHARLES WILLIAMSON

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. HINCHEY. Mr. Speaker, I rise today to honor Charles H.K. Williamson, a long-time educator and winner of the Carnegie Foundation's 2006 Professor of the Year Award for New York State.

Professor Williamson, during his 16 year tenure in the School of Mechanical and Aerospace Engineering at Cornell University, has impacted countless individuals, from undergraduates to Ph.D. candidates to fellow professors. As a colleague states, "Professor Williamson is the most creative and talented educator I have encountered . . . he has no equal on our faculty in integrating research into teaching and teaching into research."

It seems fitting that Professor Williamson began his teaching career among royalty, tutoring Prince Pavlos of Greece before leaving London to emigrate to Pasadena, California, and Caltech in 1984. In 1990, he found himself an assistant professor at Cornell, apprehensively standing in front of 100 students in a thermodynamics class. "I remember coming out of that first class on a high," he recalls. "I realized that the students really want to learn and are eager to know that the teacher genuinely wants the same thing."

From that point on, Professor Williamson has been a trailblazer, pioneering new approaches to lecturing. His classes are unpredictable but always educational, using anything from footlong smoke rings to Beatles albums to jet engines to demonstrate the principles of thermodynamics and fluid mechanics.

Professor Williamson's unique teaching methods, combined with his love of the subject, touches students in a way that educators seldom do. His student evaluation scores are by far the best in his department and among the highest in the university: His average over 16 years at Cornell is 4.57 out of 5, an unequaled level of consistency and excellence.

In addition to being an entertaining lecturer, Professor Williamson is also a true mentor to

students, inspiring and supporting them throughout their education, even attending student sporting events. "Without the confidence and skills I learned from Professor Williamson, I never would have . . . received a doctorate in plasma physics," a former advisee recounts.

Professor Williamson is an inspiration to us all, an individual who truly makes a difference in the lives of those around him. I am honored to congratulate him on receiving the Carnegie Foundation's 2006 Professor of the Year Award.

TRIBUTE TO MR. JOHN SELESKY

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to one of my constituents who has distinguished himself through service to his country, his State and his community. Mr. John Selesky has been selected as "Ogemaw County Veteran of the Year" by the Ogemaw County Veterans Alliance. Mr. Selesky is truly deserving of this unique honor.

Mr. Selesky enlisted in the U.S. Army Air Corps as an Aviation Cadet in 1942. He was trained in Oxnard, California, and Roswell Army Airfield. After flight training, Mr. Selesky was commissioned as a 2nd Lieutenant in the U.S. Army Air Corps.

In 1943, Mr. Selesky left on a night flight at 11 p.m. After takeoff, Mr. Selesky's plane underwent engine failure causing him to undergo a forced landing at the end of the runway.

Injured, Mr. Selesky walked back to the runway and then back to the flight line. The staff in the flight office called the base hospital, which dispatched an ambulance. Mr. Selesky awoke on an operating table where surgeons were sewing up cuts on his head and face. Sadly, Mr. Selesky lost his left eye in the accident.

After being discharged from the Army in 1943, Mr. Selesky returned home to Grayling, Michigan. A member of the greatest generation, Mr. Selesky did not take much time to rest after his discharge. Instead, he almost immediately went back to work in the family store. He also started a family of his own. Ultimately, Mr. Selesky and his wife, Virginia, would have five children, John, Jr., Verna, Barbara, Jeffery and Mike.

After purchasing a small farm, Mr. Selesky went back to serving his state and his country by joining the Conservation Department as a Forest Fire Tower Lookout out of the Mio District Office in Mio, Michigan. In 1957, Mr. Selesky was promoted to Conservation Foreman and supervised a prison inmate labor crew at the Southern Michigan State Forest Nursery near Brighton, Michigan.

In 1963, the State of Michigan eliminated the Fire Tower Fire Watch system and began using aircraft for fire detection. With his military flying experience and additional flight time he had accrued thanks to the GI Bill of Rights, Mr. Selesky was promoted to District Pilot at the Mio District Office. Mr. Selesky piloted one of only four planes used by the State of Michigan. In 1980, Mr. Selesky retired after 29 years of service as an employee in the State of Michigan having served as Conservation Foreman and as a pilot.

Mr. Speaker, with our brave men and women deployed abroad, it is more important than ever that all of us observe Veteran's Day. By honoring past heroes, we salute those who serve today. With that in mind, I ask that all of my colleagues join me in saluting Mr. Selesky for his service and in congratulating him for being awarded Ogemaw County Veteran of the Year.

TRIBUTE TO THE ASIAN-AMERICAN MEDICAL ASSOCIATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. VISCLOSKY. Mr. Speaker, it is with sincere admiration that I recognize the Asian-American Medical Association, which hosted the 30th Annual Asian-American Charity Ball on Saturday, November 4, 2006, at the Avalon Manor in Hobart, Indiana. Each year, the Asian-American Medical Association pays tribute to prominent, outstanding citizens for their contributions to the community. In recognition of their efforts, individuals are honored at this annual banquet and are awarded the prestigious Crystal Globe Award.

The Asian-American Medical Association has always been a great asset to Northwest Indiana. Its members have selflessly dedicated themselves to providing quality medical service to the residents of Indiana's First Congressional District, and they have always demonstrated exemplary service through their many cultural, scholastic, and charitable endeavors.

At this year's charity ball, the Asian-American Medical Association presented Surjit S. Patheja, M.D., with the Crystal Globe Award. Dr. Patheja was born in Pakistan in 1947 and graduated from Rangoon University Medical College in 1959. He practiced medicine in Burma for several years until immigrating to the United States in June 1964. After practicing medicine in locations such as Connecticut, New York, and Baltimore, Maryland, Dr. Patheja relocated to Northwest Indiana, where he has resided for the past 35 years. Although now retired from his practice, Dr. Patheja, board certified in Radiology and Nuclear Medicine, has been an invaluable member of the medical community since his arrival in Northwest Indiana, even serving as President of the Porter County Medical Society and the Tenth District Medical Society. Aside from the many accolades he has earned in the area of medicine, Dr. Patheja has also been instrumental in establishing scholarships and endowments for young adults. As if these accomplishments were not impressive enough, Dr. Patheja has always remained an active member of the community, donating his time through membership in several clubs and associations, including the Valparaiso Rotary Club, the Sikh Religious Society of Chicago, the Indian Medical Association of Northwest Indiana, and, of course, the Asian-American Medical Society. He is also a member of the American College of Radiology and the Radiological Society of North America.

Although Dr. Patheja has devoted so much of his time to medicine and to the Northwest Indiana community, he has always made a special point of sharing as much time as possible with his loving wife of 61 years, Mindy,

and their three children. Aside from spending time with his family, in his spare time, Dr. Patheja has always enjoyed golfing and photography.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending the Asian-American Medical Association, as well as this year's Crystal Globe Award recipient, Surjit S. Patheja, M.D., for their outstanding contributions to medicine and to the community. Their unwavering commitment to improving the quality of life for the people of Northwest Indiana and throughout the world is truly inspirational. For these reasons, they are to be praised, and I am proud to serve as their Representative in Washington, DC.

IN MEMORY OF MAJOR GENERAL
KATHRYN G. FROST

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of Major General Kathryn G. Frost.

General Frost was an inspiration to many people. She was the wife of The Honorable Martin Frost, she was a sister, an aunt, a friend to the military, and a hero to many. General Frost consistently urged joint service officers and enlisted persons to be the very best they can be and worked hard to transfer her commitment to service to the soldiers with whom she came in contact.

Her distinguished career spanned three decades, and her duties included tours as Chief, Military Personnel Office/Deputy Adjutant General, Berlin Brigade/United States Army, Berlin, Germany; Commander, Eastern Sector, United States Military Entrance Processing Command, Great Lakes, Illinois; Adjutant General/Commanding General, Physical Disability Agency/Executive Director of Military Postal Service Agency, Alexandria, Virginia; and Deputy Legislative Assistant to the Chairman of the Joint Chiefs of Staff, Washington, DC.

General Frost's awards and decorations include the Distinguished Service Medal with Oak Leaf Clusters, Defense Superior Service Medal, Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal with 6 Oak Leaf Clusters, Army Commendation Medal, and Joint Chiefs of Staff Identification Badge. She also was named one of USC's Distinguished Alumni in 2002.

Mr. Speaker, Major General Kathy Frost was a respected leader who will be greatly missed by her family, her friends, and her colleagues. She and her husband were dear friends of mine and I know the members of the House will join me in extending heartfelt condolences to Major General Kathy Frost's family.

HONORING THE 60TH ANNIVERSARY OF THE JOHNSON-PHELPS ALL AMERICAN VFW POST #5220

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. LIPINSKI. Mr. Speaker, I rise today to honor the 60th anniversary of the Johnson-Phelps All American VFW Post #5220 in Oak Lawn, IL. Since its establishment, Post #5220 has enriched the lives of its members and faithfully served the community. Today, Post #5220, under the guidance of Commander Joseph Stachon, has over 600 members and is one of the most active VFW Posts in the Chicagoland area.

Area veterans, returning from the Second World War, formed the Johnson-Phelps VFW Post between 1944 and 1945 and received a formal charter in 1946. Initially, members gathered at the Oak Lawn Public Library and later held functions at Brandt's Dug-Out. In 1951, the Post moved into its current location at 52nd and Yourell Drive.

Throughout its history, Post #5220 has successfully brought veterans of all ages and backgrounds together. Members of the Post and its Ladies Auxiliary have a strong reputation for participating in community service events, performing volunteer work at hospitals, and spearheading donation drives and fundraisers for charity. Through the work of its members, the Post continues to make a difference in the lives of countless individuals and has a tremendous impact on the surrounding community.

It is my great honor to recognize the 60th anniversary of the Johnson-Phelps All American VFW Post #5220 and commend the outstanding work of its members. As we celebrate the members' accomplishments today, we also thank them for their dedicated service in defending everything that our great Nation represents. Our society is forever indebted to our Nation's veterans for their unyielding bravery, courage, and perseverance.

TRIBUTE TO ARCH T. DOTSON

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. HINCHEY. Mr. Speaker, I rise today to honor the life and memory of an inspiring man and longtime constituent, Professor Arch T. Dotson, who passed away last April at the age of 85. Over the course of his remarkable life, Prof. Dotson ("Arch") served as teacher, friend, and mentor to all who knew him.

Professor Dotson truly is an exemplar of the American success story. Born the second of three sons to tenant farmers in Kentucky, he graduated from Transylvania University in 1941 and joined the U.S. Air Force as a test pilot throughout World War II. In September of 1945, he decided to go to Harvard University for graduate school. He would recount the story of his experience with the associate dean: "She looked at my transcript and she looked at me in my full officer's uniform and finally said, 'Harvard can afford to take a few chances.'" Five years later, Arch left Harvard Square with a Ph.D. in government.

His career at Cornell University spanned 50 years, during which he had an immeasurable impact on the campus and its students. In 1969, 18 years after arriving in Ithaca, Prof. Dotson was named Chair of the Department of Government. In 1979 he became founding Director of the Cornell in Washington program, and in 1984 undertook the same role for Cornell Abroad. From 1991 to 1996 he served as Director of the Cornell Institute for Public Affairs. During this time, he also consulted internationally, helping India with regional development, assisting with the opening of a College of Public Administration in the Philippines, and working for the United Nations.

Professor Dotson had a tremendous impact on all whose lives he touched. The Cornell in Washington and Cornell Abroad programs are now cornerstones of the Cornell experience, with over 1,000 students participating in them each year. A former student says, "He deeply loved all of his students . . . he encouraged us to recognize within ourselves the ability to succeed even if the odds seemed stacked against us." Dedicated to public service, Arch truly believed that everyone, no matter their roots or circumstances, could make an impact on the world they lived in.

Professor Dotson serves as a model for what we all may aspire to become. I am honored to pay tribute to him today, and send my thoughts and prayers to the family and friends of this inspiring figure.

TRIBUTE TO SAYKLLY'S
CONFECTIONARY AND GIFTS

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to a business and a family in my district that, in many ways, exemplify the American dream. The Saykly's family business has been in the same family for 100 years. Through hard work, perseverance and an admirable entrepreneurial spirit, the family has built an Upper Peninsula institution.

In 1906, a young Lebanese immigrant named Joseph Saykly opened his own shop in Escanaba, Michigan. The shop, "Saykly's," carried groceries and homemade candy and ice cream. Eventually, that little store would blossom into a thriving landmark, recognized throughout the Escanaba area. In 1916, Joseph married his wife, Mary, who was also a Lebanese immigrant. Together, Joseph and Mary would have nine children—Josephine, Marge, Angeline, Louise, Elizabeth, Marie, Martha Jean, Fred and Edward. All of the children helped in the business and all of them lived in a small apartment above the store.

Over the years, Saykly's grew in popularity. Local residents in Escanaba would stop by the store to take home a bag of Saykly's famous candy or linger at the soda fountain to savor treats made with hand-cranked ice cream. In the early days of Saykly's, some of the most popular products sold were peanut brittle, hand-pulled taffy, hand-dipped chocolates, peanut clusters and fudge. Many of these same delights are sold today.

When Joseph Saykly passed away in 1943, Mary maintained the business with the help of her children and Mary's sister Martha Jean. In

1959, Fred moved the candy-making part of the business to Third Avenue North from its original Ludington Street location. Fred also separated the store Saykly's from the candy production facility.

Shortly thereafter, Marge and Josephine began operating the store, then known as "Saykly's Confectionary and Gift." Around 1960, Saykly's stopped selling groceries and concentrated on selling the candies and gift items for which the store has since become so famous.

In 1983 Debbie and Jim Kirby purchased Saykly's Confectionary and Gifts from Josephine and Marge. Debbie was the granddaughter of Joseph, the original founder of the business. Operating Saykly's was a homecoming for Debbie who began working in the store at age 12 when her aunts, Marge and Josephine were the proprietors. Today, Debbie fondly recalls how her Aunt Marge instilled into her a sense of customer service, always reminding Debbie to put a smile on her face for customers by saying, "Smile, God loves you."

Today, Saykly's remains in the same family that started it 100 years ago. Since the enterprising Joseph Saykly opened the store in 1906, it has been a mainstay in downtown Escanaba. The store continues to be an institution for everyone who lives in Escanaba and throughout the Upper Peninsula. Locals and visitors alike delight in Saykly's famous chocolates.

Saykly's has grown over the years. The business now employs 28 people year round and that number increases when extra help is needed during busy sale times such as Christmas, Valentine's Day and Easter. In addition to renovating the store on Ludington Street in Escanaba, the Kirbys have opened Saykly's outlets in the Delta Plaza Mall in Escanaba as well as the Westwood Mall in Marquette, Michigan.

However, just as the business has grown over the years, the owners have never forgotten their commitment to quality. Saykly's uses only premium ingredients, still heats candy in big copper kettles and hand-dips all of its chocolates.

Saykly's remains an anchor of the Escanaba community. As Debbie Kirby notes, what she enjoys most about owning and operating Saykly's are her customers. Generations of families have gathered at Saykly's to buy treats, visit with their neighbors or simply see a friendly Saykly face.

Mr. Speaker, I am proud to admit that I too have been bitten by the Saykly chocolate bug. Over my 14 years in Congress, I have handed out hundreds of Saykly chocolate bars, known as "Yooper Bars" to people in Washington, D.C. A "Yooper Bar" is a chocolate bar in the shape of Michigan's Upper Peninsula. Everyone from Members of Congress to President Clinton to troops recovering in Walter Reed Hospital from wounds incurred in Iraq have enjoyed a delicious Yooper Bar from Saykly's.

Mr. Speaker, we all know how challenging it can be for a family to build a small business. Growing a successful business, while also keeping it in the same family for over 100 years, is truly an impressive accomplishment. I ask that the entire U.S. House of Representatives join with the people of Escanaba to observe Saykly's centennial celebration. Please join me in saluting the Kirbys and all the generations of the Saykly family who have made

"Saykly's" into a special place that is enjoyed by so many of my constituents.

TRIBUTE TO HOLY TRINITY HUNGARIAN CHURCH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. VISCLOSKY. Mr. Speaker, it is with great honor and enthusiasm that I recognize the Holy Trinity Hungarian Church in East Chicago, Indiana, as its members celebrate the church's 100th anniversary. The festivities began on Sunday, October 22, 2006, with Holy Mass, and were followed by a jubilee dinner at Casa Maria Banquet Hall in Dyer, Indiana, to celebrate this exceptional milestone.

Around the turn of the 20th century, the Hungarian neighborhood in East Chicago, Indiana, was centered around family, religion, and a yearning for a church of their own. On July 4, 1904, a group met in the home of Stephen Farkas on Alexander Avenue to share ideas for beginning what is now the Holy Trinity Hungarian Church. On November 11, 1906, the cornerstone was laid for the first church building, which was followed by its dedication on the feast of the Holy Trinity in 1907. On Christmas Eve 1907, the first resident pastor arrived, Father Oscar Szilagyi. Though his tenure was short-lived due to the regulations of the Religious Order, Father Szilagyi has the distinction of performing Holy Trinity's first marriage, baptism, and funeral. Though this church, as well as Holy Trinity's second church building, was eventually destroyed by fire, the parishioners and their spiritual leaders forged on. Through their faith, hard work, and dedication, the cornerstone of the third and present church was laid on May 30, 1920, and dedicated on May 22, 1921. Following the rebuilding of the church, Holy Trinity went on to open a school in 1922, and by 1927, Holy Trinity, continuing to expand, saw the development of several organizations, including: Holy Rosary Circle, Altar Society, Holy Name Society, Knights of Holy Trinity, Children of Mary, and Young Ladies Sodality.

The parishioners at Holy Trinity continued to share their faith in communion with one another, surely not without their share of continued struggles. In February 1957, the newly formed Diocese of Gary was established, and Holy Trinity joined the neighboring Catholic parishes in welcoming the Most Reverend Andrew G. Grutka as its first Bishop. Throughout the years, Holy Trinity and its leaders have achieved many milestones and accolades. None, however, was seen as more prestigious than that which occurred on July 10, 2004, when Holy Trinity was honored with a visit from Peter Cardinal Erdő, Primate of Hungary.

Another outstanding milestone in the parish's history took place on May 1, 2005, when the present pastor, Father Alphonse Skerl, celebrated his 50th anniversary of ordination to the priesthood. Through all of the support, generosity, and leadership of Father Skerl for nearly 35 years, along with the dedication of the parish council, staff, parishioners, and organizations, Holy Trinity has reached their most momentous celebration with the 100th anniversary.

Holy Trinity Hungarian Church has been a mainstay in the city of East Chicago and is

worthy of this recognition as it celebrated its 100th anniversary on Sunday, October 22, 2006. The church offers an invaluable service to its parishioners and community, providing numerous opportunities for all to join together to experience its rich heritage.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring and congratulating Holy Trinity Hungarian Church on their 100th anniversary. Throughout the years, the clergy and members of Holy Trinity have dedicated themselves to providing spirituality and guidance through the protection of the Hungarian traditions and faith. Their constant dedication and commitment is worthy of our admiration.

TRIBUTE TO LAVEDA CROSS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. SKELTON. Mr. Speaker, it has come to my attention that a longtime community leader in Lexington, MO, has been recognized for her commitment to the Daughters of the American Revolution. LaVeda Cross has been a member of this distinguished organization for twenty-eight years and recently served as Regent of the Lafayette-Lexington Chapter for the past eight years.

Under the leadership of LaVeda Cross, the Lafayette-Lexington Chapter more than doubled its membership while at the same time promoting the City of Lexington and its local businesses. Notably, she traveled the state raising funds for the restoration of the Madonna of the Trail monument in Lexington.

LaVeda Cross not only was active in her local chapter, she also has held many leadership positions with the state chapter of the Daughters of the American Revolution. She has served as the Missouri State Corresponding Secretary, Missouri State Registrar, and Chairman of the Missouri Madonna of the Trail Monument. Her leadership continued at the national level where she served as the National Vice Chairman of the Flag of the United States of America.

As a member of the Daughters of the American Revolution, Ms. Cross devoted much of her time to traveling. She has represented the Lafayette-Lexington chapter at district meetings, fall forums, at the Missouri State Conference, and at the National Continental Congress.

Mr. Speaker, I want to thank LaVeda Cross for her leadership to the community of Lexington, MO, to the State of Missouri, and to her country. I know the members of the House will join me in wishing her well.

CONGRATULATING COACH CHRISTOPHER DONFIELD ON HIS RETIREMENT

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. ROTHMAN. Mr. Speaker, I rise to recognize Mr. Christopher J. Donfield, a resident of Washington Township, New Jersey, for his

devoted service to Bergen Catholic High School as an English teacher, guidance counselor, and basketball coach for 46 years.

Christopher Donfield grew up in Teaneck, New Jersey and earned a full academic scholarship to attend Fordham Prep in the Bronx. He continued on to Fordham University, where he majored in both English and Accounting. Shortly after graduating, Chris sought a teaching position at Bergen Catholic High School, where he quickly became a favorite of both students and colleagues alike. He also became coach to the high school basketball team. During his 40 year tenure as the Varsity Head Coach of the boys' basketball team, the Crusaders, Chris led the team to an astounding 648 wins in his 878 game career. This includes a streak of 31 straight winning seasons that began in the 1968–69 season. In addition to his accomplishments as a Varsity Coach, Chris led his team in an unprecedented achievement of 30 straight Bergen County Jamboree appearances, as well as qualifying for the State Tournament 33 times in 34 seasons and winning the Sectional Crown 7 times.

The most significant accomplishment of Chris's career, however, is the impact he had on the thousands of students that he has taught and coached over the years. Chris put his heart and soul into everything he did while he was at Bergen Catholic High School and it shows in the heartfelt respect and admiration the student body and the entire Bergen Catholic community have bestowed upon him.

Today, I would like to recognize Christopher Donfield's dedication to the Bergen Catholic High School community and congratulate him on his impressive coaching achievements. I send him my best wishes on his retirement.

TRIBUTE TO STAFF SERGEANT JONATHAN ROJAS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and deep sadness that I wish to commend United States Army Staff Sergeant Jonathan Rojas for his bravery in the field of battle and his willingness to fight for his country. Staff Sergeant Rojas was killed in action when his vehicle came under attack by small arms fire near Baghdad, Iraq on October 3, 2006. His sacrifice will be remembered by a community that has been struck hard by the devastating loss of one of its own.

Born in Mexico City, Mexico, Jonathan Rojas moved to Hammond, Indiana in 1990 to be with his family. Following his graduation from Hammond High School in 1997, he attended college for a year and eventually went on to work for several years at a local glass company, prior to joining the Army in 1999.

Jonathan's friends and family recall him as always being playful, the type to never refrain from cracking a joke. They also remember him as a good kid who was never in trouble and loved to spend time with his family. Jonathan was an avid sports enthusiast who participated in soccer and baseball while in school, and as with so many of his generation, he was a true video game aficionado.

Staff Sergeant Rojas leaves behind a loving family that misses him very much. He is sur-

vived by his devoted wife, Tasha (Sullivan) Rojas. The couple would have celebrated their fourth wedding anniversary on October 25, 2006, and planned to start a family upon Jonathan's return to civilian life. Jonathan also leaves to cherish his memory his adoring parents, Jose and Catalina Rojas, his brother, William (Norma) Rojas, his sister, Isaura Rojas, and his nephew, William Rojas, Jr., as well as his treasured companions, Diamond, Tyson, and Joker. Staff Sergeant Jonathan Rojas also will be greatly missed by a saddened but proud community and a grateful nation.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in honoring a fallen hero, United States Army Staff Sergeant Jonathan Rojas. Staff Sergeant Rojas is the sixteenth service member from northwest Indiana to sacrifice his life during Operation Iraqi Freedom, and his passing comes as a setback to a community already shaken by the realities of war. Staff Sergeant Rojas will forever remain a hero in the eyes of his family, his community, and his country. Thus, let us never forget the sacrifice he made to preserve the ideals of freedom and democracy.

IN HONOR OF MARLAND "MARLEY" LYLE HOLTE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. FARR. Mr. Speaker, I rise today to honor the achievements of my good friend Marland "Marley" Lyle Holte, who was admired by many for his commitment to better the lives of the residents of San Benito County. Marley passed away Saturday, September 16, 2006 at the age of 80, but left a long history of community service. Holte moved to Hollister in 1966 where he was a teacher at R.O. Hardin School for several years before becoming its principal. He served in that position, and later at Rancho San Justo School, for a total of 18 years. Although he retired from teaching in 1987, he never really retired. He started a new vocation in the real estate business and in 1994 opened Crown Realty. That same year, he won election as mayor of the City of San Juan Bautista.

Marley was a familiar face in the community for decades, thanks to his efforts on behalf of the local youth, minorities and particularly the homeless. Friends remember him as a modest person who was reluctant to take credit for his good deeds. Marley served as President of the San Benito County Little League; Commissioner of Hollister's Parks and Recreation Commission; Director of the San Juan Bautista Chamber of Commerce; Member of the San Juan Bautista Planning Commission; President of 33rd District Agricultural Fair Board; and Chairman of the San Juan Bautista Rotary Club.

Marley founded the Community Assistance Program and provided free dinners on Thanksgiving and Christmas. He started the Christmas dinner tradition about 20 years ago after he and his wife decided to combine their money and feed the needy instead of buying gifts for each other. Several years later they started organizing Thanksgiving dinners as

well. The Holiday Dinners began in 1985 and have continued ever since. The annual dinners, which have more than doubled in size since their inception, are funded entirely by donations from area businesses and residents. Holte said the success of the dinners is the result of widespread community support.

Marley was well-liked by many for his ability to build consensus and transcend political, cultural and personal borders. He earned the admiration of the Latino community for his good deeds and was elected President of the San Benito County League of United Latin American Citizens, where he served in that position for 5 terms. Many in the Latino community referred to Marley as the "Norwegian-Latino" because of his love of the culture, music and most of all, its people. In addition to serving on nearly every local community organization, Holte had piled up an astounding collection of accolades, including "Realtor of Year" in 1993 and the LULAC "Outstanding Man of the Year" Award in 1996.

Mr. Speaker, I would like to take this opportunity to acknowledge all the wonderful things that my good friend Marley gave to all of us. He will be missed by many including his son, Dan. His departure fills us with sadness but his outstanding work is an example to the generations that come.

RECOGNIZING NEW AMERICA MEDIA'S FIRST NATIONAL ETHNIC MEDIA AWARDS

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. HONDA. Mr. Speaker, I rise today to recognize New America Media (NAM) and The First National Ethnic Media Awards. From its inception, NAM has worked to create a more inclusive public forum and to bring visibility and economic viability to ethnic media, a critical sector of American journalism that covers and serves our country's growing ethnic and immigrant communities that are often marginalized by barriers of culture and language.

NAM has continued to build the profile of ethnic media by developing first a California and now a national awards program to recognize journalists working in the ethnic media and covering stories critical to their communities.

NAM conducted a nationwide poll of ethnic communities in multiple languages that found 52 million adult Americans access ethnic media regularly; ethnic media represent the forefront of civic and independent journalism; it is where ethnic and immigrant Americans turn to find information about their communities, their states, their government, their healthcare, education for their children, their civil rights as citizens in our society—yet ethnic media has received only marginal recognition from the public and private sector.

NAM's work to highlight the important role that ethnic media plays is commendable. NAM's work to create bridges between ethnic media and the mainstream as well as cross-cultural understanding between ethnic communities is praiseworthy. NAM's commitment to honoring the ethnic media through an increasingly prestigious Awards Program is admirable.

Mr. Speaker, I commend New America Media and the First National Ethnic Media Awards for its courageous goal to create a more equitable and integrated American society.

HONORING MR. JOHN STENCEL,
PRESIDENT OF THE ROCKY
MOUNTAIN FARMERS UNION

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor Mr. John Stencel, a tireless ally of rural America and the hardworking farmers and ranchers that call it home.

Mr. Stencel was born and raised on a farm near Greeley, CO, and from the beginning his commitment to agriculture was clear. He was active in 4-H, the Future Farmers of America, and the Farmers Union Youth Program. After graduating from Colorado State University in 1964 he began a career with the Rocky Mountain Farmers Union (RMFU). A few years later John served two years in the U.S. Army and was awarded the Army Commendation Medal for Outstanding Service. After his return, John was elected RMFU President in 1970. His strong leadership abilities were repeatedly demonstrated during his 23 years as president, and in 1993 President Bill Clinton appointed John as the Deputy Administrator for the Farm Service Agency in Colorado. He later worked in Washington, DC, at the Grain Inspection, Packers, and Stockyards Administration as Special Assistant to the Administrator. John then returned to Colorado in 2000 and was once again elected president of the RMFU in 2001.

Unbelievably, through all of this John Stencel also found the time to serve as the president of the Colorado 4-H Foundation, as the vice president of the Colorado Future Farmers of America Foundation, and as a member of the Colorado State University Board of Agriculture. His versatility, dedication, and uncharacteristic leadership are admirable.

I remember sharing time with John on the road during a series of renewable energy tours throughout rural Colorado over the past couple years. I learned quickly of the remarkable ability of this man. Whether the topic was wind power and methane digesters or crop subsidies and cooperative development projects, his grasp of the issues was second-to-none.

Mr. Stencel's forward thinking policies and actions have set an example in the agriculture world. He acknowledges and promotes ideas that need to be brought to the attention of small and large farmers alike. His pending retirement will mark the end of an exceptional career, and finding a worthy successor will undoubtedly be difficult.

Mr. Speaker, I ask my colleagues to join me in honoring John Stencel for his accomplishments, his dedication, and his legacy. Citizens of Colorado and the United States as a whole have benefited from this man's service, and we owe him our gratitude.

TRIBUTE TO THE 40TH ANNIVERSARY OF THE INDIANA DUNES NATIONAL LAKESHORE

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and admiration that I wish to congratulate the members of the Save the Dunes Council as they celebrate the 40th Anniversary of the Indiana Dunes National Lakeshore. To commemorate this special occasion, the Save the Dunes Council hosted a 40th Anniversary Gala Event on Saturday, October 21, 2006, at Valparaiso University's Brauer Museum of Art in Valparaiso, Indiana.

From its humble beginning, the Save the Dunes Council, created in the Ogden Dunes living room of Dorothy Buell and a mere dozen of her female neighbors, has become one of the most knowledgeable, involved, and respected organizations in Northwest Indiana and beyond. Founded in 1952 with the mission of protecting and preserving the Indiana Dunes, the Save the Dunes Council worked tirelessly toward their goal of creating a National Lakeshore, which they accomplished in 1966. Since that time, the Save the Dunes Council, comprised of local citizens, has continued to fight to protect the lakeshore from man-made intrusions and preserve the environment. Through the efforts of these dedicated individuals, the Indiana Dunes National Lakeshore has nearly doubled in size. Currently, the National Lakeshore consists of more than 15,000 picturesque acres of land, while plans for continued expansion are in place.

The Indiana Dunes National Lakeshore has, for many years, been a popular tourist destination as well as a place where local families and groups can enjoy an afternoon together. Its scenic lake views and magnificent sandy beaches have made the Indiana Dunes National Lakeshore a focal point of Northwest Indiana, while the spectacular Mount Baldy, the largest of the lakeshore's moving dunes at 126 feet, is a sight that visitors are sure to remember. In addition to the magnificent nature views, the Indiana Dunes National Lakeshore offers a wide array of activities to satisfy the interests of all nature-lovers, including: hiking, swimming, bird watching, fishing, camping, and horseback riding, as well as many guided tours and other gatherings.

On Saturday, October 21, 2006, the Indiana Dunes National Lakeshore 40th Anniversary Gala took place and featured a social hour and exhibit tours of the artwork of Frank V. Dudley, an artist who dedicated forty years of his life to the preservation and promotion of the Indiana Dunes. The evening proceeded with a silent auction, formal dinner, speakers, and music.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring the efforts of the members of the Save the Dunes Council, past and present, and in celebrating the 40th Anniversary of the establishment of the Indiana Dunes as a National Lakeshore. These selfless individuals continue to dedicate their time and unrelenting efforts to serve their community through the preservation of the Indiana Dunes National Lakeshore, and I am proud to represent them in Congress.

TRIBUTE TO THE HOUSTON DYNAMO AND THE CITY OF HOUSTON FOR WINNING THE 2006 MAJOR LEAGUE SOCCER (MLS) CUP

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to congratulate the Houston Dynamo and the city of Houston for winning its first 2006 Major League Soccer Cup.

In front of thousands of soccer fans at Pizza Hut Park, the Houston Dynamo emerged victorious against the New England Revolution with a score of 4 to 3 on penalty kicks after the teams played to a 1-1 draw through regulation and extra time.

This is a fitting conclusion to an amazing season. Congratulations to Kelly Gray, Stuart Holden, Dwayne De Rosario and Brian Ching who successfully converted from the penalty spot in the shootout. Brian Ching was recognized as the match's Most Valuable Player.

This is the Dynamo's first season in Houston, and they have surely made a warm welcome for themselves. The team is lead by 2005 Major League Soccer Coach of the Year, Dominic Kinnear. Let me acknowledge Dynamo investor/operator Philip Anschutz for the time and commitment he has given to U.S. soccer and the city of Houston. I also congratulate the players and their families for making the transition (from San Jose) to Houston. For the players and their families to pick up and come to Houston, Texas and do what they've done this year is impressive. We welcome you with open arms, and we remain devoted to your success. Also, a big thank you and congratulations to Oliver Luck and the entire Dynamo management team family!

The team was created on December 15, 2005 when the San Jose Earthquakes were relocated, allegedly due to San Jose's failure to secure a soccer-specific stadium. Even though all of San Jose's players and coaches moved to Houston, the team's name, logo, history and statistics were not transferred.

The name "Dynamo" refers to Houston's industrial economy and is an allusion to the various Eastern European soccer teams who are called "Dynamo", most notably Dynamo Dresden, FC Dynamo Kyiv and FC Dynamo Moscow. Although unrelated, there was a previous professional soccer team called the Houston Dynamos that played in the old United Soccer League in 1984. The team colors are orange, white, and black.

The Houston Dynamo play their home matches at Robertson Stadium—a 33,000-seat sports stadium located on the University of Houston campus in southeast Houston. A three-year lease was signed to play at the stadium while plans for a soccer-specific stadium are finalized.

This is the Dynamo's first championship in this league, though several of their players won titles with the team's previous incarnation, the San Jose Earthquakes.

My heartiest congratulations, and I look forward to many more celebrations with Houston Dynamo in Houston, Texas.

I look forward to a community-based celebration in their home stadium in the 18th Congressional district at Robertson Stadium.

A TRIBUTE TO JOHN BROWNE

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. ANDREWS. Mr. Speaker, today, I am proud to honor John Browne, a courageous cancer survivor and citizen from the great state of New Jersey. After winning his battle with cancer, Mr. Browne tirelessly worked to bring hope to others afflicted with this terrible disease. He is truly an inspiration to others and it is my privilege to honor him today.

Diagnosed with a rare form of cancer, John Browne needed a liver transplant to save his life. Now healthy, John is working to make others aware of the importance of organ donation. He works as a volunteer for the Gift of Life Donor Program, an organization that matches donors with patients. Today about 90,000 people in the United States are awaiting an organ transplant. Making the decision to be an organ donor can save lives.

I want to thank John for all that he has done. He was given a second chance at life and selflessly used it to help others in need. John's story proves that one person can make a difference in the world. His volunteer efforts have given hope to cancer patients, and he has made our community, and our Nation, a better place.

TRIBUTE TO JAMES AND JUSTINE DAVIS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. RADANOVICH. Mr. Speaker, I would like to take this opportunity to congratulate James and Justine Davis on the celebration of their 70th year of marriage. James and Justine Davis were married January 3, 1937 at St. John's Rectory in Fresno, California.

James Davis was born in Madera in 1914 on the same property that he lives on today. He is the son of James L. and Gertrude Davis, both long time Madera residents. James was the Madera County Agricultural Commissioner from 1964 until his retirement in 1976. He started working for the agricultural department in 1949. James also farmed cotton, alfalfa, and cattle on his home ranch.

Justine Nicolini was born on a farm in Fresno in 1912 on property that is now adjacent to the Fresno Convention Center. She is the daughter of Jose Nicolini, from Italy, and Rosa Ylarraz Nicolini, from Spain. She worked for Gottschalks Department Store before marriage and held various office positions in Madera after moving to Madera.

James and Justine met on a blind date arranged by friends. The Davis's have one daughter, Patricia Sunia, two grandchildren, and three great grandchildren. James and Justine live in the same house that they moved into after their marriage. Following retirement, James and Justine traveled extensively throughout the United States, Canada, Europe, Mexico, Caribbean, Australia, and Great Britain.

Their devotion to one another is a model for all married couples to follow. As evidence of

this devotion, James and Justine have always agreed to not go to sleep angry. They have always maintained a strong love for one another and can often be seen holding hands to this day. I wish James and Justine Davis continued health and happiness in their marriage.

REMEMBERING FRANK LAMBERT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. WOLF. Mr. Speaker, last week Loudoun County in Virginia's 10th District lost a loyal public servant. Frank Lambert, a former Loudoun County supervisor, passed away on Wednesday, November 8, at the age of 77.

I was honored to call Frank Lambert a friend and to work with him on issues of importance to Loudoun County when he served on the Board of Supervisors during the 1980's.

Mr. Speaker, I submit for the RECORD an obituary from the Leesburg Today newspaper of November 10 which describes the public service of Frank Lambert. We send our condolences to his wife Ruby and all his family.

[From Leesburg Today, Nov. 10, 2006]

FORMER SUPERVISOR FRANK LAMBERT DIES

(By Margaret Morton)

A longtime Waterford area resident, Frank Lambert, 77, died early Wednesday morning at Inova Loudoun Hospital's Cornwall Street campus in Leesburg.

Colleagues and friends were surprised by the news of Lambert's death. Attorney Steve Stockman, who served with Lambert on the county board when Republicans were a rare breed in Loudoun, knew he had been ill, suffering from pneumonia, but he said Wednesday he had visited him in his home north of Waterford less than a month ago. "He seemed strong," Stockman said.

The two Republicans served on the board of supervisors together from January 1984 to December 1987, along with Jim Brownell and Andrew Byrd, with Lambert representing the Catoclin District.

"He was a very nice man, the epitome of a Virginia gentleman," Stockman recalled. He described his former colleague as being "very, very astute, with a brilliant mind." Despite a bit of occasional acerbity, "when he had to," Lambert did not try to force his opinions on others. "He would lay it out and give a brilliant analysis," Stockman said.

Stockman, who was some years younger than Lambert, said he was also very friendly. "I learned a lot from him," he recalled, describing Lambert as almost "Reaganesque" in his warmth and ability to communicate, with a big deep baritone voice.

His political philosophy was "very conservative," according to Stockman. After both had left elective office Lambert and former Leesburg mayor and Leesburg District Supervisor Frank Raffo, a staunch Democrat, did a weekly radio talk show and Brownell recalled Wednesday the two had some "heated exchanges."

"He was very principled, very true to his cause," Brownell said of his former colleague. "If ever there were a loyal and faithful Republican, he was it," he said. Describing Lambert as "very, very conservative," Brownell, whose support for moderation often put him at odds with GOP stalwarts, said that looking back, however, "Frank was probably right about a lot of things."

After Democrat Betsey Brown defeated Lambert as part of the 1987 slow-growth

movement, he left active politics, although he remained an ardent Republican, according to Brownell. He also continued in public service as a member of the Loudoun County Library Board and currently as a member of the Loudoun County Animal Control Advisory Board.

Winston "Win" Porter was chairman of the Loudoun Republican Party when Lambert was on the board of supervisors. He echoed the opinions of Lambert's colleagues, calling him "very intelligent and capable, with a lot of ideas."

Don Walker, of Walker and Clarke Construction, recalled another of Lambert's contributions, calling him "the father of communications in Loudoun." Fascinated with radio communications as a youth, Lambert established one of the area's first successful pager companies, Metrocall. Since 1969, he has been president of the Great Eastern Communications Company. He also was a Ham radio operator and held a FCC first class radio telephone license. In the 1960s, Lambert was part owner and manager of WEER in Warrenton and later worked for WAGE in Leesburg.

Lambert's pioneering paging business was not without controversy, and some opposed it, especially the tall radio tower that was erected at his home north of Waterford. "But, no one at the time had instant communications," including those who would most need them, such as doctors, nurses or fire and rescue workers, Walker said. Ironically, he recalled, one of the opponents had a heart attack and it was one of Lambert's pagers that helped save her life.

But Lambert was more than just a successful businessman to Walker. "He was my neighbor and friend, from the day he moved here in the mid-1970s," he said. It was a friendship that lasted from the first day. Walker, as a young man, met the older Lambert, when he went up to help him move into his house, to Wednesday morning's news that he had died.

Describing Lambert as "a very professional and academic man, a caring member of the community and a great lover of animals," Walker asked him to be godfather to his two sons.

"I would trust him with anything I had, or would hope to have, in my life," he said this week.

He is survived by his wife Ruby; sons Roger Lambert of Andros Island, Bahamas, and Christopher Lambert of Waterford; grandsons Michael and James Lambert; granddaughters Constance and Angela Lambert; and brother Roland Lambert of Connecticut.

Graveside services will be held at 1 p.m. Monday, Nov. 13 at Union Cemetery with the Rev. Edwin Urban officiating.

COCAINE IN EUROPE A WAKE UP CALL

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. BURTON of Indiana. Mr. Speaker, last September, the Committee on International Relations' Subcommittee on the Western Hemisphere and the Committee on the Judiciary's Subcommittee on Crime, Terrorism, and Homeland Security held a joint hearing on the increased cocaine drug flow to Europe, in an effort to encourage our European friends and allies to provide more help to the Andean region, and Colombia in particular.

At a November 2, 2006, Shared Responsibility Conference in London, which was sponsored by the Government of Colombia, the UN Office of Drugs and Crime, UNODC, Executive Director Antonio Maria Costa sounded similar alarm bells on the massive increase in cocaine flow to Europe from Colombia and the Andean region. He said, regarding cocaine, among many important things, "Wake up Europe! You are heading for a crisis."

I ask that the full text of the UNODC official's statement on this important subject be printed in the CONGRESSIONAL RECORD, and urge all my colleagues to see how the burden of our drug-fighting efforts in Colombia and elsewhere in the region ought to also be shared by our European friends as well.

UNITED NATIONS

Office on Drugs and Crime

Antonio Maria Costa, Executive Director

COCAINE IN EUROPE: A WAKE-UP CALL

Dialogue on Shared Responsibility and the Global Problem of Illicit Drugs

Ladies and Gentlemen, I have some good news and some bad news. The good news is that in most of the world, demand for cocaine is stable or even dropping. Coca cultivation has been slashed by a quarter in the past five years. And seizures of cocaine have almost doubled during that period. An astounding 42% of an cocaine produced was seized in 2005.

The bad news is the upward trend in Europe. I am not afraid to name and shame the worst offenders—Spain, England and Italy. The level of cocaine use in Spain which is 3% among those aged 15 to 64—now exceeds (for the first time ever) levels of cocaine use in the United States. And the UK is not far behind. In 2005, annual prevalence for cocaine use in this country was 2.4%, up from 0.6% a decade earlier.

Look at another leading indicator. Ten years ago, in the Netherlands 20% of all new clients entering treatment for drug abuse were addicted to cocaine. Less than a decade later the proportion was 40%. In Spain, the proportion in 1995 was 7%. In 2002 it was 42%. And I would bet that the proportion has continued to rise since then.

Wake up Europe! You are heading for a crisis. We are facing a pandemic, and not only because of coca addiction by high profile entertainers, executives, models or socialites who flaunt their illicit drug, use in words and deeds. This is a symptom of a deeper problem—one made worse by uncritical reporting in the media.

What will it take to get people to take the problem seriously? A phone call from a hospital that your child or colleague has had an overdose? Or was caught in the cross-fire of a drug-related shooting? Or killed in an accident under the influence of drugs? That's what happened in America's cities in the 1980s, especially as coca turned into crack. If we are not careful it is coming to our neighborhoods.

Europe's growing cocaine problem is due to a number of factors.

First, drug addicts are switching from narcotics, heroine, to psychoactive substances. Coca is fashionable because it is attractive: white not dark; sniffed not injected; taken in a living room; not in a dark alley; symbol of success not evidence of failure. Second and because of all of the above, cocaine users are in denial, no chance of AIDS, a trendy white collar habit. Celebrities get away with it so when is the problem? Well, there is a problem as recognized by a 17 year old inmate I met in a prison in Naples: "I thought that I could control the white lady—la signora bianca—that I could have her whenever I

wanted. But soon she controlled me, and I became her slave."

Secondly, governments are in denial. Too many governments—particularly in rich countries—fail to invest political capital to prevent and treat drug abuse. As a consequence, their societies have the drug problem they deserve.

Interesting is the case of Sweden. Over the past three decades, successive governments have invested consistently and significantly in drug treatment and prevention. As a result, Sweden has been one of the cleanest—most drug-free—societies in Europe. Well; but even there, cocaine abuse is creeping in.

Economists have recognized for centuries that bad money chases away good money. Bad habits spread quickly; especially in affluent, fast-paced societies. Emerging economies, in particular, should be on the alert for a rise in cocaine use, including in Russia and China where health ministers have told me that there are no problems with cocaine in their countries. My response? Brace yourself. It's on the way.

Europe's cocaine habit is not only causing problems on this continent. It is making life difficult for President Uribe and other Andean leaders, not to mention all states between here and Latin America affected by drug trafficking.

So we face a problem of credibility. How can Europe urge the Andean countries to reduce supply when its drug habit is driving cultivation?

We all need to get serious about assuming our responsibility for the drug problem. I therefore applaud the Colombian Government's efforts to promote a dialogue on shared responsibility. What are some ways that we can work together?

Surely we should do more to support alternative development. Most illicit crop growers (Afghanistan, Colombia or Laos), live in some of the poorest communities in the world. Crop eradication will not work over the long term if there is no legal economy to replace it. Drug control and development must therefore go hand in hand.

International donors should provide more assistance to coca farmers. For its part, I urge the Government of Colombia to involve a broad range of ministries in developing a coherent alternative development strategy that will assist coca farmers.

More attention should be devoted to the environment. Coca farmers and producers slash and burn forests, pollute streams and damage fragile ecosystems (by the use of toxic chemicals). The Andean region has less than 1% of the world's land area, but more than 15% of the world's plant life. At a time when we are all so concerned about climate change. I urge all Europeans to think about the destruction done to our habitat for the sake of a line of cocaine.

The billions of dollars made through the narco-economy are empowering cartels, funding insurgency and financing terrorism. Cocaine ruins everything along the trail from the Andean countries through the Caribbean, Mexico, and West Africa to lucrative markets in Europe and North America, where gun crime and gang violence associated with the drug trade have turned some urban neighborhoods into war zones.

Ladies and gentlemen. The alarm clock is ringing. Europe, it is time to wake up and get going. Supply control is not enough. Imagine that this year we seize all 900-odd tons of Andean cocaine. Well as many tons will be produced next year.

Imagine if Andean farmers gave up all their coca crops. Francisco, this is your dream!! That is not enough, since demand by the world's 13 million cocaine addicts will generate as much cultivation somewhere else.

Plainly speaking, the mother of all drug control challenges is drug prevention, treatment and rehabilitation. This too is a shared responsibility in our communities. Drugs are too big a problem to be left to drug experts. Society at large should be actively engaged.

Only by working together on all aspects of drug control will we be able to move towards a healthier and safer world.

Thank you for your attention.

HONORING HIS EXCELLENCY
EURIPIDES EVRIVIADES, AMBASSADOR OF THE REPUBLIC OF CYPRUS

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. BILIRAKIS. Mr. Speaker, it is my distinct pleasure to honor the departing Ambassador of the Republic of Cyprus to the United States, His Excellency Euripides Evriviades.

Ambassador Evriviades has served in this post since December 2003, but his diplomatic career is long and distinguished. Prior to serving as Cyprus' Ambassador to the United States, he served as the Ambassador to the Netherlands, August 2000 to October 2003, and Ambassador to Israel, November 1997 until July 2000. Since 1976, he has served in a variety of diplomatic positions, proudly representing Cyprus and her citizens.

It has been my honor and privilege to work with Ambassador Evriviades on issues important to Cypriots. I have come to regard him as an effective, determined, and passionate advocate for his country, a man who remains committed to the reunification of Cyprus and who has pursued this goal even when it put him at odds with others.

I want to bid a fond farewell to Ambassador Evriviades and offer him my congratulations and appreciation for his 3 years of service in our Nation's Capital. I praise the Ambassador for his tremendous efforts and contributions to raise awareness among Members of Congress and administration officials of Cyprus' desire to be reunified. He will be greatly missed, and I wish him all the best in the years to come.

RECOGNIZING HANS GEISSLER OF
DADE CITY, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise to honor Hans Geissler, the founder of Morning Star Fishermen. Mr. Geissler was recently selected from a group of volunteer and service organization workers aged 60 and older who were nominated to participate in a symposium at Stanford University. This symposium highlights community service and the use of business experience in the volunteer service field.

Since leaving the French Foreign Legion and retiring from a career as a plumbing contractor, Mr. Geissler has worked tirelessly to help solve one of the world's biggest problems—world hunger. Based out of his 11-acre facility in Dade City, Florida, Mr. Geissler

teaches aquaculture classes to people from around the world. Morning Star Fishermen also works to help establish tilapia-breeding tanks in foreign nations. Students who travel to the Dade City facility learn how to raise tilapia as a high-protein food source back home in their own communities around the world.

Civic Ventures, a think tank based in San Francisco, noted Mr. Geissler's work. Civic Ventures asked for nominations of people over the age of 60 who are using their experience to solve social problems. The think tank received 1,200 nominations, and named 71 Purpose Prize Fellows.

Mr. Geissler will attend the symposium in September and hopes to work with other participants to gather new ideas on how best to grow Morning Star Fishermen into the future.

Mr. Speaker, civic-minded individuals like Hans Geissler help make our cities and municipalities better places to live and work. The motto of Morning Star Fishermen is "Give a man a fish, he eats for one day. Teach a man to raise fish, the whole community eats." People like Hans Geissler prove that one person can indeed make a positive difference throughout the world.

TRIBUTE TO DR. J. OTIS WILLIAMS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a doctor, who has had a tremendous impact on his profession and his colleagues. Dr. J. Otis Williams is a renowned chiropractor in South Carolina, who is being honored on November 19, 2006 by his peers with a Trailblazer Award.

It is clear why Dr. Williams would receive this recognition. He was instrumental in insuring a good scope of practice for South Carolina chiropractors in the 1980s when an examining board for the profession didn't exist. He remains dedicated to the cause of high quality chiropractic care, and has served on South Carolina Chiropractic Board of Directors. He has been very involved with legislative matters governing the profession.

Otis Williams was born in Ridgeland, South Carolina in 1947. He was raised by his grandmother, until she died when he was just 11 years-old. From the time he was young, Otis Williams knew he wanted to be a doctor. He graduated from Robert Smalls High School and Morehouse College, and went on to pursue his chiropractic degree at the National College of Chiropractic (now National University of Health Sciences).

Dr. Williams returned home to South Carolina and began his practice on Lady's Island in 1978. He sees a wide range of patients from infants to centenarians. He has done post-graduate work in chiropractic orthopedics, acupuncture, addictionology and compulsive disorders, nutrition, and is presently studying for board certification as a chiropractic internist.

Mr. Speaker, I ask you to join me today in congratulating Dr. J. Otis Williams on this recognition by his peers. He is truly a trailblazer, who is dedicated to continuing his personal development and the development of his pro-

fession. I commend Dr. Williams for his remarkable work.

TRIBUTE TO BENITA A. ALLISON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Benita A. Allison, a distinguished citizen of Brooklyn, New York. It behooves us to pay tribute to this outstanding woman and I hope my colleagues will join me in recognizing her many accomplishments.

Born to the late Lamonias Smith-Ody and William Smith, Benita A. Allison remains a part of the Brooklyn community today. Ms. Allison is a product of the New York public school system and has received certificates from Brooklyn College and New York University.

Ms. Allison has had many firsts in her career and life, among them; she was the first Black woman to be an Institutional Stock Trader for a major bank in New York City. She was accepted in one of the first classes that included woman of color to enter and graduate from the New York City Police Academy as a New York City Police Officer where she served 18 months.

Ms. Allison has been very involved in the community. She represents her church, 1st Baptist Church of Crown Heights, as a "Mission Advocate". Ms. Allison holds numerous memberships and sits on many community boards. She sits on the Economic Development Board of Community Board 8 and is a member of the Service Corp of Retired Executives. Ms. Allison is a lifetime member of Church Women United in Brooklyn and is a past member of the National Council of Negro Women (Flatbush Section). Ms. Allison served as a Regional Resource Consultant for U.S. Department of Health and Human Services, where she was responsible for providing capacity building services to the minority community/faith based HIV/AIDS population. She has also served on the Mental Health Advisory Board for Brookdale University Hospital in Brooklyn, New York and the Pastoral Care HIV/AIDS Advisory Board for Kings County Hospital in Brooklyn.

Since 2003, Ms. Allison has worked as a Parent Coordinator for New York City Department of Education. As a Parent Coordinator she works and partners with community organizations to assist parents and families with such issues as housing, employment, adult training and education. She has held workshops to address such topics as adult education training, immigration and conflict mediation.

Ms. Allison's work has not gone unnoticed and has earned her recognition from the New York City Conference of Mayors, the New Jersey HIV Care Network and Barber-Scotia College.

Mr. Speaker, I believe that it is incumbent on this body to recognize the work of Benita A. Allison. Her deep commitment to her family and community makes her most worthy of our recognition today.

IN MEMORY OF WOODROW WILSON
HOWARD

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. WILSON of South Carolina. Mr. Speaker, Woodrow Wilson Howard died October 10, 2006, at his home. He was 94 years old. He was born in Catawba County, North Carolina, to the late Cleveland Franklin and Antha Leona Sigmon Howard.

Mr. Howard began his retail career in 1934 with Belk Department Store and, in 1938 with Belk as partner, he founded Howard's, located on Assembly Street in Columbia. He stayed with Belk for 64 years. He moved the Assembly Street store to Parkland Plaza in Cayce in 1977. Ultimately, the Howard's doubled in size and expanded to include Howard's Sports. Mr. Howard retired from Belk in 1998. Over the years he sold everything from basic work clothes to high fashion trends. He claimed he never took a coffee break.

Mr. Howard was a vital member of the community. He had been a member of Mt. Tabor Lutheran Church for 66 years. He was a charter member and past president of Cayce-West Columbia Lions Club and was named the World Champion Broom Salesman by the national Lions Club in 1976. He served on the Advisory Board and was an original stockholder of Lexington State Bank (now BB&T), served on the Board of Directors of the West Columbia-Cayce Chamber of Commerce, was a member of the Central Midlands Regional Planning Council and its Committee of 100, served on the Board of Directors for the Lowman Home, was a lifetime member of Sinclair Lodge No. 154 and was named "Citizen of the Year" by the City of West Columbia in 1985.

Mr. Howard was elected to West Columbia City Council in 1961 and served for 30 years. He acted as Mayor Pro Tem for 28 years. While campaigning, his slogan for re-election was "If you don't know me ask your neighbor." He was honored with the Order of the Palmetto in 1998.

Mr. Howard is survived by his wife of 68 years, Elizabeth G. "Lib" Howard; his son and daughter-in-law, Jerry and Mary Howard of Lexington, his son and daughter-in-law, Tommy and Gloria Howard, also of Lexington, and his daughter and son-in-law, Marianne and Larry Yoder of Newton, North Carolina. He is also survived by his grandchildren, GG Howard and Robert Culpepper of Atlanta, Georgia, Chip Howard of Lexington, Melissa and Jim Henshaw of Isle of Palms, Shannon and Bert Pooser of Columbia, Amy and Jason London of West Columbia, Michael Howard of Columbia, Nathan Yoder of Regensburg, Germany, Joshua Yoder of Hickory, North Carolina, and David and Krissy Yoder of Pinehurst, North Carolina; as well as his great-grandchildren: Cate Simmons, Jerod and Lucy Culpepper, Bane London, Sam Henshaw and Maddox Pooser. Mr. Howard was predeceased by his brothers, Harry, Ray, and Franklin Howard and his sister, Alice Howard Cooper.

At the funeral services on October 13, 2006; a eulogy was lovingly delivered by his granddaughter GG Howard which highlighted his many achievements.

HONORING HERITAGE ELEMENTARY SCHOOL FOR BEING NAMED A NATIONAL BLUE RIBBON SCHOOL

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. MARCHANT. Mr. Speaker, I rise today to recognize Heritage Elementary School located in Colleyville, Texas for being named a 2006 No Child Left Behind—Blue Ribbon School. Only 26 public schools in Texas will receive this coveted award this year.

The No child Left Behind Blue Ribbon Schools program recognizes schools that make significant progress in closing the achievement gap or whose students achieve at very high levels. Schools must make adequate yearly progress in reading, language arts and mathematics.

Heritage Elementary is no exception as Principal Stacy Voigt, her staff, the students and their families have poured dedication and heart into creating a fertile learning environment in Colleyville. They have realized the immense potential of all those involved in making a school Blue Ribbon-worthy.

The No child Left Behind Act is the bipartisan landmark education reform law designed to change the culture of America's schools by closing the achievement gap offering more flexibility to States, giving parents more information and options and teaching students based on what works. Under the law's strong accountability provisions, States must describe how they will close the achievement gap and make sure all students, including those with disabilities, achieve academically.

I extend my sincere congratulations to Heritage Elementary School for receiving this award. This school's contribution and services should serve as inspiration to us all.

TRIBUTE TO DR. VICTOR RODRIGUEZ

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. PAUL. Mr. Speaker, I am pleased to honor Dr. Victor Rodriguez, a native of Edna, Texas in my congressional district. Dr. Rodriguez's achievements in, and dedication to, education are an inspiration to us all. As detailed in his autobiography, *The Bell Ringer*, Dr. Rodriguez developed endurance and perseverance at an early age when his third grade teacher assigned him the task of ringing the bell for the St. Agnes Catholic Church.

For nine years, Victor Rodriguez woke up at 4 a.m. and jogged two miles to the church to ring the bell before the 5 a.m. mass. While this was obviously a difficult responsibility for a child, Dr. Rodriguez later said that he "came to accept ringing that bell as an honor . . . whenever I was tired and didn't feel like getting out of bed, I remembered my mom's encouragement. She used to say that if you do something, do it to the very best of your ability."

The importance of hard work, endurance, and dedication that Victor Rodriguez learned

as a bell ringer stayed with him throughout his life. Dr. Rodriguez was a star athlete who set many records and won numerous trophies at Edna High School, Victoria College, and North Texas State University. After earning his Ph.D, Dr. Rodriguez began a successful career as a teacher and as a coach of several championship track teams. In his work as a teacher and coach, Dr. Rodriguez inspired his students to strive to achieve their goals and dreams.

During Dr. Rodriguez's 12 years as superintendent of the San Antonio School District, the dropout rate was reduced from 50 percent to less than 10 percent. Applying the lessons in perseverance he learned as a young bell ringer, then superintendent-elect Dr. Rodriguez promised San Antonio School District's kindergarten class that he would stay as superintendent as long as they were in school. Of course, Dr. Rodriguez kept that promise, not retiring until 1994 when the kindergartners of 1981 were seniors in high school.

During his tenure as superintendent, Dr. Rodriguez won numerous awards and honors, including an achiever award from the Alamo Area Council of the Boy Scouts of America, representative from Texas in the 1989 National Superintendent of the Year Award Program sponsored by the American Association of School Administrators and the Service-Master Company, induction into the National Hispanic Sports Hall of Fame; and honoree in Ford Motor Company's Hispanic Salute recognizing San Antonio Hispanics for outstanding contributions to education and literacy. Executive Educator magazine twice named Dr. Rodriguez one of the Hundred Top School Executives in the nation. Just last month, Dr. Rodriguez was honored by his alma mater by being named a 2006 inductee into the University of North Texas's Athletic Hall of Fame.

Dr. Rodriguez's application of the lessons he learned, as a young church bell ringer should serve an example to all of us. It is a pleasure to offer my congratulations and thanks to Dr. Victor Rodriguez for all of his efforts to help Texas schoolchildren.

HONORING JULIA PON ON THE OCCASION OF HER 80TH BIRTHDAY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today to recognize a woman who whose quiet contributions in her support for her family make her community of supporters proud.

A native Californian and the daughter of immigrants, Julia Pon grew up on the orange groves of San Juan Capistrano, and after graduation from San Francisco College for Women, came to Santa Clara Valley to join her husband, Joe, in working and caring for the orchards for which our valley was world famous. As a great tribute to her patience and understanding, Julia Pon raised 9 children with her husband.

As Julia celebrates her 80th birthday on December 10, 2006, we celebrate a strong and courageous woman who has raised family members who have become successful members of society and who has lived a demonstrable life.

RECOGNIZING BOB AND SHARON BLANCHARD OF DADE CITY, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise to honor a husband and wife from Dade City, Florida who were recently awarded the prestigious 1000 Friends of Florida Award. Bob and Sharon Blanchard are the owners of a two thousand plus acre working ranch in the heart of Pasco County. In addition to breeding horses and cattle and hosting an annual steeplechase event, the Blanchards have taken the extra step to provide environmentally sensitive stewardship of their ranch.

Little Everglades Ranch has been reforested and is a conservation easement, assuring it will be protected from development. The Blanchards have also taken leadership roles in the Coalition to Protect Our Water Resources.

During his acceptance of the award, Bob Blanchard said that after his retirement, he was wondering what to do with the rest of his life. He credits his wife for being the driving force behind their efforts to make waves for the good of the community.

1000 friends of Florida promotes healthy urban and natural places by wise management of growth and change. 1000 Friends of Florida helps citizens have the technical knowledge and access needed to ensure that public and private decisions lead to livable communities.

Mr. Speaker, environmentally engaged citizens like the Blanchards are to be commended for not only maintaining a working ranch in the midst of a growing suburban region of Florida, but for also doing so in a way that protects our fragile ecosystem. I Applaud the Blanchards on earning the 1000 Friends of Florida award and wish them the best of luck in their future endeavors.

TRIBUTE TO DR. JOHN HENRY PORTER, JR.

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a doctor and educator, who works every day to expand the chiropractic profession. Dr. John Henry Porter, Jr., is a highly-regarded chiropractor in my home State of South Carolina, and he is being recognized by his peers on November 18, 2006 as a trail-blazer.

John Porter is a native of Spartanburg, South Carolina, where today he has a successful practice and teaches aspiring chiropractic students at his alma mater, Sherman College of Straight Chiropractic. As an Associate Professor of Clinic Sciences, Dr. Porter teaches Toggle Recoil and Full Spine. He has been with the college since 1979, and enjoys helping students enter the exciting and rewarding career of Chiropractics.

While teaching students, Dr. Porter has also continued his education by taking courses in Chiropractic Radiographic Interpretation, Adjusting Methods, and Chiropractic Principals.

He holds state licenses in both South Carolina and Tennessee.

Dr. Porter attained his undergraduate degree from Claflin University and he studied Business and Data Processing at Spartanburg Technical College. He is married to the former Errie Bobo, and the couple has three adult children.

Mr. Speaker, I ask you to join me in thanking Dr. John Henry Porter, Jr., for his commitment to chiropractics and his desire to teach a new generation the skills needed to succeed in the profession. Dr. Porter is a tremendous advocate for chiropractors, and very deserving of his recognition as a Trailblazer by his peers.

TRIBUTE TO WAYNE C. WILTSHIRE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of the jazz musician, Wayne C. Wiltshire, distinguished artist of the music industry. It behooves us to pay tribute to this outstanding artist and I hope my colleagues will join me in recognizing his impressive accomplishments.

Wayne C. Wiltshire has spent his entire 33 year career trying to improve access to healthcare for thousands of New Yorkers. First, as administrator for Emergency and Ambulatory Care Services at Cumberland Hospital and then as Associate Executive Director at Woodhull Hospital, which he helped open in 1982. Mr. Wiltshire then returned to renovate the new Cumberland D&TC, and served as their first Executive Director for 8 years. He later was transferred to Bellevue Hospital where he served for 5 years as the hospital's first African-American Associate Executive Director for Psychiatry and Emergency Services. During this time, Mr. Wiltshire was also an adjunct professor at St. Joseph's College in Brooklyn and owned his own ambulette service—Health Link, Incorporated with his father Cuthbert Wiltshire and brother David Wiltshire. With a Master's Degree in Community Health from LID and a Bachelor of Arts degree in Urban Politics from Shaw University, Mr. Wiltshire, a Canarsie High School graduate, is currently the Chief Executive Officer for the Paul J. Cooper Center for Human Services, Inc., formerly the Brownsville-Oceanhill Mental Health Service.

Mr. Wiltshire celebrated his twenty-first wedding anniversary in July with his wife Donna, who is also a twenty-nine year health professional. They have four children—Marc, Ngina, Kelli-Lin and Victor. From Fort Greene to Williamsburg, and now Brownsville, Mr. Wiltshire has helped shape the health care landscape of Brooklyn, which has helped improve access to health care for thousands of New Yorkers.

Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Wayne C. Wiltshire. His commitment to improving healthcare access makes him most worthy of our recognition today.

IN MEMORY OF RICK DANIEL

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. WILSON of South Carolina. Mr. Speaker, the pro-Second Amendment community lost a true friend last month, with the passing of Herman Richard Daniel of Irmo, SC. "Rick" died due to complications from aortic heart issues. He was 45.

He was the son of Evelyn Spires and the late Herman Daniel. Rick was a member of the New Heights Baptist Church.

A longtime aide to South Carolina Comptroller General, Richard Eckstrom, Rick had a distinguished and passionate career in the service to causes in the defense of freedom. Rick served ten years as the President of Gun Owners of South Carolina and the NRA State Association. He was the only non-legislator in South Carolina to be named "Defender of Freedom" by the National Rifle Association and was also named the first ever NRA Member of the Year by "America's First Freedom" magazine. Rick was known for his powerful essays and articles on the subject of freedom and was recently awarded the Second Amendment Foundation's "James Madison Award" for excellence in writing. Rick was also a proud officer in the South Carolina State Guard.

Rick is survived by his loving wife Esther and two daughters, Heather Rhea and Kara Nina; his brother Jim and wife Tonette with niece Jamie, and sister Linda and her husband Charley Butler.

Rick was a patriot, loving father, devoted son, and dedicated servant of the Lord. His quick wit and personal charm will leave us all missing him.

HONORING ROCKENBAUGH ELEMENTARY SCHOOL FOR BEING NAMED A NATIONAL BLUE RIBBON SCHOOL

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. MARCHANT. Mr. Speaker, I rise today to recognize Rockenbaugh Elementary School located in Southlake, Texas for being named a 2006 No Child Left Behind Blue Ribbon School. Only 26 public schools in Texas will receive this coveted award this year.

The No Child Left Behind Blue Ribbon Schools program recognizes schools that make significant progress in closing the achievement gap or whose students achieve at very high levels. Schools must make adequate yearly progress in reading, language arts and mathematics.

Rockenbaugh Elementary is no exception as Principal Karen White, her staff, the students and their families have poured dedication and heart into creating a fertile learning environment in Southlake. They have realized the immense potential of all those involved in making a school Blue Ribbon-worthy.

The No Child Left Behind Act is the bipartisan landmark education reform law designed to change the culture of America's schools by

closing the achievement gap, offering more flexibility to States, giving parents more information and options and teaching students based on what works. Under the law's strong accountability provisions, States must describe how they will close the achievement gap and make sure all students, including those with disabilities, achieve academically.

I extend my sincere congratulations to Rockenbaugh Elementary School for receiving this award. This school's contribution and services should serve as inspiration to us all.

STATEMENT ON HELEN CHENOWETH-HAGE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. PAUL. Mr. Speaker, with the passing last month of Helen Chenoweth-Hage, America has lost one of its true champions of liberty and constitutional government, and I have lost a valued friend and colleague. When Helen served in the House of Representatives, she gained a national following for her principled and uncompromising defense of private property, the Second Amendment, American sovereignty, and limited federal government.

Unlike all too many people who come to Washington, Helen never forgot the principles that inspired her to seek office. I was honored when Helen became the first member of Congress to join my Liberty Caucus. She understood the importance of creating a support system to help members of Congress resist the constant pressures to "go along to get along."

I will always cherish my memories of the time Helen and I served together in the House, and I thank the Lord for enriching my life and the lives of so many others by granting us the opportunity to know Helen. I hope that knowledge of how many freedom-lovers across the country join Helen's family in mourning her loss provides some measure of comfort to Helen's family.

HONORING DENNIS KENNEDY UPON HIS RETIREMENT AFTER 30 YEARS OF PUBLIC SERVICE TO THE CITY OF MORGAN HILL

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise to honor Mr. Dennis Kennedy who has served the City of Morgan Hill in various capacities for the past 30 years.

Since 1977, one year after Mr. Kennedy moved to Morgan Hill, he has been involved in various roles within the City of Morgan Hill's local government. He served three terms on the Planning Commission and two terms on the General Plan Update Committee.

In 1990 he stood for election and won a seat on the City Council. He has served four terms as the mayor of the City of Morgan Hill. He was appointed to his first term in 1992. In 1996, he became the first directly elected mayor and was re-elected in 1998, 2000, 2002 and 2004.

He is past chairman of the South County Regional Wastewater Authority, has served two terms on the Board of Directors of the Valley Transportation Authority and is a past-president of the Santa Clara Cities Association.

Mr. Kennedy has always been mindful of his commitment to the Santa Clara Valley and, although he was born in Nebraska, he has acted like a true local when community interests were at stake. Mr. Kennedy moved to San Jose, California during his high school years and attended Bellarmine College Preparatory School in San Jose. He earned a Bachelor's degree in Mechanical Engineering from Santa Clara University and served as a Lieutenant in the U.S. Army.

Professionally, it has been a pleasure to work with Mr. Kennedy because he sincerely cares about the residents of the City of Morgan Hill and their interests. I know I stand with many other thankful constituents in congratulating Mr. Kennedy on his years of service and wishing him the very best for his retirement.

HONORING THE RETURN OF BATTERY B, 2ND BATTALION, 116TH FIELD ARTILLERY

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to recognize the exploits of one of Florida's National Guard Units—Battery B, 2nd Battalion, 116th Field Artillery.

In April of 2005, 139 soldiers from Battery B began a deployment that would take them to Afghanistan. For over a year, the unit brought security to the Afghani people by conducting patrols, guarding critical military bases, and providing a presence to deter Taliban insurgents. This past July, after their heroic service, elements of Battery B began returning to the United States. Thankfully, during their deployment, the unit suffered no fatalities.

Last month, I had the privilege of meeting with these brave individuals, many of whom live within my congressional district. The courage and selflessness of our soldiers never ceases to amaze me. I was also touched when I learned that during its tour, Battery B used an American flag that flew over the United States Capitol—a little piece of home halfway around the world.

Mr. Speaker, the war on terror is a long-term commitment, one that will require courage, sacrifice, and hard work. When I see the steadfast resolve of soldiers with Battery B, I know that we will prevail in this conflict. In closing, I want to thank the men and women in our Armed Forces, as well as their families, for making tremendous sacrifices to defend our freedom. May God bless you all.

TRIBUTE TO DR. BEATRICE GAMBLE-FRANKLIN

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a remarkable doctor and South

Carolinian, who, on November 19, 2006, will be the only female recipient of the Trailblazer Award for her contributions to the chiropractic profession. Dr. Beatrice Gamble-Franklin is a native of South Carolina, who has spent her career helping others.

Beatrice Gamble was born in Georgetown, South Carolina and excelled as a student. She graduated first in her class from Choppee High School, and was selected for the MARC (Minority Access to Research Careers) honors program, which enabled her to pursue undergraduate and graduate degrees from Benedict College and Atlanta University. Beatrice then attended Life Chiropractic College in Marietta, Georgia.

Dr. Gamble-Franklin has been in the chiropractic field for 20 years. She holds the distinction of being the first African American chiropractor in South Carolina, and has been voted the best chiropractor in the state. At one time, Dr. Gamble-Franklin had six practices. Today, she and her husband, Dr. Gregory Franklin, have two practices in Columbia and Orangeburg.

In addition to her work in chiropractics, Dr. Gamble-Franklin is using her training in scientific research to develop hair products. She has invented the VictoriUs Silk Protein Relaxer, which is highly recommended by hair stylists.

Mr. Speaker, I ask you to join me today in applauding the trailblazing spirit of Dr. Beatrice Gamble-Franklin. Her recognition by her peers is a testament to the extraordinary contributions she has made as a chiropractor, and the difference she has made in the lives of her patients.

A TRIBUTE TO THE AUSTRIAN CONSULATE GENERAL IN NEW YORK AND THE RAV TOV INTERNATIONAL JEWISH RESCUE ORGANIZATION

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. TOWNS. Mr. Speaker, I rise today to pay special tribute to the Austrian Consulate in New York as they honor one of my district's outstanding human rights groups, The Rav Tov International Jewish Rescue Organization.

Founded in 1973, at the behest of the former Grand Rabbi of Satmar, Rabbi Joel Teitelbaum of blessed memory, in 1973, Rav Tov was initially established to rescue the persecuted Jewish community living in the former Soviet Union. Rabbi Teitelbaum, himself a survivor of the Holocaust, saw his family perish at the hands of the Nazis. He envisioned Rav Tov as the protective shield for the global Jewish community living in tyrannical regimes.

Rav Tov's heroic accomplishments of rescuing and resettling Soviet Jewry was only possible with the unflinching cooperation and support of the Austrian government, which hosted the refugees as they waited for their final resettlement. It is estimated that 367,000 Jews stayed in Vienna between 1968–1989 rebuilding their often shattered lives in free countries. Following the fall of the Soviet Union, the focus of Rav Tov's and Austrian efforts have been to save other endangered Jewish communities that still exist around the world.

As a result of the enduring bonds between Rav Tov and the Austrian government, the Austrian Federal President, Dr. Heinz Fischer, has decided to confer the prestigious Grand Decoration of Honor in Gold to Rabbi David Niederman, Rav Tov's Chief Executive for over three decades, which will be presented to him at a ceremony today at the Austrian Consulate in New York. This wonderful event is not only a testament to the resolve of the Austrian government in saving Jews in peril, but a celebration of the strong relationship between the United States and Austria.

Mr. Speaker, as Rav Tov's representative in Congress, I have been privileged to work with them and the Austrian government on many pressing issues facing Jews in danger. I would like to particularly make mention of Austria's New York Consul General Brigitta Blaha and the Deputy Consul General Andreas Launer for their tireless work on Rav Tov's behalf. I encourage all of my colleagues to join me today in commending the Austrian government and Rav Tov for their phenomenal partnership in rescuing Jews around the world living in fear and danger.

IN MEMORY OF PASTOR BOB KELLEY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. WILSON of South Carolina. Mr. Speaker, services for Dr. Bob Kelley, 65, were held Wednesday, November 1, 2006, at Grace Baptist Church in West Columbia, South Carolina. Officiating were Rev. Milton Ker and Dr. Charles Walker. Thompson Funeral Home of Lexington handled the arrangements. Interment was Thursday, November 2, 2006, at Lakewood Memory Gardens, East Chattanooga, Tennessee; Turner Funeral Home handled the arrangements in Tennessee.

Precious in the sight of the Lord is the death of his saints. Psalm 116:15. Upon using every treasured moment that God had graciously granted him in laboring and pasturing for his Lord, loving and providing for his family, and living for and proclaiming his Savior, Dr. Robert Earl Kelley gained his entrance into heaven on Saturday, October 28, 2006. Born in Rossville, Georgia, he was the son of the late Clarence Day Kelley and Daisy Lou Hall. Known to most as "Pastor Kelley" he spent the last 43 years preaching and pasturing in West Virginia, Tennessee, and in West Columbia, South Carolina, where he recently retired as the pastor of Grace Baptist Church after 15 fruitful years of ministry. Pastor Kelley received many prestigious awards including The Order of the Palmetto, from Governor Mark Sanford, and The Order of Palmetto Patriot, from Lieutenant Governor Bauer and Senator Jake Knotts.

Survived by his loving wife, April Allene Scott Kelly of West Columbia; daughters and sons-in-law, Rachel Star Kelley Bancroft and John Bancroft of West Columbia; Laura Dawn Kelley Phillips and Chris Phillips of Charleston; Sharon Daye Kelley Goforth and David Goforth of West Columbia; sisters, JoAnn Kelley Tillman and Betty Jewel Kelley Tate both of Ooltewah, Tennessee; brother, Kenneth "Buzz" Kelley of Hixson, Tennessee. He is

also survived by eleven grandchildren, John Robert Bancroft, Nathaniel Scott Bancroft, Abby Kristine Phillips, April Lauren Phillips, Alyson Kate Phillips, Zachariah Thomas Phillips, Holly Daye Goforth, Kelley Daye Goforth, Bailey Daye Goforth, Chloe Daye Goforth, and Amy Daye Goforth. Dr. Kelley was predeceased by his brother, Clarence Day Kelley, Jr.

We all look forward to the day our faith will become sight and we are united with Christ and reunited with Pastor Kelley.

RECOGNIZING THE KLINGER FAMILY

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to recognize an accomplished family with nurseries in several of the agriculture hotspots of Florida's 5th District. The entire Klinger family has taken a leadership role in growing the Florida agriculture industry, including fighting for increased relief funding for communities devastated by natural disasters.

The Klingers own and manage the lake Brantley Plant Corporation of Longwood, working as a team to grow their business and give back to their friends and neighbors. The family owned company currently has locations in Lake Brantley, Center Hill and Windermere.

Started by Paul Sr. and his wife Regina in the 1970s, the Klingers today boast three generations working in the family business. Paul's four sons Bill, P.J., Dan, and John run the nursery operations, but still rely on Paul Sr.'s years of experience and advice.

In addition to his active role in the nursery, Bill also served as the 2004 President of the Florida Nursery, Growers and Landscape Association. He is involved in politics and is a tireless advocate for the green industry and Florida agriculture.

P.J., who is the Director of Research and Development at the Center Hill operation in Sumter County, has also taken a leadership role in the community and serves on the Extension Advisory Board. He oversees growing practices at all three sites and monitors compliance with Best Management Practices. P.J.'s three sons also work for the family business. Ben is the dispatcher at the Lake Brantley plant, Brad is in sales and Barrett is the Assistant Nursery Manager at Lake Brantley.

Serving as the manager of the Center Hill nursery, Dan is joined by his son Adam, who serves as the Nursery Manager at the Windermere location, and a daughter Ashley who is in customer service.

John manages the Longwood nursery and has three children, Caroline, Katie and Jack, who are eager to join the family business one day as well.

Mr. Speaker, families like the Klingers deserve recognition for their hard work and dedication to Florida's agricultural community. They have dedicated their lives to grow their business, improving the lives of area residents by growing and expanding their plant operations, and bringing quality jobs to the entire region. The Klingers are to be commended for

their work and I wish them the best of luck as they continue operations in the future.

TRIBUTE TO DR. JERRY HARDEE

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a lifelong educator, who has made a tremendous impact on young Chiropractic students. The leadership of Dr. Jerry L. Hardee has prompted South Carolina Chiropractors to honor him with a 2006 Trailblazer Award.

Although his background is education, not Chiropractics, Dr. Hardee's role as President of Sherman College of Straight Chiropractic led to the college's tremendous growth and financial stability. He has officially retired as President of Sherman College, but remains Chancellor in a part-time capacity responsible for fund-raising, public relations and enrollment services.

Jerry Hardee began his career as a teacher in 1960. Ten years later, he took his first administrative job as a principal and Title I Gifted Program Coordinator in the Garfield School District in Maywood, Illinois. Before coming to Sherman College, Dr. Hardee served for a quarter of a century as an executive administrator at three different institutions in the University System of Georgia. He also came out of his first retirement in 1999 to serve as the Director of the Center for Teaching and learning at Albany State University in Georgia.

Dr. Hardee spent 35 years as an education administrator. He holds a doctorate degree in education and a certificate of advanced study in educational administration from Northern Illinois University, a master's degree in science education from Fisk University, and a bachelor's degree in mathematics from Clark College.

While president of Sherman College, Dr. Hardee was renowned for his work to attract more African American students to the profession of Chiropractics. He often met with students, faculty and health care profession advisors at Historically Black Colleges and Universities to encourage more minority student interest in a profession dominated by non-black practitioners. His goal is to make the field more accessible to African Americans as a career option.

Mr. Speaker, I ask you and my colleagues to join me as I pay tribute to this trailblazing educator, who believes in promoting Chiropractics in minority communities. His leadership on this issue demonstrates his dedication to the profession and qualifies him for this outstanding recognition by practicing Chiropractors.

LETTER OF CLARIFICATION FROM THE BURT LAKE BAND OF OTTAWA AND CHIPPEWA INDIANS

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. STUPAK. Mr. Speaker, during hearings held in 1997 by the House Resources Com-

mittee, representatives of the Burt Lake Band of Ottawa and Chippewa Indians provided testimony that confused some land rights claims in Northern Michigan.

These statements were not approved by the Burt Lake Band's Tribal Council. As a result Mr. Curtis Chambers, Chairman of the Burt Lake Band, has written an open letter to members of Congress, to correct the record on this issue.

Without objection, I request that the following letter from the Chairman of the Burt Lake Band be included into the CONGRESSIONAL RECORD.

THE BURT LAKE BAND OF

OTTAWA AND CHIPPEWA INDIANS, INC.,

Brutus, Michigan, October 25, 2006.

DEAR MEMBERS OF THE U.S. CONGRESS: During June 24, 1997, hearings held before the House Natural Resources Committee, the individuals who were charged with presenting the Burt Lake Band of Ottawa and Chippewa Indians' formal position on the Michigan Indian Lands Claims Settlement Act, P.L. 105-143, made some statements which require correction. Those statements suggested that the Burt Lake Band of Ottawa and Chippewa Indians was and is claiming rights in lands in Michigan's Emmet and Charlevoix Counties, Beaver Island, High Island and Garden Island. Unfortunately, those statements were made without the prior approval of the Burt Lake Band's Tribal Council and they were and are factually inaccurate.

During those same hearings, those same Burt Lake representatives also presented the House Resources Committee with a map which they suggested was an accurate representation of the Burt Lake Band's aboriginal territory. That map was not an accurate representation of that territory and it should never had been presented for that purpose.

To complete this clarification, the Burt Lake Band would like to note that its research has confirmed that the Little Traverse Bay Bands of Odawa Indians did, in fact, received allotments in southwestern Cheboygan County, Michigan and that the Burt Lake Band respects the Little Traverse Band's right to assert any and all rights which stem from the award of those allotments.

Because the historical records of the United States Congress are often used by law makers, attorneys and historians, we would greatly appreciate your assistance in seeing that this letter is printed in the Congressional Record of the United States House of Representatives to make the above stated corrections.

Cordially,

CURTIS CHAMBERS,

Chairman.

RECOGNIZES JOSEPH E. JOHNSTON, JR. OF BROOKSVILLE, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to recognize Joseph E. Johnston, Jr., the winner of the 2006 Great Brooksvillian of the Year Award. The Award is presented annually to a current or former resident who has made a significant impact on the city of Brooksville.

Mr. Johnston has a long record of service to the city and to the entire community. Born in

1922, Mr. Johnston has served with distinction as a Florida State Senator and the attorney for the city of Brooksville and the Hernando County School Board.

In addition to his personal service to the city, Mr. Johnston's son, City Council member Joe Johnston III, has continued the family's commitment to public service. At the council meeting where Mr. Johnston's award was first announced, it was his son Joseph who thanked his fellow council members on behalf of his family.

Mr. Speaker, the city of Brooksville is lucky to have a man like Joseph E. Johnston, Jr. to take an active role in our community. I am proud to recognize his accomplishments, and congratulate him on being named the 2006 Brooksvillian of the Year.

TRIBUTE TO JAMES AND CAROL
MCDOWELL

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Ms. WOOLSEY. Mr. Speaker, I rise today to honor my constituents James and Carol McDowell on the occasion of their 50th wedding anniversary, October 27, 2006.

Jim and Carol were high school sweethearts in Petaluma, CA, where they met when Jim was a senior and Carol was a sophomore. Recently, the couple's 17-year-old granddaughter learned that they had been married when Carol was right out of high school and exclaimed, "Gram, you got married at 18! How could you?"

Jim was the third generation to operate the family dairy ranch just outside of town. His son Michael, "Mike," now runs the operation as an organic farm, adding strawberries and tomatoes to the dairy operation. Mike and his wife Linda have two children, Ryan and Shannon.

Patrick, "Pat," the couple's other son, is Asian editor for the Associated Press, covering 34 Asian countries. He and his wife Solzck live in Bangkok, Thailand.

Mr. Speaker, 50 years together is a wonderful testament to Jim and Carol's love and commitment. Jim summed up what makes it work when he told me, "Carol has always been special." Congratulations to them on this happy occasion.

TRIBUTE TO SERGEANT MICHAEL
R. WEIDEMANN

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. LANGEVIN. Mr. Speaker, it is with profound sorrow that I rise to recognize the loss of a brave soldier in Iraq, SGT Michael R. Weidemann, a resident of Newport who served his country with dignity and honor. I join his family and the people of Rhode Island in mourning this great loss.

Sergeant Weidemann was born in Canada and moved to Middletown, RI, with his family when he was 7. In 2001, he graduated from Rogers High School, where he attended the Newport Area Career and Technical Center

and participated in the automotive program. He was also an honor student and an active member of the JROTC program.

One month after graduating from high school, Sergeant Weidemann pursued his interests by enlisting in the Army as an auto mechanic and joined the 1st Battalion, 36th Infantry Regiment of the 1st Brigade, 1st Armored Division. After serving one tour in Iraq, Sergeant Weidemann was nearing the end of his second tour when, on October 31st, he was killed while on patrol near Hit, in Anbar Province.

Those that knew Sergeant Weidemann remember his optimistic personality, his loyalty, his hard work and willingness to fix everything. Most importantly, he had a positive impact on all who knew him. This loss certainly causes us all to reflect on the bravery demonstrated by our men and women in uniform as they carry out their obligations in the face of danger. When Sergeant Weidemann's Nation called him to duty to preserve freedom, liberty and security, he answered without hesitation. We will remember him as a patriot who made the ultimate sacrifice for his country.

Sergeant Weidemann is survived by his grandmother, Gertrude K.C. Miller; his sister, Catharine E. Weidemann; and his brothers, Richard L. Weidemann and Edward R. and Benjamin J. Berriault. May we keep his loved ones in our thoughts and prayers as they endure this difficult period, and may his memory live on forever.

We will also continue to hope for the safe and speedy return of all of our troops serving throughout the world.

RECOGNIZING THE 150TH ANNIVERSARY
OF THE CITY OF
BROOKSVILLE, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, 150 years ago two rural communities, Melendez and Pierceville, merged to form the city we know today as Brooksville, FL. Located in the heart of Florida's Nature Coast, since its founding in 1856, Brooksville has grown into a community with a rich history and unique traditions.

Unlike many Florida towns, Brooksville is not named for a local resident or indigenous Indian Tribe, but for one of the 19th century's foremost spokesmen in the halls of Congress, Preston Brooks. Mr. Brooks of South Carolina was a Member of the U.S. House of Representatives from 1853 to 1856, and is the city's namesake. The citizens of Hernando County admired his defense of States' rights and voted to give the county's largest settlement his name.

In 1856, the city of Brooksville was still in an unsafe part of the State. Located in the north-eastern corner of the city is the historic Fort Desoto. This fort was used as a trading post and a military fort, providing protection as well as leading the economic growth of the region.

Originally settled by four families, Brooksville eventually grew into a flourishing commercial and residential community. The Howell family settled in the northern part of the city, the Mays family in the eastern sec-

tion, the Hale family in the western section and the Parson family in the southern region. These four families helped contribute to the growth of the city and of the entire region.

Today Brooksville houses numerous modern medical facilities, a community college, three city parks, an outstanding library, thriving shopping centers, and a regional airport.

Mr. Speaker, I congratulate the city of Brooksville on its 150th anniversary. It has taken the combined efforts of generations of proud Brooksvillians to grow and strengthen this great city and make it what it is today. I wish the city of Brooksville the best of luck with their anniversary celebrations and good fortune during their next 150 years.

TRIBUTE TO OFFICER JERRY A.
HOWARD

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. MEEK of Florida. Mr. Speaker, I rise today to congratulate Jerry A. Howard on his retirement from the United States Capitol Police. Securing the United States Capitol Building and ensuring the safety of all individuals who work and visit here is a great responsibility that Officer Howard faithfully undertook for 33 years of honorable and dedicated service. While Officer Howard's presence on Capitol Hill will be missed, his retirement is a celebratory occasion and I wish him and his family continued success as they embark upon this next chapter in life.

Officer Howard began his career with the United States Capitol Police on November 12, 1973 with the House Division Second Relief, working traffic duty until 1994. He was then transferred to inside details until his retirement. Officer Howard received numerous awards and citations during his years of service.

Officer Howard is a charter member of the U.S. Capitol Black Police Association, where he served as Chaplain, and for the last six years was Vice President of that association.

Prior to working for the United States Capitol Police, Officer Howard served two years in the United States Marine Corps from 1968 to 1970, including 13 months in Viet Nam. He joined the Marine Corp Reserves in 1975 and retired in 1995 as a Gunnery Sergeant in the VFMA-321 Air Wing.

Officer Howard and his wife Gloria will celebrate their retirement years in the new family home in Goldsboro, North Carolina.

This is a special occasion for Jerry and Gloria's five children; Frank, Trey, Larry, Sherry and Shannon, and their four grandchildren; DaJuan, Jayme, Taveon, and Kameron, two daughters-in-law; Gloria and Quianna and their extended family members; Lorie and Paul Southern. Officer Howard is thankful to his parents, the late Robert and Alean Howard, who encouraged him to succeed in life, and his nine siblings for their continued support and encouragement.

Officer Howard protected this Nation during wartime overseas and at home, here at the U.S. Capitol. He is a patriot, guided by loyalty, honor and duty. This Nation is indebted to Officer Howard for a lifetime of service. His retirement is well deserved, and I congratulate him on achieving this milestone.

IN HONOR OF MRS. MARY BALL
MORTON

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Mrs. Mary Ball Morton upon her retirement after 28 years of dedicated service working for the Delaware Department of Services for Children, Youth and Their Families.

The Delaware Department of Services for Children, Youth and Their Families mission is to provide and manage a range of services for children who have experienced abandonment, abuse, mental illness, neglect, or substance abuse. Its services include prevention, early intervention, assessment, treatment, permanency, and after care. The Department attracts and retains proud and talented individuals who are motivated to "Think of the Child First" in all that they do.

Mrs. Morton has been an inspiring example of a person who "thinks of the child first" all of her professional life. Mrs. Morton's distinguished career has had many different facets, yet they all reflect back to a person who has been steadfastly dedicated to improving the lives of children. Initially, Mrs. Morton worked to develop foster care policy, and ensure that the foster care throughout the State was adequate and working to improve and enrich children's lives. During Mrs. Morton's career, she has overseen the administration of the State of Delaware's adoption program, court liaison services, quality assurance and improvement programs.

Mrs. Morton's commitment to children is constant; now that Mrs. Morton is retiring from State employment, she is focusing her energy and support on the 21st Century Fund for Delaware's Children. The 21st Century Fund for Delaware's Children will provide a critical bridge between the limited resources of State and non-profit agencies and underserved children by supporting activities that will help children develop socially and academically.

Mr. Speaker, in closing, I would like to wish Mrs. Morton success in all her future endeavors, and I would like to thank her for her years of dedicated advocacy and for her years of personal friendship.

INTRODUCING DR. SHELLEY
SEKULA-GIBBS

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. HALL. Mr. Speaker, I am honored today to introduce and welcome Dr. SHELLEY SEKULA-GIBBS, the newly elected Member of Congress from the 22nd Congressional District who will be sworn in tonight.

Dr. SEKULA-GIBBS is a 5th generation Texan and a medical doctor and teacher. Tonight, she will make history when she becomes the first female physician to serve in the U.S. House of Representatives.

She has dedicated herself to serving the citizens of Houston for several years. Before her election, she served for three terms as an

At-Large member of the Houston City council. In that role, she helped advance property tax reform and strengthen the city's police force. She also helped found the Ellington Field Task Force, which kept Ellington Field open and operating as a Joint Reserve Base.

She has also volunteered countless hours to serve the citizens of south Texas. She served as a volunteer medical doctor and teacher at the Baylor College of Medicine, she shapes the next generation of healers.

She helped found the Provider Health Network, a group that cares for uninsured patients. As president of the "Healthy Houston Foundation" she raised money for clinics that provide medical care to the needy. She has also volunteered her time to take care of our Nation's veterans in several Veterans Hospitals across the Nation.

As a businesswoman and community leader, Dr. SEKULA-GIBBS has brought together municipalities, organizations, and businesses to create jobs and economic development in the south Texas region. She understands the importance of reforming our current tax code and reducing our debt.

As a founding member of the Sylvan Rodriguez Foundation—an organization that provides students in the Houston area with the opportunity to study space, medicine, and science—she is committed to advancing America's technological and scientific leadership. As a mother and grandmother, she also understands the importance of strengthening families and communities.

While Dr. SEKULA-GIBBS will be sworn in today, she will only be with us in Washington for a short time. She had a very successful special election—she received over 77,000 votes en route to victory. She ran a good campaign for the 110th Congress, but she faced many difficult procedural challenges.

Despite her short run, the future looks bright for Dr. SEKULA-GIBBS. I look forward to working with her in the final weeks of this Congress, and I wish her the best of luck in the future.

A TRIBUTE TO CONGRESSMAN
JAMES CLYBURN

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. OWENS. Mr. Speaker, in the past I have often had the delight of saluting my departing colleagues with a tribute in Rap poetry. At this point, however, circumstances have been reversed and I am departing. As I leave it will be my pleasure to offer some brief portraits in words describing the very able women and men I leave behind. I would like to begin with JIM CLYBURN. I visited his State on two different occasions and I was impressed by the fact that everyone had very strong opinions about JIM. They either feared him or they admired him. That is one sign of true greatness. The composite opinion of JIM which emerged was one of a great conciliator, a leader with a keen understanding of the fact that politics is the art of compromise but the compromise must always be an honorable and productive one.

A lighthearted summary of JIM's special assets is reflected in the following Rap poem.

MISTER JIM

With a bounty of transportation bucks
Freshman Clyburn showed he was clever;
All the South Carolina clubhouse boys
Danced Dixie up and down
Cheering Mister Jim and diversity forever.
Mister Jim
Made Mister Charlie look cheap,
Sowing his seeds of sunburned charm
A lots more dollars
Congressman Clyburn managed to reap.
Before he agrees to negotiate
Mister Jim dangles the right bait;
From smoke filled rooms
He emerges with fat surprises;
Mister Jim
Never despises compromises.
Mister Jim rescued
Bill Clinton's Black politics career;
When affirmative action fumbling
was about to end it
Mister Jim talked to Bubba
And convinced him to merely mend it.
Mr. Jim can display
Warm understanding affectionate appeal
But the world is a better place
Cause Mister Jim
Knows how and when to deal.

TRIBUTE TO ANTHONY ZAGAMI

HON. NICK J. RAHALL, II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. RAHALL. Mr. Speaker, I rise today in recognition of Anthony J. "Tony" Zagami, a true public servant who will retire from the U.S. Government Printing Office at the end of this year.

I have known Tony since the mid-1960s, when I was an intern in the office of Senator ROBERT C. BYRD, D-WV, and Tony was a Senate page. Over the years, Tony has been a great friend to me, to my family and to the people of West Virginia, and he will certainly be missed here in the legislative branch.

However, let no one argue that Tony has not earned his retirement. After spending 25 years working for the U.S. Congress, Tony left Capitol Hill to become the General Counsel of the GPO. When he departs at the end of the year, he will have set a record as the GPO's longest-serving General Counsel.

Throughout his career, both here on the Hill and at the GPO, Tony was known for his dedication and commitment to public service. He has been the recipient of numerous awards and recognitions for outstanding performance and achievement.

I thank Tony for his outstanding service and for his friendship over years. The qualities he embodies are getting harder and harder to find nowadays.

May God bless this admirable man and his family as he begins his next chapter.

TRIBUTE TO BUCK O'NEIL

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. MOORE of Kansas. Mr. Speaker, I rise today to pay tribute to Buck O'Neil, an internationally renowned, distinguished Kansas Citian, who died on October 6th at the age of 94.

John Jordan "Buck" O'Neil was born the grandson of slaves in Carrabelle, Florida, on November 13, 1911. He acquired his love for baseball at a young age from his father, who played for the local team when he wasn't working as a foreman in the celery fields. As a teenager, Buck realized that he wanted to do something more with his life, but times were difficult throughout the country during the Great Depression, and he had received little formal education because the local high school was segregated.

When his father told him that, "There is something better, but you can't get it here, you're gonna have to go someplace else," Buck made the decision to try his luck as a baseball player in the semi-professional barnstorming leagues that traveled the entire country. It didn't take him long to attract the attention of the Memphis Red Sox of the Negro American League, who signed him to his first professional contract in 1937. After a year of playing for the Red Sox, Mr. O'Neil's contract was purchased by the Kansas City Monarchs—the team with which he would spend the rest of his playing career.

The Monarchs were the most successful team in the history of the Negro Leagues, winning the most titles and producing the best players. While playing for Kansas City, Mr. O'Neil won batting titles in 1940 and 1946 and led his team to a convincing victory in the 1942 Negro World Series. He batted .353 as the Monarchs swept the Homestead Grays, 4–0. He was also selected to play in three Negro American League All-Star Games, and would likely have accomplished more during his playing career had it not been for World War II; Mr. O'Neil dutifully served his country for 2 years by completing a tour in the United States Navy from 1943–1945.

Buck stayed with the Monarchs through the end of the 1955 season, serving both as a player and as the team's manager for the final 8 years of his time in Kansas City, all the while facing the harshness of separation and discrimination in a country that was still segregated. Thanks in part to the significant accomplishments of his Monarchs teammate Jackie Robinson, who broke down racial barriers by joining the Brooklyn Dodgers of Major League Baseball in 1947, Buck too was able to join a rapidly-integrating MLB as a scout for the Chicago Cubs. In 1962, he became the first African American coach in the Majors. During his storied career with the Cubs, Mr. O'Neil was responsible for the development of many great major leaguers, like Joe Carter, and he also signed two future Hall of Fame players—Lou Brock and Ernie Banks. After 33 years with the Cubs, Buck returned home in 1988 to scout for the Kansas City Royals.

Despite his myriad accomplishments on the field as a player, manager, and coach, it is Buck O'Neil's accomplishments off the field that demonstrate his love for the game of baseball and his commitment to the essential role that the Negro Leagues played in the integration of both American sport and American society. In 1990, O'Neil was a leader in the effort to create the Negro League Baseball Museum in Kansas City, Missouri. The Museum, located in the historic 18th and Vine district of downtown Kansas City, has excelled for nearly a decade in its mission of educating all Americans about the rich and important history of the Negro Leagues. Buck served as the Board Chairman for the Museum and actively pro-

moted its messages of understanding and triumph over adversity. In addition to his work with the Museum, Mr. O'Neil served as a member of the Baseball Hall of Fame Veterans Committee from 1981–2000, working hard to ensure that many of the Negro League players who had been denied entrance into the Major Leagues because of segregation were able to gain a deserved entrance into the Baseball Hall of Fame in Cooperstown.

After devoting so many years of his life to promoting the accomplishments of others, many believed that the time for Buck's recognition had finally arrived in the spring of 2006, when he was on a special ballot for entry into the Hall of Fame. Shockingly, the Committee chose not to induct Mr. O'Neil, to the dismay of many—but not Buck. Unaffected by the Hall's decision, he took the high road and offered to speak at the induction ceremony on behalf of those selected, because many of them had passed on. On June 30, 2006, Buck selflessly honored all 17 individuals related to the Negro Leagues who were inducted, giving an inspiring speech and instructing all audience members to hold hands and join him in song. The ovation he received was the loudest and longest of the ceremony.

At the time of his death, Buck O'Neil's efforts were focused on the John "Buck" O'Neil Education and Research Center. Scheduled for completion in late 2007, the Center will be an expansion of the Negro Leagues Baseball Museum devoted to teaching people of all ages many different aspects of the Negro leagues and baseball. The 45,000 square foot facility will house extensive archives and promises to devote much of its space and funding to state-of-the-art technology and programs that will teach many different things to many different people.

Mr. Speaker, I am pleased to have this opportunity to honor the life of Buck O'Neil, because of his accomplishments while playing and managing in the Negro and Major Leagues, because of his work with the Negro League Baseball Museum, because of his devotion to those who shared in his struggle, valuing their legacies more than his own, and most of all, because of his immense contributions to the game of baseball and American society. When acclaimed documentary filmmaker Ken Burns made his film *Baseball* in 1994, he chose Buck O'Neil as the narrator, because no other individual better captures the history and legacy of our American pastime. He was truly the game's ambassador, and his spirit will be sorely missed.

A TRIBUTE TO PAUL DE LA GARZA

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Paul de la Garza, a hard charging newspaper reporter for The St. Petersburg Times with a generous heart of gold who died on October 29, 2006.

Many of our colleagues worked with Paul as he reported on stories affecting our national security and the health care of our country's veterans. Paul was an outstanding investigative reporter who mined his many sources to

effect necessary changes in the way in which we deliver medical care at our Department of Veterans Affairs medical centers. He also spent time earlier this summer in Iraq as he did extensive reporting on the war there and the role U.S. Central Command plays in managing our troops on the ground.

Paul was more than a reporter though. He was first and foremost an outstanding husband to his wife Georgia and a loving father to his two children Monica, 12, and Carlos, 11, both of whom he adopted from Mexico.

His is the story of the American dream, growing up poor in a small Texas town. He worked 40 hour weeks as a fourth grader to help out his family. Later he delivered newspapers and waited tables to put himself through college at the University of Texas. He was a reporter with the Associated Press and Chicago Tribune before becoming a regular on the front pages of The St. Petersburg Times as a reporter in the Washington and Tampa bureaus.

Following my remarks, Mr. Speaker, I would like to include tributes to Paul from The St. Petersburg Times, The Tampa Tribune and The Chicago Tribune. They speak to Paul's success as a reporter but more importantly his compassion and love for his family, his friends, and for those most in need of help.

Mr. Speaker, I knew Paul de la Garza as a reporter, but I will forever miss him as a very special friend who always kept life's priorities in order. My prayers go out to Paul's family, especially to Georgia, Monica and Carlos, as they deal with the loss of a great man, a great husband and a great father.

[From the St. Petersburg Times, Oct. 30, 2006]

PASSIONATE REPORTER "NEVER MET A STRANGER"

Paul de la Garza, a hard-driving St. Petersburg Times reporter whose passion for the big story was matched by love of family, died Sunday (Oct. 29, 2006) after an apparent heart attack.

Mr. de la Garza, 44, who had survived a heart attack 2 years ago, collapsed at his Davis Islands home about 10 a.m. after complaining of chest pains. He was taken by ambulance to Tampa General Hospital, where he died about 1 p.m.

As a journalist, Mr. de la Garza was widely respected for mining sources and breaking big stories, most recently about VA hospitals and the Special Operations Command at MacDill Air Force Base.

"He was a driving investigative reporter. This is very shocking," said U.S. Rep. C.W. Bill Young, a frequent source for Mr. de la Garza, sometimes dinner companion and occasional target. "He was very respected by the folks I know. They trusted him."

Young's wife, Beverly, recalled tears running down de la Garza's face, as she led him through VA wards full of wounded soldiers.

"Paul is really compassionate. He really cares," she said Sunday. "He's the most wonderful Democrat I ever knew. I can't believe this has happened to him and Georgia and the kids. This is wrong."

TEXAS UPBRINGING

Mr. de la Garza was born in Port Isabel, Texas, near Brownsville, one of six children.

His father was a shrimp and his heritage was Mexican, though he sometimes pointed out that some ancestors lived in Texas before the United States annexed it. His given name was Jesus Pablo, but friends called him Jesus only when they wanted to annoy him.

By fourth grade, he was working 40 hours a week, collecting bait for fishermen, his wife, Georgia, said.

He waited tables and worked at the school newspaper to earn his way through the University of Texas. Then he worked his way up the ranks of the Associated Press, with stints in Chicago, Southern Illinois and Newark, N.J.

Mike Konrad, now Hernando Times editor, was managing editor of the Southern Illinoisan, in Carbondale, when Mr. de la Garza was posted there for the AP.

"This was a guy who could work sources like nobody I've ever seen in my life," Konrad recalled. "Within weeks of getting there, he was getting stories our reporters were missing, just because he had met so many people. And there was nobody in the world who would not talk to Paul."

Sometimes, boldness and charm was all it took. As the Chicago Tribune's Mexico City bureau chief, Mr. de la Garza interviewed Latin American presidents and rebel leaders alike. On assignment in Cuba, he ran into Milton Berle and asked him for a cigar-smoking lesson.

"I still have the cigar box that Milton Berle signed for him," said Georgia de la Garza. "They smoked Cohibas together."

Once, when Mr. de la Garza was vacationing in New Orleans, a limousine driver pointed out Fats Domino's house. Mr. de la Garza jumped out with a video camera and talked his way in, where Domino's band was practicing for a Jazz Fest performance. Fats, himself, stayed in back of the house.

"Paul never met a stranger," recalled Times colleague Tom Scherberger, who witnessed the scene. "He introduces himself and we are hanging out with Fats Domino's band. Finally, one of the band politely says that Fats won't come out until we leave. Only later, did we discover that Paul had pushed the button wrong on the camera and we never got any video."

Mr. de la Garza first worked at the Times from 1992 through 1994, where he covered Tampa police news, wrote a column, and helped edit the Tampa section.

Then he worked for the Chicago Tribune for six years, both in Mexico City and in Chicago, where he was a reporter and assignments editor.

He returned to the Times in 2000, in part, because he and his wife wanted a more stable environment for two orphans they had adopted in Mexico City—Monica, now 12, and Carlos, 11.

"The two things he cared the most about were his family and his work," said John Dunn, longtime friend and Tampa General spokesman. "Just about every conversation we had sitting over pints were about Georgia and the kids."

"No matter how bad a day he had, that put him in good spirits."

It wasn't just the children. The de la Garza house often was opened to extended family. When Georgia's brother died, they took in her niece. When Paul's father had a stroke, they took in his parents.

During his second stint at the Times, Mr. de la Garza covered the Pentagon, the military and veterans affairs. Last summer, he wrote a detailed, insider's look at Army Gen. John Abizaid, head of U.S. Central Command, as he toured Afghanistan and Iraq.

"This is a heartbreaking loss. He really went after stories because they would make a difference in the lives of goodhearted folks," said Paul Tash, Times editor, chairman and CEO. "He had so much to offer both as a father and husband and also as a reporter."

CANCER SURVIVOR

In 2001, Mr. de la Garza was diagnosed with Hodgkin's disease and underwent extensive cancer treatments. After 2 years with no recurrence, he and his wife rented a B&B in his

beloved New Orleans and celebrated with about 40 friends from around the country. One photograph shows him in a colorful hat, a Jazz Fest scarf around his neck and sunglasses.

"Paul the journalist was very different than Paul, the regular guy," recalled Sandra Gadsden, the Neighborhood Times editor.

"The journalist was a stickler for detail. He would hang on every sentence. Paul the man was just a fun-loving laid-back guy."

Mr. de la Garza is survived by his wife; daughter Monica and son Carlos; mother, Jesusa de la Garza and sister Via Camacho, both of Austin, Texas, and brothers Eduardo of Houston and Alberto of Galveston, Texas.

Funeral services have not been set.

[From the Tampa Tribune, Oct. 30, 2006]

TIMES' MILITARY REPORTER DIES

(By Mark Holan)

TAMPA.—Paul de la Garza, military and veterans affairs reporter for the St. Petersburg Times, died Sunday of an apparent heart attack. He was 44.

A cancer survivor, de la Garza was described by his friend and editor, Pat Farnan, as a strong reporter who enjoyed spending time with his family.

He is survived by his wife, Georgia, and two children, Carlos and Monica.

For a September profile of Army Gen. John Abizaid, de la Garza spent five days traveling in the Persian Gulf, Afghanistan and Iraq.

"Paul was definitely among the more assertive, if not industrious, journalists who had the military beat," said Lt. Col. Mike Escudie, media affairs officer for Central Command. He said the Abizaid profile got good reviews from the military.

"It was a testament to his professionalism," Escudie said.

"He had tremendous passion for his work," said Farnan, the Times' interim metro editor who supervised de la Garza in recent years.

De la Garza joined the Times' Tampa bureau in 1992 after eight years of reporting for The Associated Press. He left to work as a Mexico City correspondent for the Chicago Tribune, then rejoined the Times in August 2000 in Washington, DC, as the national security and foreign affairs reporter. He later returned to Tampa and lived on Davis Islands.

De la Garza earned a bachelor's degree from the University of Texas in Austin.

In June 2002, de la Garza was diagnosed with Hodgkin's disease, a form of cancer. Soon he was physically and mentally worn out by his chemo treatments.

A five-minute meeting at the White House that September with cancer survivor and Tour de France champion Lance Armstrong, a fellow Texan, led the reporter to an unexpected inspiration for his recovery.

"I don't have to turn to the rich and famous, to the heroes of the sports world, to get me through the anxiety, the depression, the fear of the what-ifs," de la Garza wrote in the Times. "My heroes are right in front of me, ordinary folks who every day make my life better."

[From the Chicago Tribune, Oct. 30, 2006]

JOURNALIST KNOWN FOR EMPATHY

(By Flynn McRoberts and Tonya Maxwell)

Paul de la Garza, the son of a shrimper who rose from the poverty of south Texas to become a columnist and foreign correspondent for some of America's top news organizations, died of a heart attack Sunday in his Tampa home.

Mr. de la Garza, 44, drew on his modest circumstances to bring an empathy to his stories for the Chicago Tribune, the St. Petersburg Times of Florida and the Associated Press. Whether it was revealing computer-

system fiasco at the Department of Veterans Affairs or chronicling the ragged life of a street vendor on Chicago's West Side, Mr. de la Garza cared intensely about the people he wrote about, said his wife, Georgia.

Mr. de la Garza spent more than two decades in journalism, working as a police reporter, a wire-service editor, a columnist and a foreign correspondent. Most recently, he was a reporter for the St. Petersburg Times, where his stories about the VA's troubled computer system resulted in the massive project being shut down.

"He always wanted to get to the truth. He was very passionate about it," his wife said. Of his VA coverage, he had recently told her: "I know I've made a lot of headway, but there's so much more to do—so much more to do."

Last month, the St. Petersburg Times published Mr. de la Garza's account of visiting Qatar in July with Army Gen. John P. Abizaid, Commander of U.S. Central Command. Mr. de la Garza had been trying to accompany the general for years, said Mike Konrad, an editor at the St. Petersburg Times and friend since 1986, when the men met as journalists in Carbondale, IL. "It was one of his coups," Konrad said. "He told me when he came back how the general told his staff to give him access to everything on the trip."

As a journalist, Mr. de la Garza was a master at cultivating sources and connecting with people, be they office workers, political figures or top generals, Konrad said.

"He'd been writing a lot about problems at the VA, it was so symbolic of the type of work he did. He really believed in the mission of journalism. When he saw wrongs, he really wanted to make them right. He wanted to expose wrongdoing."

Mr. de la Garza was born in Port Isabel, Texas, where his father was a shrimper and his mother worked as a hotel maid.

He began working in the 4th grade, selling bait to shrimpers along the Gulf of Mexico waters off South Texas. One of six children, Mr. de la Garza, known as Chuy to friends and family, first considered writing as a career in junior high school.

Intending to study political science at the University of Texas at Austin, Mr. de la Garza took a journalism class and loved it. He worked as a reporter and editor at the student paper and then was offered a job in the Chicago bureau of the Associated Press.

"He had a nickel in his pocket when the AP offered him a job," his wife said. "His mom bought him a suit at Sears, and his brother gave him the money to fly to Chicago. When he first got there, he slept on his trench coat until he got his first paycheck. And some colleagues at the bureau gave him furniture."

Mr. de la Garza met his wife, a chef and artist, while he was working in southern Illinois for the Associated Press. She said she fell in love with him on their first date, Valentine's Day, when he serenaded her at a restaurant. In 1994, Mr. de la Garza came to the Chicago Tribune as a metro reporter, and later became a foreign correspondent in the Mexico City bureau, an assignment he relished, said George de Lama, then the associate managing editor for foreign and national news.

"Paul was someone who was always willing to do any story no matter where it took him. He was one of the first Latinos on our staff to be a foreign correspondent," said de Lama, now deputy managing editor, news. "Paul loved being a foreign correspondent, where the assignment is more of a life than it is a job. I think he was happiest when he was living that life on the road looking for stories." While serving as the Tribune's Mexico City bureau chief, Mr. de la Garza and his

wife adopted two children in 2000—Monica, now 12, and Carlos, 11.

He left the Tribune in 2000 and moved to Washington, DC, to return to work for the St. Petersburg Times before moving to the newspaper's Tampa bureau.

A jazz music fan, Mr. de la Garza made an annual pilgrimage to the New Orleans jazz fest with a group of acquaintances. One of those festivals stood out for friends and family: the 2003 version, when loved ones converged from around the country to celebrate Mr. de la Garza's having beaten Hodgkin's lymphoma.

In addition to his wife and children, Mr. de la Garza is survived by his mother, Jesusa, two brothers and a sister. Services are pending.

TRIBUTE TO TANYA RAND

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Tanya Rand, a distinguished citizen of Brooklyn, New York. It behooves us to pay tribute to this outstanding woman and I hope my colleagues will join me in recognizing her impressive service.

Born to Natalie and Caesar Campbell in Brooklyn, New York, Tanya Rand remains a part of the Clinton Hill community today. Ms. Rand is a product of the New York public school system and currently attends New York Technical College where she is working towards a Bachelor's degree in Technology.

In 1992, Ms. Rand joined the Health and Hospital Corporation as a part-time receptionist/clerk at one of Cumberland Diagnostic and Treatment Center's off sites. While with the Health and Hospital Corporation, Ms. Rand has enjoyed numerous promotions. She has worked in the Cumberland Diagnostic and Treatment Center Chemical Dependency Department, the Office of the Director of Community Affairs, and the North Brooklyn Health Network Community. Ms. Rand's many talents did not go unnoticed. In 2004, Tanya was asked to manage the Community Affairs Office and became the liaison to both the Community Advisory Board and Auxiliary Board for Cumberland Diagnostic and Treatment Center.

Ms. Rand is the proud mother of two children, Lindsey Marie, age 17, and Jassiem Jahi, age 13. Although Ms. Rand was busy with her job and raising two children, she also found time to be active in her children's education and her community. She was PTA President for the District 13 PTA Council and was recognized as a "Parent on the Move". The Board of Education changed and her children moved on to different schools, but Ms. Rand still found time to help parents that were in need of support. She also helps in the political arena. Most Brooklyn elected officials know they can count on Ms. Rand whenever they call on her.

Mr. Speaker, I believe that it is incumbent on this body to recognize the work of Tanya Rand. Her deep commitment to her family and community makes her most worthy of our recognition today.

TRIBUTE TO HECTOR B. FERNANDEZ

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Hector B. Fernandez, an accomplished professional and model citizen of New York. It behooves us to pay tribute to this outstanding man and I hope my colleagues will join me in recognizing his impressive service.

Hector B. Fernandez was born in the Dominican Republic to Mercedes and Benjamin Fernandez. At the age of 7, his family immigrated to the United States and settled in the borough of Manhattan, New York. He was reared in a traditional Latino home where hard work and education is valued and rigorously enforced.

Mr. Fernandez received a Bachelor of Arts degree from the Metropolitan College of New York and has over 25 years of professional experience with the New York City Health and Hospital Corporation and local not-for-profit organizations. He has dedicated the past 20 years of his life to serving individuals and their families afflicted with the illness of addiction. His strong convictions and compassionate nature serves him well in supporting those individuals that are less fortunate.

As the Addiction Program Administrator for Chemical Dependency Services in the Department of Psychiatry at the North Brooklyn Health Network, Mr. Fernandez is responsible for planning, creating and delivering innovative programs and initiatives. He is driven by the affirmations of the successes and accomplishments of those he serves. One of his strongest attributes is his ability to build and sustain relationships with key stakeholders to increase the quality of services and resources at Woodhull Medical Center. His determination to succeed is supported by his team of staff as they collectively develop ideas and strategies for the clients and the community at large.

Mr. Fernandez is a certified New York State Alcoholism and Substance Abuse Counselor, and he has been recognized for his exemplary work ethic by the North Brooklyn Health Network Department of Social Work. His success is built on a strong family nucleus consisting of his wife Nancy, and three children of whom he is very proud: Jeremy, Natalie and Xavier.

Mr. Speaker, I believe that it is incumbent on this body to recognize the work of Hector B. Fernandez. His deep commitment to family and community makes him most worthy of our recognition today.

TRIBUTE TO HENRY BOLUS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Henry Bolus, a model citizen of Brooklyn, New York. It behooves us to pay tribute to this outstanding American and I hope my colleagues will join me in recognizing his impressive service.

Henry Bolus voluntarily enlisted in the U.S. Army, proudly serving our country during the

Korean Conflict as a Paratrooper with the 187th Airborne Regimental Combat Team. He is a product of the New York City public school system and later enrolled at New York City's Kingsborough Community College for undergraduate studies. His success at Kingsborough Community College earned him Presidential level membership in the National Society of Leadership and Success, Sigma Alpha Phi.

Mr. Bolus recently reached a personal milestone by becoming the president of Brooklyn's renowned Thomas Jefferson Democratic Club. He was also elected delegate to the New York State Judicial Convention. Mr. Bolus is an honorary life member of the Knights of Columbus. He is also an active member of Canarsie's Shrine Church of St. Jude, where he serves as an usher and member of the finance committee.

Mr. Bolus has been the loving husband of Josephine Bolus since 1954 and is the proud father of Sabrina Jo Bolus and Michael Henry Bolus.

Mr. Speaker, I believe that it is incumbent on this body to recognize the work of Henry Bolus. His deep commitment to his family and community makes him most worthy of our recognition today.

TRIBUTE TO PATRICK WILLIAMS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 13, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Patricia Williams, a community leader and entrepreneur. It behooves us to pay tribute to this outstanding woman and I hope my colleagues will join me in recognizing her impressive service.

Born to the Honorable Kathryn Williams and the late James Williams, Patricia Williams credits living and growing up in evolving neighborhoods like Harlem, Bedford Stuyvesant and East New York as an inspiration to work for social and economical change.

Ms. Williams knows hard work is an investment. She currently is the President/CEO of Ecotech Enterprises, Inc., a firm she established to provide consultant services to government agencies, private sector corporations, and small, minority-owned business enterprises. In the past, Ms. Williams provided community outreach and event planning for the Brooklyn Museum of Art Construction Project. She has delivered bottom line services such as marketing and sales to well known small businesses and she provides fundraising and workshop development assistance to several non-profits. Ms. Williams has been called upon as a panelist and guest speaker on numerous occasions and is considered an authority on business development.

Prior to starting her own consulting firm, Ms. Williams was executive Director of the Minority Business Opportunity Center under the U.S. Department of Commerce, Minority Business Development Agency where she provided business services to more than 70,000 minority/women-owned and small businesses. As senior Administrator of Equal Employment Opportunity and Diversity for Morse Diesel International, she successfully implemented policies to ensure 100 million dollars of contracting opportunities for minority-owned and

small businesses where she exceeded labor force and contracting goals set for women and minority skilled workers at JFK Airport's Terminal 4 construction project. She was Senior Employment Specialist and Career Development Instructor for Non-Traditional Community College, Operations Manager for Madison Avenue firm Durham Temporaries Inc., and has

several years of experience at the U.S. Small Business Administration, Finance Division.

Ms. Williams attended John Jay College where she majored in Criminal Justice and Labor Law. Her work has not gone unnoticed. Ms. Williams has been recognized by several government agencies and community organizations. She is also the recipient of the Co-

lumbia University Non-Profit Executive Management Scholarship. Ms. Williams is the proud mother of two, Leah and John.

Mr. Speaker, I believe that it is incumbent on this body to recognize the work of Patricia Williams. Her deep commitment to her community makes her most worthy of our recognition today.

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, November 14, 2006 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 15

11 a.m.

Environment and Public Works

Business meeting to consider the nomination of Alex A. Beehler, of Maryland, to be Inspector General, Environmental Protection Agency.

SC-4, Capitol

2:30 p.m.

Armed Services

To hold hearings to examine the current situation and U.S. military operations in Iraq and Afghanistan; to be followed by a closed session in SH-219.

SH-216

Energy and Natural Resources

To hold hearings to examine the December 2005 report from the President's Task Force on Puerto Rico's status.

SD-106

Appropriations

Legislative Branch Subcommittee

To resume hearings to examine the progress of the Capitol Visitor Center construction.

SD-138

3 p.m.

Health, Education, Labor, and Pensions

To hold hearings to examine current challenges and new ideas to safeguard consumers relating to food safety.

SD-430

NOVEMBER 16

Time to be announced

Homeland Security and Governmental Affairs

Business meeting to consider proposed Iraq Reconstruction Accountability

Act of 2006, the nominations of James H. Bilbray, of Nevada, and Thurgood Marshall, Jr., of Virginia, each to be a Governor of the United States Postal Service, Dan G. Blair, to be Chairman, Postal Rate Commission, and Stephen Thomas Conboy, of Virginia, to be United States Marshal for the Superior Court of the District of Columbia.

Room to be announced

9:30 a.m.

Judiciary

To hold oversight hearings to examine the Civil Rights Division of the Department of Justice.

SD-226

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine Department of Defense business systems modernization and financial management accountability efforts.

SR-232A

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine the reauthorization of the Pipeline Safety Program.

SR-253

Energy and Natural Resources

To hold hearings to examine the nomination of Kevin M. Kolevar, of Michigan, to be an Assistant Secretary of Energy (Electricity Delivery and Energy Reliability).

SD-366

Health, Education, Labor, and Pensions

To hold hearings to examine proposals to improve drug safety and innovation.

SD-430

Homeland Security and Governmental Affairs

Investigations Subcommittee

To resume hearings to examine Department of Defense travel policies and practices, focusing on the cost benefit analysis of the Defense Travel System.

SD-342

10:30 a.m.

Intelligence

To receive a closed briefing regarding intelligence matters.

SH-219

2 p.m.

Finance

Health Care Subcommittee

To hold hearings to examine the States' perspective of the Children's Health Insurance Program (CHIP).

SD-215

2:30 p.m.

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 3636, to establish wilderness areas, promote conservation, improve public land, and provide for high quality economic development in Washington County, Utah, and S. 3772, to establish wilderness areas, promote conservation, im-

prove public land, and provide for high quality development in White Pine County, Nevada.

SD-366

DECEMBER 6

2:30 p.m.

Judiciary

Administrative Oversight and the Courts Subcommittee

To hold oversight hearings to examine implementation of the Bankruptcy Abuse Prevention and Consumer Protection Act (Public Law 109-8).

SD-226

POSTPONEMENTS

NOVEMBER 15

4 p.m.

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine S. 2475, to establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community, to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, DC, S. 2645, to establish the Journey Through Hallowed Ground National Heritage Area, S. 2822 and H.R. 5057, bills to authorize the Marion Park Project and Committee of the Palmetto Conservation Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor Brigadier General Francis Marion, S. 3805, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Monroe County, Michigan, relating to the Battles of the River Raisin during the War of 1812, and H.R. 323, to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library".

SD-366

NOVEMBER 16

10:30 a.m.

Armed Services

To hold a closed briefing on the Naval Criminal Investigative Service Report of events from November 2005 in the Iraqi town of Haditha and on the probe by Army Major General Eldon Bargewell on how the chain of command handled the initial reporting of the incidents.

SR-222

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S10845–S10887

Measures Introduced: Two bills were introduced, as follows: S. 4046–4047. **Page S10879**

Measures Reported:

S. 3591, to improve efficiency in the Federal Government through the use of high-performance green buildings, with an amendment in the nature of a substitute. (S. Rept. No. 109–358.)

Report to accompany S. 1838, to provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property. (S. Rept. No. 109–359.) **Page S10879**

Measures Passed:

Pueblo of Isleta Settlement and Natural Resources Restoration Act: Senate passed H.R. 5842, to compromise and settle all claims in the case of Pueblo of Isleta v. United States, to restore, improve, and develop the valuable on-reservation land and natural resources of the Pueblo, clearing the measure for the President. **Page S10884**

Clint Independent School District: Committee on Foreign Relations was discharged from further consideration of H.R. 860, to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clint Independent School District, El Paso County, Texas, and the bill was then passed, clearing the measure for the President. **Page S10884**

Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act Amendment: Senate passed S. 3501, to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program, after agreeing to the following amendment proposed thereto: **Pages S10884–85**

Frist (for McCain) Amendment No. 5133, to modify a provision relating to transfers to the Acquisition Fund. **Pages S10884–85**

Indian Self-Determination and Education Assistance Act Waiver Application Act: Senate passed S. 3687, to waive application of the Indian Self-Determination and Education Assistance Act to a specific parcel of real property transferred by the United States to 2 Indian tribes in the State of Oregon. **Page S10885**

Military Construction/VA Appropriations: Senate began consideration of H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, and taking action on the following amendment proposed thereto: **Pages S10848–59**

Pending:

Akaka/Obama Amendment No. 5128, to provide, with an offset, an additional \$2,500,000 for the Department of Veterans Affairs for the Office of Inspector General. **Pages S10856–59**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2:15 p.m. on Tuesday, November 14, 2006. **Page S10886**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs (Treaty Doc. 109–21);

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Pages S10885–86**

Nominations Received: Senate received the following nominations:

Mark Everett Keenum, of Mississippi, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

Mark Everett Keenum, of Mississippi, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Scott A. Keller, of Florida, to be Assistant Secretary of Housing and Urban Development.

Charles E. Dorkey III, of New York, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Daine Humetewa, of Arizona, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring August 25, 2012.

Anthony W. Ryan, of Massachusetts, to be an Assistant Secretary of the Treasury.

Andrew G. Biggs, of New York, to be Deputy Commissioner of Social Security for the remainder of the term expiring January 19, 2007.

Andrew G. Biggs, of New York, to be Deputy Commissioner of Social Security for a term expiring January 19, 2013.

Leon R. Sequeira, of Virginia, to be an Assistant Secretary of Labor.

William Francis Price, Jr., of California, to be a Member of the National Council of the Arts for a term expiring September 3, 2012.

Robert Bretley Lott, of Louisiana, to be a Member of the National Council of the Arts for a term expiring September 3, 2012.

Charlotte P. Kessler, of Ohio, to be a Member of the National Council of the Arts for a term expiring September 3, 2012.

Joan Israelite, of Missouri, to be a Member of the National Council of the Arts for a term expiring September 3, 2012.

Benjamin Donenberg, of California, to be a Member of the National Council of the Arts for a term expiring September 3, 2012.

Forestsorn Hamilton, of New York, to be a Member of the National Council of the Arts for a term expiring September 3, 2012.

Richard Allan Hill, of Montana, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring June 10, 2009.

Terry L. Cline, of Oklahoma, to be Administrator of the Substance Abuse and Mental Health Services Administration, Department of Health and Human Services.

Paul A. Schneider, of Maryland, to be Under Secretary for Management, Department of Homeland Security.

Dan Gregory Blair, of the District of Columbia, to be a Commissioner of the Postal Rate Commission for a term expiring October 14, 2012.

Ellen C. Williams, of Kentucky, to be a Governor of the United States Postal Service for a term expiring December 8, 2016.

31 Army nominations in the rank of general.

Routine lists in the Air Force, Army, Coast Guard, Foreign Service, and Navy. **Pages S10886–87**

Measures Referred: **Pages S10874–75**

Measures Placed on Calendar: **Page S10875**

Measures Read First Time: **Pages S10875–76**

Enrolled Bills Presented: **Page S10876**

Executive Communications: **Pages S10876–78**

Executive Reports of Committees: **Page S10879**

Additional Cosponsors: **Pages S10879–80**

Statements on Introduced Bills/Resolutions: **Pages S10880–81**

Additional Statements: **Pages S10868–74**

Amendments Submitted: **Pages S10881–83**

Notices of Hearings/Meetings: **Page S10883**

Authorities for Committees to Meet: **Page S10884**

Privileges of the Floor: **Page S10884**

Adjournment: Senate convened at 2 p.m., and adjourned at 6:02 p.m., until 2:15 p.m., on Tuesday, November 14, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S10886.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Susan E. Dudley, of Virginia, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, after the nominee, who was introduced by Senator Warner, testified and answered questions in her own behalf.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: On September 20, 2006, Committee ordered favorably reported the nomination of John Peyton, of Florida, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 6313–6320; and 2 resolutions, H. Res. 1078–1079, were introduced. **Page H8609**

Additional Cosponsors: **Pages H8609–10**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Gingrey to act as Speaker Pro Tempore for today. **Page H8581**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 10 a.m. tomorrow, November 14th for Morning Hour debate, thereafter to resume its session at 11 a.m. **Page H8582**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Sierra National Forest Land Exchange Act of 2006: Concur in Senate amendment to H.R. 409, to provide for the exchange of land within the Sierra National Forest, California—clearing the measure for the President; **Pages H8582–83**

Amending 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: Concur in Senate amendment to 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, by a $\frac{2}{3}$ yeas-and-nay vote of 383 yeas to 3 nays, Roll No. 517—clearing the measure for the President;

Pages H8583–84, H8604–05

Idaho Land Enhancement Act: S. 1131, to authorize the exchange of certain Federal land within the State of Idaho—clearing the measure for the President; **Pages H8584–86**

Pitkin County Land Exchange Act of 2006: Concur in Senate amendment to H.R. 1129, to authorize the exchange of certain land in the State of Colorado—clearing the measure for the President;

Pages H8586–87

Lower Farmington River and Salmon Brook Wild and Scenic River Study Act of 2005: S. 435, to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for

potential addition to the National Wild and Scenic Rivers System—clearing the measure for the President; **Pages H8587–88**

Pactola Reservoir Reallocation Authorization Act of 2005: S. 819, to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes, by a $\frac{2}{3}$ yeas-and-nay vote of 387 yeas with none voting “nay”, Roll No. 518—clearing the measure for the President; **Pages H8588–89, H8605**

Amending the Federal Water Pollution Control Act to reauthorize a program relating to the Lake Pontchartrain Basin: H.R. 6121, to amend the Federal Water Pollution Control Act to reauthorize a program relating to the Lake Pontchartrain Basin; **Page H8589**

Designating the State Route 1 Bridge in the State of Delaware as the “Senator William V. Roth, Jr. Bridge”: S. 1140, to designate the State Route 1 Bridge in the State of Delaware as the “Senator William V. Roth, Jr. Bridge”—clearing the measure for the President; and **Pages H8589–90**

Animal Enterprise Terrorism Act: S. 3880, to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror—clearing the measure for the President. **Pages H8590–95**

Suspension Failed: The House failed to agree to suspend the rules and pass the following measure:

Authorizing the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam: H.R. 5602, amended, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam, by a $\frac{2}{3}$ yeas-and-nay vote of 228 yeas to 161 nays, Roll No. 519.

Pages H8595–S8602, H8605–06

Recess: The House recessed at 4:02 p.m. and reconvened at 6:27 p.m. **Page H8602**

Oath of Office—Twenty-Second Congressional District of Texas: Representative-elect Shelley Sekula Gibbs presented herself in the well of the House and was administered the Oath of Office by the Speaker. Earlier the Clerk of the House transmitted a facsimile copy of the unofficial returns of the Special Election held on November 7, 2006 from Ms. Ann McGeehan, Director of Elections, State of Texas, indicating that the Honorable Shelley Sekula Gibbs was elected Representative in Congress for the

Twenty-Second Congressional District, State of Texas. **Page H8603**

Oath of Office—Thirteenth Congressional District of New Jersey: Representative-elect Albio Sires presented himself in the well of the House and was administered the Oath of Office by the Speaker. Earlier the Clerk of the House transmitted a facsimile copy of the unofficial returns of the Special Election held on November 7, 2006 from Ms. Donna Kelly, Assistant Attorney General, State of New Jersey, indicating that the Honorable Albio Sires was elected Representative in Congress for the Thirteenth Congressional District, State of New Jersey. **Page H8603**

Whole Number of the House: The Chair announces to the House that, in light of the administration of the oath to the gentlewoman from Texas, Ms. Shelley Sekula Gibbs, and the gentleman from New Jersey, Mr. Albio Sires, the whole number of the House is adjusted to 433. **Page H8604**

Senate Referrals: S. 1409 was referred to the Committees on Energy and Commerce and Transportation; S. 1726 and S. 3845 were referred to the Committee on Government Reform; S. 3523 was referred to the Committee on Ways and Means; S. 3526 was referred to the Committee on Resources; S. 3879 was referred to the Committee on Energy and Commerce; and S. 3880 and S. 4044 were referred to the Committee on the Judiciary. **Page H8607**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H8604–05, H8605, and H8606. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 7:38 p.m.

Committee Meetings

No Committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, NOVEMBER 14, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Finance: to hold hearings to examine the nominations of Michele A. Davis, of Virginia, to be Assistant Secretary for Public Affairs, Robert F. Hoyt, of Maryland, to be General Counsel, and Paul Cherecwich, Jr., of Utah, and Deborah L. Wince-Smith, of Virginia, each to be a Member of the Internal Revenue Service Oversight Board, all of the Department of the Treasury, 11 a.m., SD–215.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nominations of James H. Bilbray, of Nevada, and Thurgood Marshall, Jr., of Virginia, each to be a Governor of the United States Postal Service, and Dan G. Blair, to be Chairman, Postal Rate Commission, 10 a.m., SD–342.

Permanent Subcommittee on Investigations, to hold hearings to examine the issue of states incorporating new, non-publicly traded companies in the United States each year without obtaining the identity of corporate owners, and its impact on law enforcement investigations into persons misusing U.S. shell corporations for money laundering, tax evasion, terrorist financing, or other crimes, and a GAO report entitled “Company Formations: Minimal Ownership Information Is Collected and Available,” 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine competition in sports programming and broadcasting, 9 a.m., SD–226.

Full Committee, to hold hearings to examine judicial and executive nominations, 2 p.m., SD–226.

House

Committee on Armed Services, hearing on national security implications of the Lucent/Alcatel merger, 2 p.m., 2118 Rayburn.

Committee on International Relations, Subcommittee on Africa, Global Human Rights and International Operations, oversight hearing on the Hague Convention on International Adoptions: Status and the Framework for Implementation, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, oversight hearing on the Administrative Law, Process and Procedure Project for the 21st Century, 2 p.m., 2141 Rayburn.

Next Meeting of the SENATE

2:15 p.m., Tuesday, November 14

Senate Chamber

Program for Tuesday: Senate will continue consideration of H.R. 5385, Military Construction/VA Appropriations.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, November 14

House Chamber

Program for Tuesday and Wednesday: Consideration of suspensions as follows: (1) H.J. Res. 96—Recognizing the contributions of the Christmas tree industry to the United States economy; (2) H.R. ____—To amend title 38, United States Code, to extend certain expiring provisions of law; (3) H.R. 1245—Gynecologic Cancer Education and Awareness Act of 2005; (4) H.R. 864—Sober Truth on Preventing Underage Drinking Act; (5) H. Res. 993—Expressing the sense of the House of Representatives with respect to raising awareness and enhancing the state of computer security in the United States, and supporting the goals and ideals of National Cyber Security Awareness Month; (6) H.R. 5585—Financial Netting Improvements Act of 2006 and (7) H.J. Res. ____—Making further continuing appropriations for the fiscal year 2007.

Extensions of Remarks, as inserted in this issue

HOUSE

Andrews, Robert E., N.J., E2001
 Bilirakis, Michael, Fla., E2002
 Brown-Waite, Ginny, Fla., E2002, E2004, E2006, E2007, E2007, E2008
 Burton, Dan, Ind., E2001
 Castle, Michael N., Del., E2009
 Clyburn, James E., S.C., E2003, E2004, E2006, E2007
 Farr, Sam, Calif., E1999
 Hall, Ralph M., Tex., E2009
 Hinchey, Maurice D., N.Y., E1996, E1997

Honda, Michael M., Calif., E1999
 Jackson-Lee, Sheila, Tex., E2000
 Langevin, James R., R.I., E2008
 Lipinski, Daniel, Ill., E1995, E1997
 Lofgren, Zoe, Calif., E2004, E2005
 Marchant, Kenny, Tex., E2004, E2005
 Meek, Kendrick B., Fla., E2008
 Moore, Dennis, Kans., E2009
 Owens, Major R., N.Y., E2009
 Paul, Ron, Tex., E2004, E2005
 Radanovich, George, Calif., E2001
 Rahall, Nick J., II, W.Va., E2009

Rothman, Steven R., N.J., E1998
 Skelton, Ike, Mo., E1995, E1997, E1998
 Stupak, Bart, Mich., E1996, E1997, E2007
 Towns, Edolphus, N.Y., E2003, E2005, E2006, E2012, E2012, E2012, E2012
 Udall, Mark, Colo., E2000
 Visclosky, Peter J., Ind., E1995, E1996, E1998, E1999, E2000
 Wilson, Joe, S.C., E2003, E2005, E2006
 Wolf, Frank R., Va., E2001
 Woolsey, Lynn C., Calif., E2008
 Young, C.W. Bill, Fla., E2010



Congressional Record

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