

his young son, saying, "I will do my best to make you and your mother proud."

Indeed, Charles King made everyone who had the privilege to know him very proud.

News of Charles' death was devastating to his family, friends, and community. Since his death, phone calls have poured in to his family's home. "God is just continuing to work miracles in our lives," said Gail.

In a funeral service held in Cleveland at Lee Heights Community Church on October 23, friends eulogized Charles. They told stories about him that prompted a sea of smiles and nods from the friends and family packed into the tiny church, whose walls were covered with Charles' paintings.

Those in attendance remembered the boy who had grown up to be such an accomplished man. They remembered the brave soldier, the talented artist, and the loving son, brother, father, and friend. They remembered an American hero.

My wife Fran and I continue to keep all of Charles' family—his parents Gladys and Charlie, his sister Gail, his fiancée Dana, his son Jordan, and his daughter Christina—in our thoughts and in our prayers.

LANCE CORPORAL THOMAS KEELING

Mr. President, I rise today to pay tribute to Marine LCpl Thomas Keeling from Strongsville, OH. LCpl Keeling was killed on June 9, 2005, in an explosion in Iraq. He was assigned to the Marine Reserve's 3rd Battalion, 25th Regiment, 4th Marine Division based out of Akron, OH. He was 29 years old.

LCpl Keeling leaves his mother and step-father, Sharon and Robert Berry, his father Tom Keeling; his sister Erin Keeling, and his twin sister Kristen Keeling.

Thomas—Tom to his family and friends—graduated from Strongsville High School in 2000 and then attended Kent State University, graduating in 2004 with a Criminal Justice degree. Matthew Kichinka from Strongsville knew Tom as "Tommy Boy." He reminisced about his high school friend:

I still remember the first time we met in home room 10th grade year. You were my best friend in high school. I will never forget the great times we've shared, the mischief we caused in gym class, and the nights we closed at the kitchen at Giant Eagle. Thank you friend, for being there for me during those difficult times in high school and being the best friend a person could have.

Dave Murphy of Middleburg Heights, OH, moved to Strongsville not knowing a soul—that is until he met Tom. As Dave put it:

I moved to Strongsville when I was young. I was concerned I wouldn't find any friends, I was blessed enough to move in across the street from the Keelings. Before the moving trucks even drove away, Tom was in my yard inviting me into his. This is a perfect example of the person Tom was. He was truly compassionate for others and a great friend.

Mary Jo Webster from Berea, OH, was Tom's 6th grade teacher. She remembers him as "a lively, happy child." Friends knew him as always having fun and doing things he enjoyed. Whether he was playing hockey in Parma Heights, in his softball league, or shooting hoops with friends in his neighborhood, he was always active. Teammates took pride in their skillful forward. He had outstanding agility and tremendous speed. But his interests were not just in the sports that he was playing, he was interested in the people and the relationships it takes to build a team.

When Tom was at Kent State, he worked in housekeeping to earn extra money. Paula Hill described her custodial co-worker by saying that "he was one of the nicest young gentlemen I've ever met. I called him my number three son because he was as close to me as my own children."

When Tom graduated from college, he was considering a career in the FBI. His mother Sharon said that "Tom's dream was to become an FBI agent, and he chose going to the Marine Corps because he thought he would get some experience that would help him along his career."

Tom had been a Reservist for 4 years, and his stepfather and grandfather were both marines. He looked up to his grandfather, who was a World War II veteran and had been awarded two Purple Hearts. When Tom died, he was buried next to him.

Tom once told his stepfather that he was proud of the job that the U.S. troops were doing in Iraq and that he could see things improving. Tom had been in Iraq since February 2005, and was assigned to a mobile strike force seeking insurgents in the Anbar province near the Syrian border. "Sometimes they go out seven days at a time. They'd patrol cities during the day and go out in the desert at night," his stepfather said.

But Tom's work in Iraq didn't stop on the field of battle. In weekly care packages, his family made sure to send him candy and Beanie Babies to hand out to Iraqi children. Tom's ability to connect with the children of the country he was trying to protect was a testament to the kind, gentle soul that Tom Keeling was.

Nate Ickes from Akron, OH, honored his brother-in-arms by saying:

I was honored to have served with Tom. He brought joy and laughter to everyone in our unit. There was never a day that went by that he did not have a smile on his face.

Close friends, like Emily Laurie of Charleston, SC, understand the impact Tom had on the people he touched. She wrote words of comfort in a posting on an Internet tribute website. This is what she wrote:

Remember Tom with a smile. Remember the good things, the good times, and the laughter. He is a hero, endowed with great courage and strength and has sacrificed his life for the freedom of others. He will be missed, but not forgotten.

Close family friend Mark Nutter from Brunswick, OH, also paid tribute to Tom's memory in an online website by saying the following:

I just wanted to say thank you for letting me be a part of your family for a few years. I got the chance to know the man that later became the closest thing I have ever had to a little brother. Tom not only quickly became my friend. He became my family. He became my brother. Tom was one of the greatest people that I will ever know and have ever known in my whole life. I will miss him dearly.

Mark went on to write:

I am posting this because I came through on a small promise I made to Tom when he passed away. Tom played softball with my friends and me for a few years. The friends Tommy made on the team, including me, made a promise to win our league championship for him.

Well Tom, we did it, and we did it for you. I had your old jersey hanging proudly in our dugout all year for you and as long as we play, we always will. I had a picture of Tom and a simple quote below him before our championship games. It read, 'Win 2 for Tommy.' Tom, we won two for you that night and our first league title.

I will miss Tom dearly and hope his family knows what he meant to me. Thanks for the good times. They will always be in my heart. Thank you, again, Tom. It was a pleasure to have known you.

Marine LCpl Thomas Keeling had a zest for life, a love of family and friends, and a deep understanding of what it means to serve. My wife Fran and I continue to keep his family and friends in our thoughts and prayers.

Mr. President, I ask unanimous consent to proceed for 20 minutes.

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

STAFF SERGEANT RICHARD PUMMILL

Mr. President, I rise to honor a courageous Ohioan from Cincinnati—Marine SSgt Richard Pummill, who was killed in Iraq by a roadside bomb on October 20, 2005, after serving there for 3 months as a weapons officer. He was 27 years of age at the time.

Staff Sergeant Pummill leaves his wife, Chantal; their son Donald Richard—known as Cliff—his mother Lynn, and his grandparents Donald and Ann.

Richard—known as Rick—graduated from Anderson High School in 1996, where he excelled in football and wrestling. Eileen Arnold, a counselor at Anderson High School, first met Rick when he was a freshman. "He stood out in my mind because he was fun-loving, outgoing, and energetic," she recalled. "I had the sense he wanted to do something special with his life. He was never afraid to speak his mind and was never hesitant. He didn't go along just to go along."

Indeed, Rick did want to do something special with his life, and he joined the Marine Corps immediately after high school. Patsy Hager, mother of Rick's childhood friend Wally, said:

The Marines gave him a purpose. He was always driven. He was always about something.

This passion and drive served Rick well in his Marine Corps weapons officer training. As Rick's friend Matt Fugate recalled:

Rick was a fun guy, but he was a Marine through and through. That was his calling.

John Morgan, Jr., and Rick played on the same soccer team when the boys were 4 years old, and the two have remained friends. Rick gave John his spare dog tag the day he joined the military, and John has carried it around on his keychain ever since. He described Rick as “fearless.”

But, Rick was also a caring and compassionate individual. For portions of his childhood, he and his mother lived with his grandparents, Ann and Don Leshner. When Rick was stationed with the marines in North Carolina, he would buy wood, haul it home to Ohio, and chop it for his grandparents so they could use it to heat their home. “He adored his grandparents,” his mom said.

After completing his Marine Corps training, Rick served as a military recruiter. His charisma and enthusiasm for the job was apparent to all his colleagues. SSgt James Morgan was a fellow recruiter and left the following message for Rick’s family on an Internet tribute Web site:

Rick and I worked together on recruiting duty in a two-man station—just him and me. Recruiting duty will test a Marine, but [Rick], my friend, always kept me laughing. We spent many days lost on backwoods Danville roads. [He] always went the extra mile—always volunteered to get the job done. I will never forget him. I am a Staff Sergeant today because of Rick’s hard work.

When the war began in Iraq, however, Rick was eager to give up the safety of his recruiter’s job for a combat position. After preparing so many young marines to make the journey to Iraq, he felt compelled to go over, himself, and serve beside them. He only had the chance to serve 3 months before he was killed by a roadside bomb during combat operations. Although his time in Iraq was short, he left a lasting impression on those with whom he served. Fellow marine and friend Josh Williams wrote the following after Rick’s death:

It’s not like when your parent dies of sickness or a friend dies in an accident. Losing a comrade in a war is very different. There’s a bond there that doesn’t have a name.

Rick was a selfless individual, who was always looking to ease others’ hardships. A wife of a fellow marine who served under Rick wrote the following in tribute to him:

I met Staff Sergeant Pummill the day our men left for Iraq. He was so friendly and even gave me some advice about getting through the deployment. ‘Just look at it in terms of paycheck to paycheck,’ he said. ‘That’s what my wife will do.’ My husband is very privileged to have worked under him.

In his civilian life, Rick enjoyed painting his own cars and thought about going to culinary school after he finished his service in the military. But, there was one passion in his life that far outweighed all the rest—and that was his family—his wife and son Cliff. Rick’s mother Lynn recalled that “he was a fantastic father. He was dedicated and adored his son. Cliff looks just like him.”

There is no doubt that all those who loved Rick will make sure Cliff knows what a courageous and remarkable man his father was.

Rick’s wife Chantal describes her husband as “the most dedicated Marine that I knew. He was a loving husband and a devoted father.”

Rick’s mother Lynn added:

My son loved our country. He loved the Marine Corps. He lived to be a Marine.

This is how Rick will be remembered, Mr. President: as a loving father, devoted husband, loyal son, caring grandson, and brave marine. My wife Fran and I continue to keep his family in our thoughts and in our prayers.

MASTER SERGEANT DAVID A. SCOTT

Mr. President, I come to the floor to honor and remember a man who dedicated his life to the service of our Nation. On July 20, 2003, Air Force MSgt David A. Scott, from Union, OH, died while serving our country in Doha, Qatar. He was 51 years of age.

“Scotty”—as family and friends called him—spent his career in military service. He was serving as an Air Force Reservist in the U.S. Embassy in Qatar when he died of a brain aneurysm. He is survived by his wife of 25 years Deborah and daughter Christine.

Born in Toledo, Scotty graduated from Erie Mason High School in 1971 in Erie, MI. The following year, he served in the Vietnam war. Afterward, he returned to his hometown of Toledo, where he began work in an automotive factory.

When the automobile factory closed in the mid-1970s, Scotty decided to enlist in the Marines. He served as a marine for 17 years before joining the Air Force Reserves in 1993 and moving to Union.

Though he served our Nation well in the Air Force Reserves, Scotty always thought of himself as a marine first and foremost. “The Marine Corps was his life,” his wife Deborah said.

“He was in the Marines for 17 years and worked at testing new recruits. Even when he went into the Air Force Reserves, they called him their token Marine. He always said, ‘Once a Marine, always a Marine.’”

But, whether he was serving with the Marines or the Air Force, there was one thing that Scotty always was—a dedicated and selfless serviceman, who was proud to serve his country in any capacity asked of him. At the Embassy in Qatar, he served as the assistant chief of information systems for the 445th Communications Squadron, based out of Wright Patterson Air Force Base in Dayton, OH. His job there was to coordinate and assist in obtaining diplomatic clearances for Coalition aircraft and personnel, as well as to help plan equipment shipments for Operation Iraqi Freedom and Operation Enduring Freedom in Afghanistan.

While serving overseas, Scotty would call and e-mail his wife Deborah often and share with her how proud he was of the meaningful work he was doing. As Deborah recalls:

He said it was very important and that he’d met a lot of great people. He was so proud to be serving his country.

An avid sportsman, Scotty enjoyed watching football and would make bets with family members on NFL games. He also enjoyed hunting and fishing.

Scotty was an admirable marine and Reservist—a model for what every serviceman and woman strives to be. But, even more importantly, he was a loving and devoted husband and father. Scotty and Deborah celebrated their 25th anniversary in October 2002. “We had such a nice time,” Deborah remembers. “We took a long weekend and went down to Tennessee to Pigeon Forge.”

Scotty’s death has been felt deeply by all who knew him. In Deborah’s words, he was simply a “real nice guy. Everybody loved him.”

Scotty was so well respected by those he worked with in the military. One of his comrades, MSgt T. Kirkman, left his friend the following message on an Internet tribute website. This is what he wrote:

Scotty, you are missed, but never forgotten. I am proud to have worked with you at Wright Patterson Air Force Base. You were one of my best and brightest memories of the 445 AW! To Scotty’s family—may the Lord continue to bless and keep you until you see him again.

It takes courage and self-sacrifice to serve one’s country. Scotty dedicated his life to serving this country. And, he did so in not one, not two, but three branches of the military: the Army, the Marine Corps, and the Air Force. And so today, we honor MSgt David Scott in the U.S. Senate.

Mr. President, my wife Fran and I will keep his family and friends in our thoughts and in our prayers. We will keep his wife Deborah and his daughter Christine in our thoughts and in our prayers.

SERGEANT FIRST CLASS DANIEL J. PRATT

Mr. President, I rise today to pay tribute to Army National Guard SFC Daniel J. Pratt from Newark, OH, who died on November 3, 2005, when he suffered a heart attack, while serving in Iraq. He was assigned to the Army National Guard’s 211th Maintenance Company, based out of Newark and had served with the Guard for about 16 years. He was 48 years old. He leaves his wife Linda, his daughter Lindsay, his son Daniel, and his three sisters and two brothers.

Originally from Camden, NJ, Daniel was raised in Williamstown, OH, with his five siblings. He was also a member of Youngstown’s St. Christine Catholic Church. At Williamstown High School, he lettered in cross country and indoor and outdoor track.

His former track coach, James Greczek, recalled Daniel’s high school days by saying that “he always had a smile. He was a super, super kid.”

Daniel’s dedication was seen in the type of relationships and friendships he had. Tim Leyden ran cross-country with Daniel at Williamstown, roomed

with him in college, and lives 15 minutes away from his home in Ohio. Just a couple years older than Daniel, Tim reminisced on his best friend by saying this: "He introduced me to my wife. He was godfather to my son. He was . . . outgoing, a good salesman, and fun-loving."

After high school, Daniel attended junior college in Alabama and then Southeastern Lousiana College. Daniel became a foreman for a truck dealership in Austintown, OH. He met his future wife Linda at Lake Tahoe. Daniel and Linda were married for almost 20 years.

In 1989, Daniel joined the National Guard. Since his deployment to Iraq on December 30, 2004, Linda and Daniel emailed each other regularly and talked by phone on Sundays. It was not easy for Daniel to be apart from his family. But Daniel knew that he was proudly serving our Nation. His dedication to service and the safety of his homeland earned him the Meritorious Service Medal on August 31, 2005.

Tim and many of Daniel's family members last saw him in June 2005, when he returned home briefly for his son's high school graduation. Tim recalled, "Everything was fine. He was looking forward to getting home, but the biggest concern was getting all his people home." Daniel was due to return home on December 9, 2005.

The day after Linda received the news of her husband's death, she received flowers from him for their 20th anniversary. "I was just overwhelmed and touched. And I just felt his goodness come through again," she said. To Linda, her husband was not just a patriotic military man and a caring father. He was so much more.

Lorraine Boyer, one of Daniel's siblings, said she wasn't surprised when she heard he had sent anniversary gifts from Iraq. "He had a heart of gold. He was an exceptional human being," she said. "Everybody he came in contact with—he just touched their lives."

Daniel had no previous health problems, but there was a history of heart disease in his family and his father died of heart problems when he was in his 40s.

Teri Gove, Daniel's cousin, said the following in tribute to him:

I am so proud of you, Danny, and so sad for your family. I can still remember Thanksgiving at the camp in Delaware . . . your dad taking us all for a ride in his new big truck out through the woods at midnight to show my dad that his truck could go through anything—and then, the long, dark walk home when [the truck] did get stuck! You and my brother kept hiding and jumping out of the dark to scare us girls! That's the picture I see when I think of you. And now you are a hero!

Jason Chalky from Youngstown also paid tribute to Daniel. This is what he said:

We will miss you, forever. I knew you for a couple of years, and you never led me in the wrong direction. You were a good leader, a good soldier, and a good friend. . . . Thanks for all you gave and that your family gave.

Rick McKinney of Rexburg, ID, served with Daniel in the 237th. He said that Daniel "would stand up for his soldiers like no one that you've ever seen. It was six years that I knew him and served with him. I thank him and his family for all they've done to ensure our freedom."

I would like to conclude my remarks with the words of SFC David Garlits, who said the following in a message to Daniel after his death:

Dan, it was great to know you, buddy. You were one of my best friends in Iraq. Even though we were the same rank, I always looked up to you. You did so much for the Army with so little in return except for knowing you did your best. You will live on because of all that you shared with others.

SFC Daniel Pratt will never be forgotten. My wife Fran and I continue to keep his family in our thoughts and prayers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 10 minutes.

Mr. CARPER. I ask unanimous consent to be granted an additional 5 minutes from the Democratic side.

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

MIKE DEWINE

Mr. CARPER. Mr. President, before Senator DEWINE leaves the floor, he was speaking of a loss that he and his family and others are mourning, I presume in Ohio, where I spent a number of years as an undergraduate at Ohio State University. I would associate myself with his remarks in extending our sympathies from Delaware. We received some devastating news of our own in Delaware a day or two ago with the news that Army SGT Keith Fiscus had been killed in action in Iraq at the age of 26. Our hearts go out to him. I will be talking more about him later.

There is a loss that we mourn as well, not the loss of a life here in the Senate, but the loss of Senator DEWINE who will be returning to Ohio and to other challenges in the days ahead. Senator DEWINE and I were elected to the House of Representatives in 1982. We came here together with people such as JOHN MCCAIN, Tom Ridge, John Kasich, Harry Reid, Barbara Boxer, Dick Durbin, and JOHN SPRATT, a remarkable freshman class in the House of Representatives. It was the year we elected a lot of Democrats and not nearly as many Republicans. Somehow, then, Congressman DEWINE managed to swim against the tide and to be elected against those odds in Ohio.

He served as a Congressman of distinction, later as the State's Lieutenant Governor where he trained GEORGE VOINOVICH, who served as Governor, and then to be elected to the Senate. It was my privilege to serve with him in the House of Representatives and it has been a privilege to serve with him in the Senate.

On a personal level, I will miss him. I want to say how much it has been a privilege to serve with my friend from

Ohio, who has a good mind and a good heart, wonderful family, and is deeply devoted to them and the people of Ohio, whom we both revere.

Mr. DEWINE. If the Senator will yield.

Mr. CARPER. I do.

Mr. DEWINE. I thank my colleague, who has pointed out to my colleagues in the Senate that he and I came here together in the election of 1982 and came to the House in 1983. We have been dear friends ever since. I will miss working with him. He is someone who I believe exemplifies what this institution is all about, and that is getting things done, working in a bipartisan way, making a difference. He has done that and will continue to do that.

I wish him well.

Mr. CARPER. I appreciate very much those words and the chance to be a friend of Senator MIKE DEWINE.

Mr. President, I wish to talk about a couple of things, if I may. In about 15 or 20 minutes, the Senate will vote on the confirmation of a judge. The President has seen fit to nominate District Court Judge Kent Jordan, who serves in Delaware, to succeed Judge Jane Roth who has served for more than a dozen years as a judge on the Third Circuit Court of Appeals. Judge Roth announced early this year that she was going to take senior status, and she has done that. I will talk a little bit about her, and then I will talk about Judge Kent Jordan.

Judge Roth, whom I have been privileged to know for almost as long as I have been in Delaware, whose husband served here in the Senate for some 30 years and was my predecessor, typifies everything a judge ought to be—smart, knows the law, adheres to the law, uncommonly fairminded, treats those who come before her, whether they are on either side of an argument, with respect, has a reputation for providing judicial temperament, a forum where justice can occur. She is somebody who works hard, somebody who has a wonderful sense of humor. Sometimes when people don those black robes, they turn in their sense of humor, but she has never lost hers.

Along the way, in addition to being a district court judge and then a circuit court judge on the Third Circuit Court of Appeals, she was a lawyer and partner in a major law firm in my State, Richards, Layton & Finger. She played a prominent role there for about 20 years.

Prior to that, she served in the foreign service for our country. I believe she served in places such as Iran, and we could probably use her expertise and counsel these days. She served in Rhodesia and in the Republic of the Congo. She married Bill Roth along the way, raised two children, and somehow managed to do it all with grace and aplomb. She continues to serve us as the senior judge of the Third Circuit Court of Appeals. We are lucky she does, and we are grateful to her for that service and to her family for sharing with all the people of the country,

not just of Delaware, a remarkable human being.

We are grateful for her service and think of her today as we consider the nomination of her successor Kent Jordan.

I have known Kent Jordan not for as long as Judge Roth, but I have known him. He served on the district court in Delaware for some time. Delaware is a little State. You know almost everybody, if you want to. I have had a chance to get to know him and his family. I think he has earned very high marks as our district court judge, much as Judge Roth did when she was our district court judge.

When I was privileged to be Governor of the State for some 8 years, I nominated a lot of people to serve on the bench. Among the qualities I looked for was people who knew the law, who had good judgment, who were able to make decisions. Sometimes people, frankly, find it hard to make a decision. As a judge, that is not a good thing. You want somebody who knows the law and somebody who has good judgment, who is able to make decisions and follows the golden rule in the way the people treat who come before them, who provides good judicial temperament and a forum, a courtroom, where justice will more likely than not be served.

Judge Jordan in his service on the district court has always shown that those are the qualities he is all about.

He, as Judge Roth, has been a parent, raised a family. I am not sure if I have the right number, but I think he and his wife have raised five or six, maybe seven children. So they have had a lot going on at home, with schools and all kinds of extracurricular activities.

He served before that in a number of other challenging situations. We had a little debate today and there was a cloture vote on whether we were going to vote on Judge Jordan's nomination. Nobody should somehow interpret that vote and the fact that we had to vote on cloture as any question about his integrity, competence, ability, and willingness to serve. He will be a great addition to the Third Circuit Court of Appeals.

We will vote in about 15 minutes on Kent Jordan's nomination. I hope my colleagues will join me—and I know I speak for Senator BIDEN in urging our support—unanimous support for this nomination. He has not disappointed us in anything he has ever done, and I am sure he will not disappoint any of us in this regard either. He has received, by the way, from the American Bar Association—every now and then we talk about the ratings they hand out with respect to nominees. His unanimous rating was “well qualified,” which is the highest possible grade. It was a unanimous rating. I think that speaks for itself.

In addition to having served as a district court judge for the last 4 years, he also clerked for a legend in our part of the country, District Court Judge James Latchum. Once he graduated

from law school, he became an assistant U.S. attorney for the Delaware District. He has done great things with his life. He has a lot of integrity and great energy. I hope he will be rewarded for those things later today. We will be voting in a very short while.

INDEPENDENT REGULATOR FOR GOVERNMENT-SPONSORED ENTERPRISES

As we come down the home stretch on our year's business, there are some things we are going to complete today, or maybe tomorrow—hopefully, not Sunday—and there are some things we may not complete. I was looking in the local paper in our State, the News Journal, on Thursday when I was coming down on the train. I saw an article that was headlined “Fannie Mae Restates Earnings, With \$6.3 Billion in Profits Slashed.”

I think what the auditors and the Fannie Mae accountants have done is looked at earnings over a 4-year period of time, from 2001 through 2004, and they concluded that Fannie Mae—a huge enterprise, a large Government-sponsored enterprise, like Freddie Mac—overstated their profits by some \$6.3 billion.

The reason I bring that up is that I am disappointed that we are going to finish business this year and not provide for a strong, independent regulator for Government-sponsored enterprises such as Fannie Mae and Freddie Mac, and the Federal Home Loan Banks. That has not been questioned—with respect to the way they operate, the accuracy of the financial reporting. Great questions have been raised over Fannie Mae and Freddie Mac, and as we have seen in yesterday's newspaper, there was a huge restatement of earnings.

I think it is unfortunate that we are not going to be able to conclude with a vote on legislation that some people have spent a lot of time working on in the last year or two. The House of Representatives has passed—not unanimously but by a wide margin—legislation that would provide for a strong, independent regulator for Fannie Mae and Freddie Mac. The Senate ended up breaking down along party lines in the Senate Banking Committee on similar kinds of legislation. We passed out a bill on party lines. It never came up on the floor. In the last month or two, there has been an encouraging discussion and negotiation between Congressmen BARNEY FRANK and MIKE OXLEY, his staff, and the folks at the Treasury Department, under the direction of Secretary Hank Paulson, to try to narrow the differences between the bill reported out by our committee with only Republican support and the bill that passed with bipartisan support in the House. We have not been able to resolve all of our differences, but progress has been made in the last month. I want to say to both Congressman FRANK and Congressman OXLEY—who is leaving, as well, at the end of this year, so he will not have a chance to push this ball into the end zone next

year but certainly Congressman FRANK will be in a position to do that. He will chair the relevant committee in the House. I think great work has been done and good progress has been made.

It is unfortunate that we are not going to complete the job this week. I think we need the ball up for next month. I hope one of the first things we will do in the Senate Banking Committee is hold hearings and look at the negotiations that have taken place between the House and the Treasury Department and see if we cannot build on those and pass legislation—find common cause with the House of Representatives and the administration and pass the legislation.

Until we do that, there are a couple things that are going to be occurring. One, we are going to have uncertainty for the enterprises, Fannie Mae and Freddie Mac, and those who are thinking about selling their stock. There will be an impact on the housing market as well. We don't need that. The regulator for these entities will not have bank-regulator-like powers. This regulator needs that. These entities need a regulator that has bank-regulator-like powers. The regulator will not be independent, and we need legislation which would create a strong, independent regulator. Mission and new product authority will continue to be separate; they should not be. Capital requirements will not be flexible; they should be. Growth of these two enterprises will go largely uncontained.

None of those things are desirable. I hope we can address them all when we come back and resolve them satisfactorily in a very few months.

Having said that, there is a lot of progress that has been made. If we go back a year or so, we had large differences where folks in the Senate were on a path forward with respect to a strong, independent regulator for Government-sponsored enterprises. We agree on combining the regulator for Fannie Mae and Freddie Mac with the Federal Finance Board, which regulates the Federal Home Loan Banks. We agree on that now.

The question of the independent regulator from the appropriations process, we agree on that—that the regulator should be independent of the appropriations process. We also agree that the independent litigation authority for the regulator should be provided. Currently, they have to go through the Department of Justice, and I think we have all come to agree that is not the best course, and the regulator ought to have independent litigation authority. We decided the regulator has to have the power to put them into receivership if, God forbid, the worst should occur. We agree on that today. We have agreed on combined mission oversight and new product authority under one world class regulator, something that a month or a year or so ago we didn't have common cause on. We agree today that the regulator ought to have flexibility for setting capital standards—

the Congress setting standards for risk or minimum capital standards. We should invest in the regulator's authority.

We agree that there ought to be restrictions on the size of the portfolios of Freddie Mac and Fannie Mae. We are talking about hundreds of billions of dollars, literally, portfolios that exceed a trillion dollars. That is a lot of money. Enterprises of this size, because of the effect they can have on financial markets here and around the world, deserve a world-class regulator. We want to make sure they get that. That should be an early item of business next January.

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

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

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

• Mr. BIDEN. Mr. President, I am pleased to speak today in enthusiastic support of Kent Jordan, a fellow Delawarean, who has been nominated by President Bush to serve on the U.S. Court of Appeals for the Third Circuit.

If Kent is confirmed by the Senate, he will have completed a meteoric rise to a seat on the Federal court of appeals, and no one is more deserving.

But before I talk about Judge Jordan, allow me to say a few words about the Judge whom Judge Jordan is nominated to replace. This spring, Judge Jane Roth informed the President that she would be taking senior status. Judge Roth has been a stellar presence on the Federal bench; she has served her country with dignity, wisdom and distinction. She is dedicated to the rule of law, and her representation of our State on the court of appeals has brought nothing but distinction to Delaware.

Like many of you, I have known Judge Roth for several years, and I look forward to her continued brilliant service as a senior judge of the circuit.

As I told the Judiciary Committee at his hearing, Kent Jordan has very large shoes to fill, but I am confident that he is up to the task.

Judge Jordan began his legal career with a clerkship in the chambers of Judge Latchum, a pillar of the bar in Wilmington. He went on to serve as an assistant U.S. attorney, working on some highly publicized cases and bringing some really bad characters to justice.

He then became a partner at one of Delaware's top law firms, Morris James Hitchens & Williams, before becoming general counsel to the 102-year-old Corporation Services Company and finally, 4 years ago, being confirmed by this Senate to serve on the bench of the

U.S. District Court for the District of Delaware.

Mr. Chairman, the past 4 years have demonstrated what those of us familiar with Judge Jordan already knew. He possesses the sterling academic and professional skills, as well as the vital judgment and temperament, to be an outstanding Federal district judge.

Lawyers who have appeared before Judge Jordan—even those he has ruled against—have described him as open-minded and fair. His colleagues on the bench have come to value his intellect, integrity and his friendship.

If confirmed, Judge Kent will be an asset to the appellate bench and a model of responsible jurisprudence for years to come. I have full confidence that he will bring to the appellate bench all of the assets he has so clearly demonstrated in the district court.

I highly commend Judge Jordan to my colleagues and ask that they vote to confirm his nomination. •

Mr. BURR. Mr. President, I yield back the remaining time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Time is yielded back.

Is there a sufficient second?
There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Kent A. Jordan, of Delaware, to be United States Circuit Judge for the Third Circuit?

The clerk will call the roll.
The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Missouri (Mr. TALENT), and the Senator from Virginia (Mr. WARNER).

Further, if present and voting, the Senator from Utah (Mr. HATCH) and the Senator from Virginia (Mr. WARNER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from Connecticut (Mr. DODD) are necessarily absent.

The PRESIDING OFFICER (Mr. BURR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 0, as follows:

[Rollcall Vote No. 276 Ex.]

YEAS—91

Akaka	Cantwell	DeMint
Alexander	Carper	DeWine
Allard	Chafee	Dole
Allen	Chambliss	Domenici
Baucus	Clinton	Dorgan
Bayh	Coburn	Durbin
Bennett	Cochran	Ensign
Bingaman	Coleman	Enzi
Bond	Collins	Feingold
Boxer	Conrad	Feinstein
Bunning	Cornyn	Frist
Burns	Craig	Grassley
Burr	Crapo	Gregg
Byrd	Dayton	Hagel

Harkin	Lott	Santorum
Hutchison	Lugar	Sarbanes
Inhofe	Martinez	Schumer
Inouye	McConnell	Sessions
Isakson	Menendez	Shelby
Jeffords	Mikulski	Smith
Johnson	Murkowski	Snowe
Kennedy	Murray	Stabenow
Kerry	Nelson (FL)	Stevens
Kohl	Nelson (NE)	Sununu
Kyl	Obama	Thomas
Landrieu	Pryor	Thune
Lautenberg	Reed	Vitter
Leahy	Reid	Voivovich
Levin	Roberts	Wyden
Lieberman	Rockefeller	
Lincoln	Salazar	

NOT VOTING—9

Biden	Graham	Specter
Brownback	Hatch	Talent
Dodd	McCain	Warner

The nomination was confirmed.

LEGISLATIVE SESSION

Mr. ENZI. I ask unanimous consent the President be immediately notified of the Senate's action and the Senate return to legislative session.

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

HUNGER-FREE COMMUNITIES ACT OF 2005

Mr. DEWINE. Mr. President, I ask unanimous consent on behalf of the leader that the Committee on Agriculture be discharged from further consideration of S. 1120 and that the Senate then proceed to its immediate consideration.

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

The clerk will report the bill by title.
The assistant legislative clerk read as follows:

A bill (S. 1120) to reduce hunger in the United States by half by 2010, and for other purposes.

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

Mr. DEWINE. I understand there is an amendment at the desk, and I ask unanimous consent the amendment be considered and agreed to, the bill, as amended, be read three times and passed, the motion to reconsider be laid upon the table, the title amendment, which is at the desk, be agreed to, and any statements be printed in the appropriate place in the RECORD.

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

The amendment (No. 5233) was agreed to, as follows:

- (Purpose: To make perfecting amendments)
- On page 1, line 5, strike "2005" and insert "2006".
- On page 2, strike lines 3 through 10.
- On page 2, line 11, strike "(4)" and insert "(1)".
- Beginning on page 2, strike line 19 and all that follows through page 3, line 21.
- On page 3, line 22, strike "(8)(A)" and insert "(2)".
- On page 4, line 2, strike "and".
- Beginning on page 4, strike line 3 and all that follows through page 5, line 2.
- On page 5, line 3, strike "(10)" and insert "(3)".
- On page 5, line 5, insert "and" after the semicolon.
- On page 5, line 6, strike "(11)" and insert "(4)".
- On page 5, line 18, strike the semicolon and insert a period.