

Republic of Bulgaria (the “MLA Agreement”), both signed at Sofia on September 19, 2007. I also transmit, for the information of the Senate, the report of the Department of State with respect to the Extradition Treaty and the MLA Agreement.

The new Extradition Treaty would replace the outdated Extradition Treaty between the United States and Bulgaria, signed in Sofia on March 19, 1924, and the Supplementary Extradition Treaty, signed in Washington on June 8, 1934. The MLA Agreement is the first agreement between the two countries on mutual legal assistance in criminal matters. Both the Extradition Treaty and the MLA Agreement fulfill the requirements for bilateral instruments (between the United States and each European Union (EU) Member State) that are contained in the Extradition and Mutual Legal Assistance Agreements between the United States and the EU currently before the Senate.

The Extradition Treaty follows generally the form and content of other extradition treaties recently concluded by the United States. It would replace an outmoded list of extraditable offenses with a modern “dual criminality” approach, which would enable extradition for such offenses as money laundering, and other newer offenses not appearing on the list. The Treaty also contains a modernized “political offense” clause, and it provides that extradition shall not be refused based on the nationality of a person sought for any of a comprehensive list of serious offenses. Finally, the new Treaty incorporates a series of procedural improvements to streamline and speed the extradition process.

Because the United States and Bulgaria do not have a bilateral mutual legal assistance treaty in force between them, the MLA Agreement is a partial treaty governing only those issues regulated by the U.S.–EU Mutual Legal Assistance Agreement, specifically: identification of bank information, joint investigative teams, video-conferencing, expedited transmission of requests, assistance to administrative authorities, use limitations, confidentiality, and grounds for refusal. This approach is consistent with that taken with the other EU Member States (Denmark, Finland, Malta, Portugal, Slovak Republic, and Slovenia) with which the United States did not have an existing mutual legal assistance treaty.

I recommend that the Senate give early and favorable consideration to the Extradition Treaty and MLA Agreement, along with the U.S.–EU Extradition and Mutual Legal Assistance Agreements and the other related bilateral instruments between the United States and European Union Member States.

GEORGE W. BUSH.

THE WHITE HOUSE, January 22, 2008.

*To the Senate of the United States:*

I transmit herewith, for the advice and consent of the Senate to its ratifi-

cation, the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001 (the “Convention”).

The Convention aims to control the harmful effects of anti-fouling systems, which are used on the hulls of ships to prevent the growth of marine organisms. These systems are necessary to increase fuel efficiency and minimize the transport of hull-borne species; however, anti-fouling systems can also have negative effects on the marine environment, including when a vessel remains in place for a period of time (such as in port).

To mitigate these effects, the Convention prohibits Parties from using organotin-based anti-fouling systems on their ships, and it prohibits ships that use such systems from entering Parties’ ports, shipyards, or offshore terminals. The Convention authorizes controls on use of other anti-fouling systems that could be added in the future, after a comprehensive review process.

The Convention was adopted at a Diplomatic Conference of the International Maritime Organization in October 2001 and signed by the United States on December 12, 2002. The United States played a leadership role in the negotiation and development of the Convention. With Panama’s ratification of the Convention on September 17, 2007, 25 States representing over 25 percent of the world’s merchant shipping tonnage have now ratified the Convention. Therefore, the Convention will enter into force on September 17, 2008. Organotin-based anti-fouling systems are specifically regulated through the Organotin Anti-Fouling Paint Control Act of 1988 (OAPCA), 33 U.S.C. 2401–2410. New legislation is required to fully implement the Convention and will take the form of a complete revision and replacement of OAPCA. All interested executive branch agencies support ratification. I recommend that the Senate give early and favorable consideration to the Convention and give its advice and consent to its ratification, with the declaration set out in the analysis of Article 16 in the attached article-by-article analysis.

GEORGE W. BUSH.

THE WHITE HOUSE, January 22, 2008.

#### COMMENDING MARTIN P. PAONE

Mr. CASEY. Mr. President, I have a resolution at the desk, and I ask for its immediate consideration.

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

The legislative clerk read as follows:

A resolution (S. Res. 420) commending Martin P. Paone.

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

Mr. CASEY. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to, en bloc, and that the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 420) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### SENATE RESOLUTION 420

Whereas Marty Paone has faithfully served the Congress in various capacities over the past 32 years, twenty-eight of which were spent in service to the Senate;

Whereas Marty Paone is the first person to rise through the ranks of various positions—including Vehicular Placement Specialist—to finally serve with distinction as Secretary for the Minority, and concluding his Senate service as Secretary for the Majority;

Whereas Marty Paone has at all times discharged the important duties and responsibilities of his office with great efficiency, dedication and diligence;

Whereas his dedication, good humor, and exceptional service have earned him the respect and admiration of Democratic and Republican Senators, as well as their staffs; Now therefore be it

*Resolved*, That the Senate expresses its appreciation to Marty Paone and commends him for his lengthy, faithful and outstanding service to the Senate.

The Secretary of the Senate shall transmit a copy of this resolution to Martin P. Paone.

#### REGARDING NEED FOR ADDITIONAL RESEARCH INTO HYDROCEPHALUS

Mr. CASEY. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Con. Res. 63 and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 63) expressing the sense of the Congress regarding the need for additional research into the chronic neurological condition hydrocephalus, and for other purposes.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CASEY. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 63) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

#### S. CON. RES. 63

Expressing the sense of the Congress regarding the need for additional research into the chronic neurological condition hydrocephalus, and for other purposes.

Whereas hydrocephalus is a serious neurological condition, characterized by the abnormal buildup of cerebrospinal fluids in the ventricles of the brain;

Whereas there is no known cure for hydrocephalus;

Whereas hydrocephalus affects an estimated 1,000,000 Americans;

Whereas 1 or 2 in every 1,000 babies are born with hydrocephalus;

Whereas over 375,000 older Americans have hydrocephalus, which often goes undetected or is misdiagnosed as dementia, Alzheimer's disease, or Parkinson's disease;

Whereas, with appropriate diagnosis and treatment, people with hydrocephalus are able to live full and productive lives;

Whereas the standard treatment for hydrocephalus was developed in 1952, and carries multiple risks including shunt failure, infection, and overdrainage;

Whereas there are fewer than 10 centers in the United States specializing in the treatment of adults with normal pressure hydrocephalus;

Whereas, each year, the people of the United States spend in excess of \$1,000,000,000 to treat hydrocephalus;

Whereas a September 2005 conference sponsored by 7 institutes of the National Institutes of Health—"Hydrocephalus: Myths, New Facts, Clear Directions"—resulted in efforts to initiate new, collaborative research and treatment efforts; and

Whereas the Hydrocephalus Association is one of the Nation's oldest and largest patient and research advocacy and support networks for individuals suffering from hydrocephalus: Now, therefore, be it

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

(1) Congress commends the Director of the National Institutes of Health for working with leading scientists and researchers to organize the first-ever National Institutes of Health conference on hydrocephalus; and

(2) it is the sense of Congress that—

(A) the Director of the National Institutes of Health should continue the current collaboration with respect to hydrocephalus among the National Eye Institute, the National Human Genome Research Institute, the National Institute of Biomedical Imaging and Bioengineering, the National Institute of Child Health and Human Development, the National Institute of Neurological Disorders and Stroke, the National Institute on Aging, and the Office of Rare Diseases;

(B) further research into the epidemiology, pathophysiology, disease burden, and improved treatment of hydrocephalus should be conducted or supported; and

(C) public awareness and professional education regarding hydrocephalus should increase through partnerships between the Federal Government and patient advocacy organizations.

## MEASURES POSTPONED INDEFINITELY—H. CON. RES. 155 AND S. NOTICE

Mr. CASEY. Mr. President, I ask unanimous consent that the following calendar numbers be indefinitely postponed

en bloc: Calendar No. 210 and Calendar No. 387.

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

## ORDERS FOR WEDNESDAY, JANUARY 23, 2008

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 12 noon, Wednesday, January 23; that on Wednesday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour deemed expired, and the time for the two leaders reserved for their use later in the day, and there then be a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; that on Wednesday, the Senate stand in recess from 12:30 p.m. to 2:15 p.m. in order to accommodate the party conference meeting; that at 2:15 p.m., the Senate resume consideration of S. 1200, the Indian health legislation

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

## ADJOURNMENT UNTIL WEDNESDAY, JANUARY 23, 2008

Mr. CASEY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:43 p.m., adjourned until Wednesday, January 23, 2008, at 12 noon.

## NOMINATIONS

Executive nominations received by the Senate:

### DEPARTMENT OF DEFENSE

NELSON M. FORD, OF VIRGINIA, TO BE UNDER SECRETARY OF THE ARMY, VICE PRESTON M. GEREN.

### DEPARTMENT OF COMMERCE

WILLIAM J. BRENNAN, OF MAINE, TO BE ASSISTANT SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, VICE JAMES R. MAHONEY.

### DEPARTMENT OF ENERGY

J. GREGORY COPELAND, OF TEXAS, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF ENERGY, VICE DAVID R. HILL.

### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

JEFFREY J. GRIECO, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE J. EDWARD FOX.

### DEPARTMENT OF STATE

KURT DOUGLAS VOLKER, OF PENNSYLVANIA, A CAREER FOREIGN SERVICE OFFICER OF CLASS ONE, TO BE UNITED STATES PERMANENT REPRESENTATIVE ON THE COUNCIL OF THE NORTH ATLANTIC TREATY ORGANIZATION, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

JOXEL GARCIA, OF CONNECTICUT, TO BE REPRESENTATIVE OF THE UNITED STATES ON THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANIZATION, VICE JAMES O. MASON.

### DEPARTMENT OF HEALTH AND HUMAN SERVICES

JOXEL GARCIA, OF CONNECTICUT, TO BE MEDICAL DIRECTOR IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE, SUBJECT TO THE QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS, AND TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE JOHN O. AGWUNOBI, RESIGNED.

### INSTITUTE OF MUSEUM AND LIBRARY SERVICES

JAN CELLUCCI, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2012, VICE EDWIN JOSEPH RIGUAD, TERM EXPIRED.

WILLIAM J. HAGENAH, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2012, VICE JUDITH ANN RAPANOS, TERM EXPIRED.

MARK Y. HERRING, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2012, VICE RENEE SWARTZ, TERM EXPIRED.

JULIA W. BLAND, OF LOUISIANA, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2012, VICE MARGARET SCARLETT, TERM EXPIRED.

### NATIONAL BOARD FOR EDUCATION SCIENCES

JOANNE WEISS, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2010, VICE JAMES R. DAVIS, TERM EXPIRED.

SALLY EPSTEIN SHAYWITZ, OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2011. (REAPPOINTMENT)

FRANK PHILIP HANDY, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2011. (REAPPOINTMENT)

JONATHAN BARON, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2011. (REAPPOINTMENT)

### DEPARTMENT OF JUSTICE

DORLA M. SALLING, OF TEXAS, TO BE A COMMISSIONER OF THE UNITED STATES PAROLE COMMISSION FOR A TERM OF SIX YEARS, VICE DEBORAH ANN SPAGNOLI, RESIGNED.

### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO SERVE AS THE DIRECTOR OF THE COAST GUARD RESERVE PURSUANT TO TITLE 14, U.S.C., SECTION 53 IN THE GRADE INDICATED:

#### *To be rear admiral (lower half)*

RDML (SELECT) DANIEL R. MAY, 0000

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

MAJ. GEN. JOSEPH F. FIL, JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be general*

GEN. DAVID D. MCKIERNAN, 0000