

care of emergency patients, survivors of disasters, and our military forces serving at home and abroad. Research in this field should continue to be encouraged to allow the adaptation of critical technologies to continually improve the quality of emergency care.

#### BURMA

Mr. McCONNELL. Mr. President, I wish to mark an important milestone: the 18th anniversary of the founding of the Burmese National League for Democracy, NLD. As the world knows well, the NLD is the legitimate leadership of the country of Burma, as the party was elected overwhelmingly by the Burmese people in 1990.

Sadly, the 18th anniversary for the NLD is not a time for rejoicing. The NLD remains firmly under the boot of the Burmese ruling junta, the State Peace and Development Council, SPDC. Many of its leaders are imprisoned, including Nobel Laureate and democracy advocate Daw Aung San Suu Kyi, and NLD vice chairman, U Tin Oo. Thirteen elected NLD members of Parliament and over 400 party members currently serve in prison. Other NLD members have endured torture and have been killed as the SPDC continues to wage a campaign of harassment, intimidation—and worse—against party members and supporters.

In a testament to the courage and determination of its leadership, and despite these great hardships, the NLD remains unbowed. It continues to pursue nonviolent political change in Burma. I am proud to say that the Senate stands squarely alongside the NLD in its efforts. I am hopeful that the United Nations, U.N., Security Council will as well. Due to the determined efforts of many countries, including the United States, Burma is slated to be on the Council's agenda for the first time ever. It will then be time for member states to stand up and be counted in support of a nonpunitive resolution on Burma.

It should be noted that U.N. Under Secretary General Ibrahim Gambari's trip to Rangoon earlier this year was a complete failure. Mr. Gambari should not make a second trip to Burma unless and until the U.N. Security Council has considered and passed a resolution that, among other things, details the threats the SPDC poses to the people of Burma and the entire region. Such action would be a clear message to the SPDC that when it comes to Burma, the world is not satisfied with the status quo.

Similarly, I would encourage all relevant bureaus at the State Department and the National Security Council—particularly those relating to African affairs—to remain engaged and focused on this issue. The task of promoting democracy and reconciliation in Burma should not be left only to the East Asian and Pacific Affairs and the Democracy, Human Rights, and Labor bureaus at the State Department. With

three African nations currently sitting on the U.N. Security Council, our African affairs specialists need to more actively engage in building support for such a resolution. Ghana has already demonstrated its solidarity with the cause of freedom. The Republic of Congo and Tanzania need to follow suit.

Finally, on this, the 18th anniversary of the founding of NLD, I call upon the Burmese military regime to release Suu Kyi and all political prisoners. Only then can discussions on a meaningful reconciliation process—one that includes the full and unfettered participation of the NLD and ethnic minorities—proceed.

I ask unanimous consent that a Boston Globe Editorial on Burma be printed in the RECORD.

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

[From the Boston Globe, Sept. 26, 2006]

#### AN AGENDA FOR BURMA

Having placed the case of Burma's military junta on the formal agenda of the Security Council earlier this month, the United Nations now has an opportunity to show that it can be something more than an impatient debating club. If in the waning days of his tenure UN Secretary General Kofi Annan exercises the right combination of firmness and finesse with Burma's military dictators, he can help protect human rights, democracy, and regional security in Asia.

Unlike the coercive measures contemplated to cope with Iran's pursuit of nuclear weapons or genocide in Darfur, the UN is not being asked to dispatch armed peacekeepers to Burma to impose risky economic sanctions on the narco-dictatorship there. Rather, moral suasion and diplomatic pressure are the means for dealing with the junta's violations of human rights and its threats to regional peace and security—threats manifest in the export of heroin, methamphetamine, HIV/AIDS, and the hundreds of thousands of refugees who have fled the military's brutal assaults on ethnic minorities.

Annan must be careful, however, in the way he exerts the UN's soft power. Last May, he sent UN undersecretary-general for political affairs, Ibrahim Gambari, to Burma, where he met with Nobel Peace Prize winner Aung San Suu Kyi as well as junta leaders. At the time, Gambari said he thought the junta bosses were "ready to turn a new page." But Gambari and Annan looked glibly soon after, when the junta extended Suu Kyi's house arrest for another year and intensified its campaign of ethnic cleansing, rape, and murder in the region inhabited by 2 million people of the Karen ethnic group.

Annan shouldn't allow Gambari to undertake a return trip to Burma without a Security Council resolution that spells out clear and reasonable demands for the true turning of a new page. That should include the release of all 1,100 political prisoners in Burma, including Suu Kyi and fellow leaders of the National League for Democracy, the party that won 82 percent of Parliamentary seats in a 1990 election that the junta has refused to honor ever since.

The NLD, which commemorates the anniversary of its 1988 founding on Sept. 27, must be invited along with other parties and representatives of Burma's ethnic nationalities to participate in a genuine political dialogue. The resolution Gambari takes to Burma should specify that such a dialogue

means working out terms for an agreement on a return to democracy. That resolution should also require the junta to end its attacks on ethnic minorities and to permit international aid organizations to have unimpeded access to all those in need within Burma. Nearly all the people of Burma need the world's help.

#### RECOGNIZING SERGEANT LEIGH ANN HESTER

Mr. McCONNELL. Mr. President, I ask the entire Senate to join me today in congratulating one of Kentucky's amazing young heroes. SGT Leigh Ann Hester of Bowling Green, KY, is traveling to the Nation's Capital to receive the USO's Service Member of the Year Award at the organization's 2006 USO World Gala this September 28.

Sergeant Hester is being honored for her valorous service in combat in Iraq, which earned her the Silver Star medal. The Silver Star is the Army's third-highest award for gallantry, and Sergeant Hester is the first female soldier to win the medal for valor in combat since World War II.

A retail store manager in Bowling Green, Sergeant Hester joined the U.S. Army in 2001 and was assigned to the Kentucky National Guard's 617th Military Police Company, based in Richmond, KY. In March 2005, she was on the southeastern outskirts of Baghdad, shadowing a convoy of tractor-trailers carrying supplies for American forces.

The convoy was ambushed by about 50 heavily armed terrorists. They attacked from a trench alongside the road and rained down machine-gun fire and rocket-propelled grenades on the convoy for a sustained 3 minutes. Several truck drivers were killed, more were wounded. Thinking they had the upper hand, the terrorists moved towards the convoy, preparing to take hostages.

Suddenly three armored humvees roared up to the carnage. Sergeant Hester, as team leader of the second humvee, maneuvered her team into a position to draw the enemy's fire and begin fighting back with grenades and M203 rounds.

Sergeant Hester and her squad leader got out of their humvees and rushed the trench about 20 meters away from them to clear out the enemy. They worked their way through the insurgents, throwing grenades and firing M4s. When she ran low on ammunition, she ran back to a humvee to reload, exposing herself to enemy fire from multiple directions. Because this squad had been so well disciplined, Sergeant Hester was able to reach blindly into any of the humvees and know exactly where to grab more ammunition.

Finally, the soldiers of the 617th had put down enough fire that the enemy fell silent. It turns out that Sergeant Hester and her team, just 10 in all, had not only put themselves in the middle of a firefight against greater numbers and all survived, they had scored the highest death toll of insurgents in Iraq in many months. They killed 27, captured several wounded, seized a sizable

weapons cache, and secured valuable intelligence.

Sergeant Hester's actions were cited as having "saved the lives of numerous convoy members." For her bravery, she was awarded the Silver Star medal on June 16, 2006.

Sergeant Hester's courage, dedication, and sacrifice on behalf of her country and her fellow soldiers make her a hero and a role model that every young Kentuckian can emulate. I am proud that a woman of such character and determination hails from the Bluegrass State, and I know the entire Senate joins me in thanking her for her service in defense of America and America's ideals.

#### HONORING OUR ARMED FORCES

SERGEANT FIRST CLASS RICHARD J. HENKES

Mrs. LINCOLN. Mr. President, it is my honor to pay tribute to the life of SFC Richard J. Henkes, a brave soldier who gave his life in support of Operation Iraqi Freedom. Sergeant Henkes will be remembered as a courageous soul, a proud father, and an inspiration to those who knew him best. The 200 people who gathered at his memorial service are a testament to the number of lives he touched. They are lives that he continues to touch through the legacy he leaves behind.

Sergeant Henkes wrestled and ran track in high school, but his true passion was snowboarding. He shared this passion with his 6-year-old daughter, Isabel, as well as with his 17-year-old niece, Cassidy, who fondly remembers the caring uncle who was always there to pick her up when she would fall. Above all, Sergeant Henkes was a compassionate, outgoing, and fun-loving guy with a great sense of humor. It was this compassion for others and desire to make a difference that drove him to carry on his family's rich history of military service, dating back to World War I.

Stationed out of Fort Lewis, WA, Sergeant Henkes served with C Company, 2nd Battalion, 3rd Infantry Regiment, 2nd Infantry Division. In Iraq, he was recently placed in command of his platoon—a challenge that he embraced. Tragically, Sergeant Henkes died on September 3 from injuries sustained from a roadside bomb in Mosul, Iraq. People say he knew of the dangers of war, but he believed his mission would make a difference in the lives of countless people and that it was worth the sacrifice. Mourners paid tribute to Sergeant Henkes in the Woodburn, OR, National Guard Armory on September 11. At the ceremony, he was posthumously awarded the Bronze Star and Purple Heart service medals by his battalion.

We grieve the loss of another soldier who made the ultimate sacrifice to defend the freedoms we all cherish. Sergeant Henkes leaves behind a legacy that will live on through the people he inspired and the young daughter who will grow up knowing that her father

lived to make a difference in the world. My thoughts and prayers are with his daughter Isabel, his parents, Chris and Jim Stanton of Ashdown, AR, and Richard and Karen Henkes of Woodburn, OR, and to all those who knew and loved him.

Mr. SUNUNU. Mr. President, I rise today in support of S. 3549, the Foreign Investment and National Security Act. S. 3549 reforms the Committee on Foreign Investment in the United States, which is more commonly known as CFIUS. CFIUS is the entity of our Federal Government charged with reviewing any type of foreign investment in the United States, and reviews all corporate transactions involving foreign-owned companies. Its top priority has always been to protect America's national security interests, and that must remain its main focus. However, this foremost concern can and must be addressed without jeopardizing foreign investment in our country—a critical economic engine.

This CFIUS reform bill represents an effort by the Senate to ensure that the national security interests of the United States are protected in the context of foreign investment in U.S. industries. As a member of the Banking Committee, I supported this effort as a necessary way to restore the confidence of the American people in the CFIUS process, and I commend Chairman SHELBY and Ranking Member SARBANES and my colleagues on the committee for their work to date on this legislation. Though I supported Senate passage of the bill in an effort to keep this important legislation moving through the legislative process, I want to highlight two provisions in the bill with which I have significant concerns because they will have a chilling effect on foreign investment.

First, the provision that potentially extends the initial 30-day review period to a 60-day period would place all foreign investors, including those of our closest allies, at a competitive disadvantage. Under current law, most transactions, foreign and domestic, require an antitrust review under the Hart-Scott-Rodino Act which takes a minimum of thirty days. However, the foreign investor is also, appropriately, required to undergo a 30-day CFIUS review, which may occur concurrently with the HSR review. This process allows a thorough review without putting one type of investor at a disadvantage to another. S. 3549, however, would potentially expand the 30-day CFIUS review to 60 days, creating a much longer delay and one that is disconnected from the HSR-mandated time table. This would create a substantial competitive disadvantage. Our government ought to be able to quickly identify and clarify the national security implications of a given transaction certainly within the 30 days prescribed under current law.

The second provision with which I have concern would require repeated and detailed notifications about ongo-

ing transactions to many Members of Congress and State Governors. Such notifications would only politicize transactions, do little to resolve national security concerns and undermine the CFIUS process.

This bill makes a strong attempt to strike the appropriate balance between national security, sound economic policy, and appropriate oversight. The two provisions I have highlighted upset this balance, but because I support this overall effort, I look forward to continued collaboration with Senators SHELBY and SARBANES and the other members of the Banking Committee as we address these issues in conference with the House.

#### NOMINATION OF FRANCISCO AUGUSTO BESOSA

Mr. BAUCUS. Mr. President, I would have voted in support of the nomination of Francisco Augusto Besosa to the U.S. District Court for the District of Puerto Rico. However, I was on my way back from Montana and was unable to make it to the Senate floor before the vote ended.

Mr. Besosa is well qualified for the position and will be a good addition to the court.

Francisco Augusto "Frank" Besosa is partner and head of the litigation department of Adsuar Muniz Goyco Besosa, P.S.C. in San Juan, Puerto Rico. After graduating from Brown University in 1971, he served 5 years in active military service in military intelligence. He was honorably discharged from Inactive Reserve from the U.S. Army with the rank of captain in 1977. He earned a J.D. from Georgetown University Law Center in 1979. After law school, Mr. Besosa returned to Puerto Rico and joined the law firm of O'Neill & Borges.

With the exception of 3 years in the 1980s as an assistant U.S. attorney, Mr. Besosa has spent his entire legal career in private practice in several firms conducting civil and commercial litigation in Puerto Rico. His work has focused on banking and bankruptcy; securities regulation; admiralty; insurance; torts including personal injury, medical malpractice, and product liability; telecommunications and intellectual property both at the trial and appellate level.

Mr. Besosa is a member of numerous bars including the Puerto Rico Bar Association, the Federal Bar Association, American Bar Association, District of Columbia Bar Association, U.S. Court of Appeals for the First Circuit and the Federal Circuit, and the Hispanic National Bar Association. He has held a variety of leadership positions in the Federal Bar Association Puerto Rico Chapter including director, president-elect, vice president, secretary and treasurer.

The ABA has recommended Mr. Besosa for the position with a unanimous "well qualified" rating.

Given his qualifications and experience, Mr. Besosa is a good fit for the