



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152

WASHINGTON, WEDNESDAY, DECEMBER 27, 2006

No. 136

Senate

HONORING SENATORIAL SERVICE

BILL FRIST

• Mr. STEVENS. Mr. President, it has been an honor and a privilege to work with Senator BILL FRIST for the past 12 years. BILL has been a solid leader for our party and he has served the people of Tennessee with distinction.

Senator FRIST came to politics through a nontraditional route—through the operating room. BILL got involved in politics because he believed he could do even more for his patients—and the people of Tennessee—in the Senate. And he was right. BILL's meticulous approach to this job is exactly what you would expect of a person with his training. He never gave up on his goals and worked tirelessly to see them into law.

I became President Pro Tempore of the Senate close to the time when BILL became our majority leader. I enjoyed working by his side and thank Leader FRIST for including me—as President Pro Tempore—in all leadership meetings. Senator FRIST also traveled with us to China for U.S. Interparliamentary Group meetings. Once our meetings were finished, he continued on to Africa for medical mission work.

As majority leader, BILL carried the administration's message. He fought hard for the President's judicial nominees. And as we saw yesterday during his farewell address, BILL leaves us with great honor and recognition. Our leader will now return to where, in some ways, his heart has always been—

the practice of medicine. But deep in my heart, I feel that public service will again call BILL to give of his time and talents to help preserve our democracy and our freedoms. Catherine and I will miss being with BILL and Karyn.

RICK SANTORUM

Mr. President, yesterday I was moved by the emotional farewell of Senator RICK SANTORUM. He said he still feels the thrill of coming to work in this building every day. The energy he put toward his work in this Chamber, I will remember as one of Senator SANTORUM's most striking qualities.

Senator SANTORUM's enthusiastic direction of the Republican conference rallied our majority. I believe he jeopardized his own future in Pennsylvania by urging us to think and act for the national good. Pennsylvania has been served well during his time in Congress and so has our Nation.

RICK's energy has been of great benefit to many charities, and he has taken a special interest in helping those affected by autism. His efforts on behalf of each of these causes have been exceptional. And despite his many commitments, RICK's dedication to his family and personal convictions never wavered. Catherine and I wish RICK and his family well.

GEORGE ALLEN

Mr. President, Senator GEORGE ALLEN has served the Commonwealth of Virginia with honor and integrity. GEORGE is a principled person, fol-

lowing bedrock beliefs gained growing up in a strong family.

These principles have led GEORGE to promote and defend freedom in this country and around the world. His legislative accomplishments are aligned with this philosophy.

Senator ALLEN's major accomplishments include the Internet Tax Non-discrimination Act, the 21st Century Nanotechnology Research and Development Act, increased benefits for the families of fallen troops, funding to upgrade telecommunications infrastructure for minority-serving institutions, and greater protections for intellectual property.

In all of this, Senator ALLEN has not forgotten who his real boss is: the American people. He has always, and will continue, to put the interests of this country above his own. That is a true mark of a leader, and all Virginians can be proud to have been represented by a man with Senator ALLEN's character.

As many of his constituents, colleagues, and friends know, Senator ALLEN closed much of his correspondence with the words "keep winning." Just like his dad, a Hall of Fame coach who reached great heights and suffered tough losses on the gridiron, we know GEORGE won't let this setback define him. We all expect him to "keep winning" for Virginia.

Catherine and I wish him and Susan the very best. We know we will hear

NOTICE

The Government Printing Office will publish corrections to the *Congressional Record* as a pilot program that has been authorized by the U.S. Senate and House of Representatives. Corrections to the online *Congressional Record* will appear on the page on which the error occurred. The corrections will also be printed after the History of Bills and Resolutions section of the *Congressional Record Index* for print-only viewers of the *Congressional Record*.

By order of the Joint Committee on Printing.

TRENT LOTT, *Chairman*.

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



Printed on recycled paper.

S11851

more about this dedicated public servant in the future.

CONRAD BURNS

Mr. President, it is with great sadness that I say farewell to a great friend and Senator, CONRAD BURNS of Montana. His loss will be felt in Montana and here in the Senate. CONRAD is a man of the West and worked hard to make sure those values were represented in the Senate.

Senator BURNS, a marine with a background in radio and TV and as an auctioneer, came to the Senate in 1988. He, his wonderful wife Phyllis, and their family have become close friends with Catherine and me and to Alaska. In fact, CONRAD's daughter, Dr. Keely Burns, spent time in Alaska after medical school working as a resident. CONRAD is a great auctioneer and fine fisherman who often joined me in Alaska.

CONRAD served with me on the Commerce, Science, and Transportation Committee as well as the Committee on Appropriations. During his time on those committees he accomplished a great deal for Montana, the West, and our Nation.

CONRAD worked to ensure more than 70 rural Montana communities have enforceable safe drinking water programs and protected the Big Sky through the Land and Water Conservation Fund. He authored section 706 of the Telecommunications Act of 1996, a provision which ensures advanced telecommunications are accessible in our schools and classrooms. And as chairman of the Interior Appropriations Subcommittee, he helped to secure funding for the Bureau of Land Management to expedite land conveyances in Alaska, which my State has pushed for since statehood. He worked hard to bring infrastructure and high tech to rural Montana. He worked to create E-911 legislation for the Nation.

CONRAD BURNS is a hard worker, but he has an easy going way about him. Many Senators and staff know that he used to pick up carpools on his way to work. Few probably know about his protecting penguins in Antarctica. During a trip to our research station, there was a group of us watching penguins shuffling nervously near the water's edge. CONRAD got the group together to pose for a photo, when suddenly all of the penguins jumped between us and the edge of the water. CONRAD just smiled and took the photo, never mentioning the large killer whale that was circling behind the Senators.

CONRAD's humor is legendary and he can often spring it on you when you least expect it. As President pro tempore, I opened the Senate on my 80th birthday, dreading any birthday greetings I might receive. The first Member seeking recognition after the prayer was CONRAD. Sure enough, CONRAD launched into a long speech about a great American icon, a fighter, a scrappy character. I got more and more uncomfortable in the chair, but CONRAD

knew something I didn't—Mickey Mouse and I share a birthday. CONRAD knew I would think all this high-minded talk was about me, but instead he was praising America's most lovable cartoon character. That's CONRAD BURNS. A man who loves to laugh, loves people, and loves his home state of Montana.

We will miss the good Senator from Montana.

MIKE DEWINE

Mr. President, I will always remember Senator MIKE DEWINE for his commitment to his family. MIKE pursued his own conscience until the end of his tenure in this Chamber. That conscience led MIKE DEWINE to be a staunch defender for the people of Haiti.

In a time of constant conversation about the importance of family values and community standards, MIKE has led by example. As a member of a large family, the father of six, and grandfather of eleven, I admire MIKE's ability to balance the needs of his family with the demands of his position in the Senate.

The senior Senator from Ohio has also devoted much of his time and energy to causes often overlooked. Senator DEWINE's tireless work for the people of Haiti demonstrated his commitment. I believe his commitment to those who need a defender and protector should be commended.

JIM TALENT

Mr. President, Senator JIM TALENT has served the people of Missouri with great distinction. He is a hard worker, and while he never sought the spotlight, JIM quickly earned the respect of his colleagues in the Senate.

It has been my privilege to work with JIM on a number of issues. He understood the threat methamphetamines pose to our Nation and helped establish the Senate's anti-meth caucus to fight this epidemic.

JIM has also been a determined leader on defense and energy issues. We worked together to secure the funding required to modernize the Department of Defense and sought to ensure our troops have the resources they need. JIM, also, understands the importance of diversifying our energy resources. His leadership on renewable energy greatly benefited his constituents and the rest of our Nation.

We will all miss Senator TALENT's intelligence and knowledge of the issues. I wish him the best of luck in all of his future endeavors.

LINCOLN CHAFEE

Mr. President, I have known Senator LINCOLN CHAFEE and his family for a long time. I met his father, our former colleague, Senator John Chafee, while standing in line to register for Harvard Law School in 1947. LINCOLN's uncle, Zachariah Chafee, was one of my law professors at Harvard. John and I served together in the Senate for more than 20 years.

When John passed away in 1999, LINCOLN chose to continue his family's

tradition of excellence in public service. Senator CHAFEE and I have not always agreed on the issues, but I have always respected the courage of his convictions and his firm commitment to his ideals.

Senator CHAFEE, it's been my good fortune to serve alongside you and your father for nearly 30 years. It's hard to imagine this Chamber without a member of your family. We will miss your spirit and dedication.

PAUL SARBANES

Mr. President, I've come to the floor to pay tribute to Senator PAUL SARBANES for his outstanding service. The senior Senator from Maryland has served longer than any other Senator from his State. Throughout the years, I have been jealous of one thing—his short ride home. There are, actually, other things I admire about PAUL. For instance, we are a Chamber with many lawyers, and I can say PAUL has been one of our best.

Senator SARBANES has used his skill to greatly benefit his State. We recently worked together on a bill that will enhance the security of our Nation's ports. As a Senator, PAUL SARBANES has worked tirelessly to ensure the ports in his home State, and all ports in America, are safe.

This distinguished gentleman from Maryland has served his constituents admirably and I wish him well.

JIM JEFFORDS

Mr. President, Senator JIM JEFFORDS' service has been unique but no doubt beneficial to his home State of Vermont and to our country. On May 21, 2001, Senator JEFFORDS pursued his conscience and made a difficult decision to leave our party. While unexpected, I respect Senator JEFFORDS for following his heart and doing what he thought was best for his constituents in Vermont.

JIM has now served three full terms in the Senate. Over the years, he has stood out as a champion for education and the disabled. In 2004, he co-authored the Individuals with Disabilities Education Act. His work here has helped improve millions of lives.

I wish the distinguished gentleman from Vermont well in his future endeavors.

MARK DAYTON

Mr. President, Senator MARK DAYTON's path to the Senate was marked by years spent in service to others. As a teacher, a counselor to troubled children, and then as an administrator of a Boston social service agency, MARK has long fought for those less fortunate—and his service in the Senate reflects this commitment.

It was my pleasure to travel to China with him this past August for meetings with the U.S.-China Interparliamentary Group. He was a fine addition to our bipartisan delegation. During those meetings he brought a unique insight and perspective to many issues.

I commend Senator MARK DAYTON on his public service to the people of Minnesota. Catherine and I wish him the best in the years ahead.●

TRIBUTE TO SENATOR CHAFEE

• Ms. COLLINS. Mr. President, LINCOLN CHAFEE came to the Senate in 1999 under the most difficult of circumstances. He had just lost his beloved father, and was being asked to fill the shoes of one of the most noble and principled Members ever to serve in this Chamber. He rose to that challenge, and I have been honored to work alongside him.

Like the illustrious Senator John Chafee, Senator LINCOLN CHAFEE came from a political tradition I am proud to share—that of the New England moderate. This tradition stands for a strong defense of freedom and for fiscal responsibility, for government that is unobtrusive in people's lives when it can be, yet compassionate and involved when it must be.

LINCOLN CHAFEE was a quiet voice of moderation, but spoke with a strong voice, a voice of conviction and integrity, on such issues of critical importance to our Nation as environmental protection and energy independence. When, in the spring of 2005, the very fabric of the Senate was threatened by a bitter impasse over the issue of judicial filibusters, I was proud to join Senator CHAFEE in the so-called gang of 14 that forged a productive, bipartisan solution.

I had the opportunity to work closely with LINC in the 109th Congress when he joined the Homeland Security Committee. The committee brought about great progress during that Congress with successful legislation on port security, chemical security, and rebuilding our Nation's emergency management structure after the catastrophic government response to Hurricane Katrina. LINC's steady, thoughtful, and informed approach to the issues greatly aided these endeavors.

I was especially impressed by LINC's understanding that true homeland security begins at home. As the 2006 hurricane season approached, and as we were still struggling to overcome the failures of government in the 2005 season, he called for and organized a Homeland Security field hearing in Rhode Island so his colleagues could better appreciate the daunting challenges faced by our first responders in coastal States and communities. That hands-on approach, devoid of pretense and directed toward results, exemplifies LINCOLN CHAFEE's approach to government.

I know that the father would be proud of the son. And I know that all Americans join me in thanking LINCOLN CHAFEE for 7 years of outstanding service, and in wishing him the very best in the years to come.

TRIBUTE TO SENATOR FRIST

Mr. President, As we come to the close of a Congress that has seen too much partisan struggle, it has been heartening to observe the bipartisan outpouring of deep respect and kind regard for the retiring senior Senator from Tennessee, Doctor BILL FRIST.

I join in that praise. Senator FRIST has exemplified the collegial traditions

of the Senate, balancing forthright advocacy for his views and for his party's positions with courtesy and respect for those who disagreed with him. He has been an effective Senator for his beloved State of Tennessee, a skillful leader for his party caucus, and a gentleman in his dealings with Senate colleagues.

We all know that many of our fellow citizens are cynical about Congress, seeing this branch of government as a haven for politicians fixated on short-term political advantage and personal aggrandizement. They should take note of people like Senator FRIST, who is truly an example of a Renaissance man in government.

If a writer created a protagonist with the interests and accomplishments that Senator FRIST has shown, an editor would be nervous about taxing readers' credulity. Yet the facts are plain. Our friend from Tennessee is not only a hard-working and successful political leader, but also a surgeon, a teacher, a philanthropist, an author, an aircraft pilot, a marathon runner, and a devoted family man.

Members of Congress have many opportunities to enact measures that will protect, enrich, and save lives. But we usually act at a distance, as agencies use the authorities and carry out the mandates we create. Few of us can take credit for personally saving lives as Doctor FRIST has done many times at the operating table. And few of us can bring to bear the combination of professional training and personal dedication that he has displayed on his repeated medical missions to Africa and in his policy work on the HIV-AIDS crisis. He was also the first doctor on the spot for the 1998 shootings of two Capitol Police officers, and he ably served as an informed spokesman for Congress during the 2001 anthrax attacks in the Capitol mail system.

Senator FRIST has served his party well. As chair of the National Republican Senatorial Committee in 2002, he helped restore the party's majority in the Senate. As the unanimously elected majority leader, he served both his party and his country well on policy matters like tax-law changes that eased burdens on citizens and encouraged growth in business activity and employment.

Senator FRIST also supported the Medicare prescription-drug benefit and the creation of Health Savings Accounts—measures that have saved billions of dollars for the elderly and given millions of Americans new opportunities for controlling their health-care costs. These are especially helpful legislative initiatives in States like my native Maine, where the proportions of senior citizens, small-business owners, and the self-employed are significant.

Senator FRIST leaves this chamber with an overflowing and bipartisan store of goodwill and gratitude. I am pleased to be among the many Senators offering thanks for his years of service and best wishes for many years of good works to come.

TRIBUTE TO SENATOR SANTORUM

Mr. President. In his eloquent and touching farewell address delivered to this body on December 6, 2006, Senator RICK SANTORUM began with one word to describe his feelings as he concluded this phase of his life. The word was "gratitude," and it describes the feeling I have for his 12 years of outstanding service here.

RICK SANTORUM is a person of strong convictions—convictions that are built upon a solid foundation of faith, love of country, and devotion to the people of Pennsylvania. But as he stood firm for his political philosophy, RICK SANTORUM recognized the obligation we all share to overcome our differences to work on behalf of our citizens. He spoke his mind, but he acted from his heart.

Two issues in particular exemplify RICK's dedication to meeting the real needs of real people. Like Maine, Pennsylvania is a large rural State in which access to home health care services is essential for our older and disabled Americans. Home health has become an increasingly important part of our health care system. The kinds of highly skilled, and often technically complex, services that our Nation's home health caregivers provide have enabled millions of our most frail and vulnerable citizens to avoid hospitals and nursing homes and stay just where they want to be—in the comfort and security of their own homes.

When Medicare payments for home health care were in jeopardy, RICK SANTORUM joined me as an original co-sponsor of bipartisan legislation to restore funding, and he was a key to its success. Throughout his Senate career, he has been a compassionate champion of quality health care for those in need. It is telling that his Senate career, which included so much valuable work in this area, ended with passage of his landmark bipartisan Combating Autism Act, which will do much to improve the quality of life for children with autism and their families.

The second issue I would like to highlight is education. RICK SANTORUM has been a leader in making our schools safer, and in strengthening math and science education. But he also understands that quality education begins not in Washington or in the State capitals, but in the classroom. From my talks with teachers throughout Maine, I know that a great many of them expend not just great amounts of energy to educate our children, but often dig deep into their own pockets to buy classroom supplies and to advance their own professional development. The \$250 tax deduction I authored in 2001 for educators who use their own funds to cover these expenses would not have become law without the strong advocacy of RICK SANTORUM with his former colleagues in the House of Representatives.

And, finally, when the Senate Homeland Security and Governmental Affairs Committee held hearings in early

2006 in response to the lobbying scandals in Washington, one of our first witnesses was RICK SANTORUM, a longtime advocate of lobbying reform. When our reform legislation passed our Chamber overwhelmingly, Senator SANTORUM said the Senate “stepped up in a big way.” The Senate stepped up in large part because this person of high ideals was pushing it along.

Mr. President, in his farewell address, Senator SANTORUM stated that although he often disagreed—often vigorously—with many of his Senate colleagues on the issues, he never doubted the sincerity of their convictions. Staunch advocacy tempered with respect for the views of others is the hallmark of the Senate, and it is a central part of RICK SANTORUM’s legacy. I thank him for his service, and wish him and his family all the best in the future.

TRIBUTE TO SENATOR TALENT

Mr. President. As the 109th Congress draws to a close, I want to say thanks and farewell to one of its hardest-working and most dedicated members, Senator JIM TALENT of Missouri.

I have had the privilege of working with Senator TALENT as a member of the Armed Services Committee and its Seapower Subcommittee, which he has chaired.

Working with Senator TALENT has always been rewarding. He has been a prodigious Senator and brings to bear on defense issues both detailed knowledge and long-range vision. His final speech on the floor of the Senate displayed those qualities, as he surveyed the state of readiness and equipment in our national defense, and persuasively warned of the dangers of under-investment in personnel and material.

Senator TALENT’s focus on seapower issues may seem to go against type. Missouri does not spring readily to mind in a word-association test for “Navy” or “shipbuilding,” as Maine or Mississippi might. But the Senator from Missouri has been as dedicated to working through seapower issues as any coastal Senator.

Senator TALENT was a key player in settling on a dual-lead shipyard strategy for the *Zumwalt*-class DDG-1000 destroyers, formerly known as the DD(X). As a Senator from a shipbuilding State, I am naturally well pleased with this policy. But as a United States Senator, I also share Senator TALENT’s conviction that it is a wise national strategy to preserve shipbuilding capabilities in multiple locations. He has also been a leading voice in deliberations on the CGX ship class that will constitute our next generation of guided-missile cruisers.

Senator TALENT brought extraordinary intellectual gifts to the Senate. After distinguishing himself in undergraduate work at Washington University and in legal studies at the University of Chicago, he clerked for Judge Richard Posner of the Seventh Circuit and taught at the Washington University School of Law.

His academic prowess was reinforced with practical political experience. After winning a seat against long odds in the Missouri legislature, he established himself as a popular and respected political figure. Moving on to the U.S. House, he was an early and influential voice in the debate that ultimately led to a fundamental reform of Federal welfare law. This combined 16 years of legislative service served him well when he took his seat in the Senate.

Besides his dedication to chairing the Seapower Subcommittee, Senator TALENT has been a leading advocate for promoting alternative energy, for helping small businesses form associations to buy health insurance, and for expanding the Federal fight against sickle-cell blood disease. To these and other issues he brings a powerful combination of intellect, research, deliberation, and collegiality.

In November, Senator TALENT lost a close contest for reelection in a difficult campaign year. We cannot quarrel with the decision of the voters, but we can respectfully regret that the Senate will lose the benefit of JIM TALENT’s wise and gentlemanly presence. I join my colleagues in wishing him and his family well, and in expecting many more contributions to the public good from this man of many gifts and accomplishments.●

VETERANS BENEFITS, HEALTH-CARE, AND INFORMATION ACT OF 2006

● Mr. AKAKA. Mr. President, as ranking member of the Committee on Veterans’ Affairs, I urge my colleagues to support our veterans, current servicemembers, and their families by supporting S. 3421, an omnibus veterans measure entitled Veterans Benefits, Healthcare, and Information Technology Act of 2006.

This measure is a compromise agreement between the House Committee on Veterans’ Affairs and the Senate Committee on Veterans’ Affairs, and is based on several pieces of legislation. Like all compromises, no one got all he or she wanted, but in the end, I believe that it represents a good package of provisions. This legislation would improve and expand a wide variety of services to our veterans, and includes provisions relating to veterans benefits, health care, and information technology matters for the Department of Veterans Affairs. Of particular importance are provisions to enhance mental health and readjustment services for veterans returning to civilian life, to improve long-term care services for aging veterans, and to modify the State veterans’ home program.

At the outset, I note my dissatisfaction with the undue haste with which the legislative package, the bill itself and the accompanying explanatory statement that my colleague, the committee chairman, Senator CRAIG, will include at the end of his remarks, was assembled.

Because of the way this legislation was negotiated, we were not able to reach final agreement on its contents until Wednesday morning, just two days ago. At that time, the chairman of the House Veterans’ Affairs Committee for the first time agreed to negotiate on a particular provision passed by the House relating to a construction project in South Carolina. As a consequence of his belated agreement to enter into discussions, we were able to arrive at a compromise, a result that we could have achieved in September.

Because the final agreement was reached so late in the session, staff of the two committees and from the two Offices of Legislative Counsel, worked many long hours trying to accomplish the nearly impossible task of assembling the bill, which is over 160 pages, and then drafting an explanatory statement on the legislation.

In the best of times, such a process can easily take a week or more. We were forced to try to do it all in just 2 days. It is near certainty that this haste has led to the inclusion of errors in both the legislation and the explanatory statement, errors which could have been caught and remedied had there been sufficient time. This is certainly no way to do our business and, to the extent it will be in our power, we will not legislate this way in the future.

That said, the bill is now before the Senate, and I will touch on some of the key provisions.

The Department of Veterans Affairs has been tasked with meeting the needs of those who serve in the military, with a particular emphasis on those injured during their service. A number of provisions in the compromise agreement are intended to help VA fulfill that obligation.

Often, the types of injuries endured in combat are invisible in nature. We must make sure that returning servicemembers receive the readjustment and mental health care services they need for a seamless reintegration to civilian life. Provisions in the compromise agreement seek to do just that by establishing VA systemwide guidelines for screening primary care patients for potential mental health issues, as well as appropriately training clinicians to carry out mental health consultations. Identifying the need for assistance is the first step; this measure also provides for the next step by ensuring that VA has the capacity to furnish mental health services at every VA community-based outpatient clinic.

Because veterans often seek readjustment counseling and other mental health care in their own communities, it is imperative that VA’s veterans centers are able to provide needed services. The compromise agreement contains provisions, derived from S. 716, legislation I introduced which cleared the Senate nearly a year ago, which would authorize resources needed by