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No. 127

## Senate

The Senate met at 2 p.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal spirit, who has made and preserved us as a Nation, You are the same yesterday, today, and forever. In these changing times, help us to fix our gaze on You, the changeless one. Remind us that You are the one who places leaders in positions of power and responsibility, and that to whom much is given, much is required.

As this Nation gathers itself for the challenging work ahead, give us Your wisdom. Let that wisdom guide the Members of the U.S. Senate to accomplish the most good for the most people. Remove from the lives of our lawmakers obstructions that prevent them from doing Your will. We pray in Your sovereign name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,

Washington, DC, November 13, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,

President pro tempore.

Mr. SUNUNU thereupon assumed the chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business with Senators permitted to speak up to 10 minutes each.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. FRIST. Mr. President, I have a few announcements and then the Democratic leader may want to respond to those and then I will have a brief statement. I know he has a statement following that.

Today we return to begin the process of finishing our work for the 109th Congress. This afternoon we will begin consideration of the Military Construction and Veterans Affairs appropriations bill. Senator HUTCHISON will be here around 3 o'clock today to begin consideration of that bill with opening statements. Although we do not have any rollcall votes today, I hope the chairman and ranking member will work together to reach an agreement for com-

pletion of that bill during tomorrow's session.

Over the course of the next several days, we have orientation events for Senators-elect for the 110th Congress. We will be welcoming them a little bit later tonight at a dinner that formally kicks off that orientation meeting. We will also have our leadership elections this week and policy luncheons as well. Those will be on Tuesday and Wednesday. The Democratic elections will occur Tuesday morning, followed by their Democratic policy luncheon, and on this side of the aisle we will proceed with our elections on Wednesday morning, with our policy luncheon to follow that afternoon. Given this schedule, our first vote will likely occur sometime Tuesday—late Tuesday afternoon. We do hope to finish the military construction bill on Tuesday afternoon.

This week we will also consider a short-term continuing resolution. The current CR expires on Friday, and we need to pass a further resolution as soon as we possibly can. I have talked to the Democratic leader about this and we hope we will act on this quickly.

This week we will also work toward agreements and passage of the Vietnam normal trade relations legislation and the U.S.-India nuclear agreement, as well as other appropriations measures that can be considered. We will keep Members apprised as we schedule these and other matters as we move through the week.

Mr. REID. Mr. President, the majority leader and I have had a number of conversations and we think this should be a productive week. There will naturally be a number of interruptions, but we have our minds on completing the appropriations bill and finishing the very important nuclear agreement with the largest democracy in the world: India. We want to do it now for

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



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a number of reasons, not the least of which is the President is leaving in the next few days for Vietnam and we want to see if that can be completed with a minimum amount of debate and amendments. We are confident and hopeful that can be done.

#### RECENT ELECTIONS AND LOOKING AHEAD

Mr. FRIST. Mr. President, I want to take a moment to comment on the recent elections and then a very brief look ahead. First, let me remind my colleagues in every year that we have waged war, our troops have fought to uphold certain ideals: the ideals of democracy, of liberty, and of freedom. They are those very same principles upon which this Nation was founded in 1776 and they are the principles we strive to live by today in 2006. We saw that play out in last week's election, a natural manifestation of those ideals. We saw democracy at work, an opportunity for the American people to speak, to influence Government. So while I, of course, was disappointed in the outcome, we are not discouraged, and people come back today not discouraged because, as I have said, this election was democracy at work.

Change can be tough. Change opens the door, however, to new opportunity, and with that new opportunity comes new hopes. The American people have spoken and now is the time for us to move forward together. That is a very powerful message from the American people: Move forward and move forward together.

For a number of my colleagues—and I think of this as I mention the orientation program that begins for our new colleagues for the next Congress—moving forward means concentrating in part on paving the way for their successors. For them, it is a time of transition. The next few weeks, the last of the 109th Congress, will be my final weeks serving as a Senator, but as most everyone knows, I self-limited my time as a Senator 12 years ago, so I have known every day—every day for the last 12 years—that I would be departing this body next month, and it did help me to keep focused. It kept me grounded in the fact that those of us serving here only occupy our positions of service and that we don't own those positions. As Senate majority leader, my job is to focus on finishing the business of the 109th Congress, and that is where I will be concentrating my efforts.

As I look back on this Congress, the Republican majority has accomplished many things of which I am very proud. We submitted the tax cuts for every American which have helped to create 6 million jobs in the last 3 years. We have waged a bold war on terror, which has prevented every potential terror attack on our soil right here in this country over the past 5 years. We have given seniors prescription drug coverage through Medicare for the first

time, affordable prescription drug coverage. We confirmed outstanding judicial nominees, including two Supreme Court justices. We passed a forward-looking energy bill. We strengthened our commitment to fighting HIV/AIDS here at home and around the world. We have eliminated frivolous class action lawsuits. And we did all of this in one of the most challenging partisan political environments ever.

But as we move forward—and that really does officially begin today—we begin with finishing the business of the 109th Congress, and we must work together to overcome that partisanship we have seen in the past, that crippling partisanship that has plagued us in the recent past. America wants results and America wants solutions, and it is with that focus we enter the waning days of the 109th Congress. We must return to an era of working together in a civil, bipartisan fashion. It is my hope both parties, Republicans and Democrats, will work toward governing together to produce those tangible results for the American people. That begins here, and it begins now.

This week the Senate agenda will focus, as we mentioned earlier, on completing the remaining appropriations bills, and in the days and in the weeks ahead, we will consider the nomination of Bob Gates as Secretary of Defense and, as we just stated, the Vietnam trade legislation and the U.S.-India civilian nuclear technology bill. Each of us has many ideas to contribute to the discourse and I know we will continue to do that. We must build on our successes, the successes that make America the best place—the best place—to raise a family, the best place to start a business, and the best place to get and keep a job. Now is the time for us to get back to work.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

#### MOVING FORWARD

Mr. REID. Mr. President, the elections are over. It is time for us to move forward. It is time to move forward and, in working together, begin the process of moving our great country forward.

Last week the American people spoke for change. In the months ahead, Senate Democrats will fight for change. We are going to focus on three priorities, including bipartisanship. We have to work together. We can't accomplish anything as Democrats standing alone. As has been shown, the Republicans couldn't accomplish anything standing alone. We need to work together to pass legislation on a bipartisan basis and send it to the White House. We must have open government—a new word: “transparency”—and we have to

have results. Bipartisanship is great. But if people don't see what we are doing and there are no results, it is not as it should be.

We have a lot of challenges: health care, energy, the economy, including these deficits we have; Iraq. We need to restore checks and balances. Last Wednesday or Thursday I met a lot of press people in the audience and I said to each of them: I will bet most of you here have never watched a congressional conference in session, a conference committee meeting. It is true. We haven't had one. That is what we used to do here. We used to have them for a couple of hundred years, and for a couple of decades I was involved in them. But during the last at least 6 years, we haven't had any—a conference where we have a House bill and a Senate bill and we have an open meeting, and Republicans make suggestions on how the bill could be made better, and Democrats make suggestions, and there is a vote taken publicly. We haven't done that, and that is not good. We need to do that. That is what I am talking about, open government, these checks and balances our Founding Fathers set forth in that document we call the Constitution, three separate, equal branches of government.

I commend the distinguished majority leader. We worked together here in the Senate to come up with the most significant lobbying and ethics reform in a quarter of a century—since Watergate, actually. We passed that. We passed it on a bipartisan basis. We included not only lobby and ethics reform; we had, as a result of a number of Senators led by DIANNE FEINSTEIN, a provision in there dealing with earmarks, to make earmarks more transparent. The bill we passed out of here slowed the revolving door between government employees and lobbyists and eliminated gifts paid for by lobbyists and substantially expanded disclosure by lobbyists. It limited privately funded travel in many instances, and required more disclosure. It stopped dead-of-the-night legislating regarding open meetings. We did this. We should all feel good about what we accomplished in this regard. But, sadly, it went to the House and that was the end of it. So I would hope before the distinguished majority leader ends his career as a Senator, which has been a markedly significant career, that we can do that. It should be the law of the land, and hopefully it will be in the next couple months.

Finally, this Senate and we Democrats will do our very best to focus our energies on the challenges facing our country and take concrete steps to protect our country and help working families get ahead. For too long families have struggled with high health care costs while the big drug companies haven't struggled. I am glad they have not had to struggle, but I think we need to have a more even playing field—especially with insurance companies. For too long, ranchers in Nevada

and farmers all across this country have struggled to fill their tanks with gas and to have enough money in their bank accounts to do that which they need to do. But they have seen these big oil companies get the tax breaks that I personally do not think they deserve. I don't think the American people believe they deserve them either.

For too long, all Americans have worried about the direction of the war in Iraq only to see Congress refuse to have a real debate on the issues. On a personal basis, I have encouraged the President to listen to what the Baker-Hamilton working group has to say, and I know he will do that. I think it is important that he is willing to meet with those people. They are a tremendous group of very patriotic Americans with significant experience. On the Democratic side, as an example, you have the former Secretary of Defense and former Presidential Chief of Staff. They are good people, Democrats and Republicans, who are going to be talking to the President. If we are going to have a new direction in Iraq, the President must listen to new ideas. This is a step in the right direction.

That is why last week I asked the President to convene a bipartisan congressional leadership group and invite other people, too, if he wants, of course. It is his meeting. But if he wants, to have Secretary Baker, Congressman Hamilton, members of the military. I think if we spent a couple of days doing this—however long the President sees fit—I think it would be helpful to have if he heard what we had to say. If we are going to have a new direction in Iraq, the President must listen to new ideas. That is why I felt comfortable in suggesting this to the President.

We Democrats have some very concrete ideas as to what we think should happen. First of all, again on a bipartisan basis, with 79 votes on the Defense Authorization bill for the previous year, Democrats and Republicans joined together to put a provision in that bill that said the year 2006 will be a year of significant transition in Iraq. The year 2006 is coming to an end. We need to implement that law.

We, as Democrats, also offered an amendment that received 40 votes called the Reed-Levin or Levin-Reed amendment, however you want to look at it, to begin a change of course, to set a framework to change course. For example, in that legislation, we called for responsibly redeploying our troops to transform the mission to training, counterterrorism, logistics, force protection. Does this mean pulling all the troops out now? Of course it doesn't. But it does say we must start redeploying troops as soon as possible.

Second, the sectarian differences must be reconciled. They are plaguing the country. We have had in the last 2 days, just that we know of, almost 200 Iraqis killed, 3 American soldiers, 4 British soldiers. We must push for changes to the Iraqi Constitution and power and resource sharing.

I believe it is time for our President to call for a regional conference that he participants in. I spoke to the King of Jordan today. He thought it was a good idea to have the President call for a meeting of the leaders of Egypt, Saudi Arabia, Jordan—even Syria. It is a regional problem. Let's talk about this regionally. It is more their problem than our problem. They have more to lose or win than we do. So I think a regional conference would be very important to regionalize our strategy.

We must revitalize the failed construction efforts. It was stunning to see in the weekend news how much less oil is being produced there in Iraq than before the war. It was stunning to see how little potable water is being produced there than before the war. And to see that the electricity in Baghdad—as an example, prior to the war it was 16 hours a day, and now it is down to less than 4 hours a day. We have to revitalize our failed reconstruction efforts.

Finally, we have to rebuild our military. We do not have a single undeployed Army unit that is battle ready. Everything is in need of repair or replacement—replenishment. The Pentagon has told us it will cost \$75 billion to bring the military up to what it was before the war. We want to work and see if we can accomplish that. Those are our suggestions.

From Iraq to the economy, there is much to do in the next few weeks and then at the beginning of the new year and a new Congress—so much to do. We must take advantage of the next few weeks and get as much done as we can.

There are 55 Republicans, there are 45 Democrats, we understand that—for the next 60 days. After that, it is going to be a very slim majority that we have, but it is one that we believe will open the door for bipartisanship. I hope, for the good of the American people, we can continue to look forward—not dwell on the past but look forward.

I hope very much we can get our so-called tax extenders done. The reason these are important to do is they are critical tax relief for American families and businesses that will expire if we don't do something—a deduction for college tuition, deduction for State and local sales taxes. The manager of the bill on military construction is Kay Bailey Hutchison from Texas. This has been her issue because the large State of Texas is losing those families' tax deductions, deductions for out-of-pocket expenses incurred by teachers and for businesses, the research and development tax credit, the work opportunity tax credits and Welfare-to-Work tax credits. These things are extremely important. Unless we act to extend this relief in the next few weeks, families will be facing a tax increase next year. That is not acceptable and we need to act.

It is a new day in the Senate. Let's work together and move America forward. I offer my hand to my friends on the other side of the aisle. I have

reached out to my friend, Senator FRIST. We are going to do everything we can to have the country know we are doing good things in the next few weeks. And I reached out to my friend, MITCH MCCONNELL, who I understand will be the next Republican leader, to work together on the issues of the next Congress as we have on many issues in the past.

I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SALAZAR. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### BIPARTISANSHIP

Mr. SALAZAR. Mr. President, I thank both the majority leader and minority leader for their comments this afternoon and for setting forth the tone of moving forward in a spirit of bipartisanship on behalf of our country. I want to quickly make four points.

It is going to be very important for us in the weeks ahead, and in the new Congress, that we do find the seeds of bipartisanship which we have found in the past in many of the efforts that have gone on in this body. For me, during my first 2 years as a Senator, one of the things I will always remember as one of the best times of the Senate is when we came together with the Gang of 14, with 7 Republicans and 7 Democrats, to make sure that this Senate was able to get beyond the very difficult issue that it faced. I hope we find more and more of those opportunities as we move forward on the great issues of our time, including Iraq, energy, health care, and the rest of the issues with which we must deal as a country.

I will say this as well. In the days ahead, we will hear many things about some of our colleagues, some of whom are newcomers to our institution, the U.S. Senate, and some of them who are leaving. For me, it is a sad day that Senator CHAFEE and Senator DEWINE, who were members of the Gang of 14, will not be around to be a part of that future bipartisan coalition that we are going to have to have in the Senate. But I hope, on the side of both the Democrats and the Republicans, that there is a great number of Members of the Senate on both sides of the aisle who will come together to address those significant issues that face us as a country.

As I spent my time in Colorado for most of the last month and traveled around the State, most of the people in my State were making one statement to us as a Congress and that was to get about the people's business. They want us to do the work that they so fervently want to be accomplished for this country. I believe in my State—which I believe is reflective of what is happening around the country—they want

us to set a new direction and to be successful in our undertaking in Iraq. I join the minority leader, Senator REID, in his comments about how we ought to move forward in trying to create a bipartisan approach to achieving success in Iraq.

As I traveled around my State, and as I traveled around the country as well, I think the issue of energy independence has become an issue on which people very much want us to get beyond the rhetoric they have heard for the last 30 years. The Energy Policy Act of 2005 was one of the few bipartisan efforts that ultimately succeeded in this Congress. I hope, as we move ahead on the issue of energy, we will find ways of embracing conservation, embracing renewable energy, embracing the new technologies of today so we can in fact get our hands on energy independence, which is so critical. It is critical for our Nation from the point of view of the national security of the United States of America and the world. It is critical for our Nation in terms of our economic security, and it is critical for our Nation in terms of the environmental security which is also at stake on the issue of energy. Finally, it is critical to our country as to how we provide new opportunities for rural America as we grow our way to energy independence in this country.

Finally, I would like to make a comment on an issue which I believe continues to break the backs of the American people and bankrupt American businesses today and that is the issue of health care and the costs of health care, which have risen astronomically. We have left almost 50 million people of our country without health insurance, 77,000 in my State of Colorado alone.

I hope this institution, the Senate, working with the House of Representatives, can deliver real results for the people of the United States of America in the weeks and years ahead.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mrs. HUTCHISON. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5385, the Military Construction and Veterans Affairs and related agencies appropriations bill for 2007. I further ask consent that the committee-reported substitute be agreed to as original text for the pur-

pose of further amendment, with no points of order waived by virtue of this agreement.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5385) making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, namely:*

#### TITLE I

##### DEPARTMENT OF DEFENSE

##### MILITARY CONSTRUCTION, ARMY

##### (INCLUDING RESCISSIONS OF FUNDS)

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$2,172,622,000, to remain available until September 30, 2011: Provided, That of this amount, not to exceed \$199,540,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Army" under Public Law 109-114, \$43,348,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Army" under Public Law 109-13, \$125,800,000 are hereby rescinded: Provided further, That of the amount provided under this heading, \$34,800,000 is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109-234.*

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

##### (INCLUDING RESCISSIONS OF FUNDS)

*For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,238,065,000, to remain available until September 30, 2011: Provided, That of this amount, not to exceed \$71,626,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both*

*Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Navy and Marine Corps" under Public Law 108-132, \$30,000,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Navy and Marine Corps" under Public Law 108-324, \$8,000,000 are hereby rescinded.*

##### MILITARY CONSTRUCTION, AIR FORCE

##### (INCLUDING RESCISSIONS OF FUNDS)

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,214,885,000, to remain available until September 30, 2011: Provided, That of this amount, not to exceed \$71,381,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law 108-324, \$2,694,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law 109-114, \$19,816,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Air Force" under Public Law 109-13, \$10,800,000 are hereby rescinded.*

##### MILITARY CONSTRUCTION, DEFENSE-WIDE

##### (INCLUDING RESCISSIONS AND TRANSFER OF FUNDS)

*For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$1,162,281,000, to remain available until September 30, 2011: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed \$172,150,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 108-132, \$9,000,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 108-324, \$43,000,000 are hereby rescinded: Provided further, That of the funds appropriated for "Military Construction, Defense-Wide" under Public Law 109-114, \$72,065,000 are hereby rescinded: Provided further, That of the amount provided under this heading, \$100,886,000 is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109-234.*

##### MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

##### (INCLUDING RESCISSION OF FUNDS)

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefore, as*

authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts; \$539,804,000, to remain available until September 30, 2011: Provided, That of the funds appropriated for Military Construction, Army National Guard" under Public Law 109-114, \$2,129,000 are hereby rescinded.

#### MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition; expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefore, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$252,834,000, to remain available until September 30, 2011.

#### MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$191,450,000, to remain available until September 30, 2011.

#### MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$48,408,000, to remain available until September 30, 2011.

#### MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$44,936,000, to remain available until September 30, 2011.

#### NORTH ATLANTIC TREATY ORGANIZATION

##### SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$205,985,000, to remain available until expended.

#### FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$578,791,000, to remain available until September 30, 2011.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$675,617,000.

#### FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$305,071,000, to remain available until September 30, 2011.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$498,525,000.

#### FAMILY HOUSING CONSTRUCTION, AIR FORCE (INCLUDING RESCISSIONS OF FUNDS)

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$1,182,138,000, to remain available until September 30, 2011: Provided, That of the funds appropriated for "Family Housing Construction, Air Force" under Public Law 108-324, \$23,400,000 are hereby rescinded: Provided further, That of the funds appropriated for "Family Housing Construction, Air Force" under Public Law 109-114, \$42,800,000 are hereby rescinded.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and authorized by law, insurance premiums, as \$755,071,000.

#### FAMILY HOUSING CONSTRUCTION, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$8,808,000, to remain available until September 30, 2011.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$48,506,000.

#### DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$2,500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

#### CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stock-pile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$140,993,000, to remain available until September 30, 2011, which shall be only for the Assembled Chemical Weapons Alternatives program.

#### DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$191,220,000, to remain available until expended.

#### DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$5,237,100,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea if that country has not increased its defense spending by at least 3 percent in calendar year 2005, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of

Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$750,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(INCLUDING TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 118. (a) Not later than December 1, 2006, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Appropriations of both Houses of Congress a report on actions taken by the Department of Defense and the Department of State during the previous fiscal year to encourage host countries to assume a greater share of the common defense burden of such countries and the United States.

(b) The report under subsection (a) shall include a description of—

(1) attempts to secure cash and in-kind contributions from host countries for military construction projects;

(2) attempts to achieve economic incentives offered by host countries to encourage private investment for the benefit of the United States Armed Forces;

(3) attempts to recover funds due to be paid to the United States by host countries for assets deeded or otherwise imparted to host countries upon the cessation of United States operations at military installations;

(4) the amount spent by host countries on defense, in dollars and in terms of the percent of gross domestic product (GDP) of the host country; and

(5) for host countries that are members of the North Atlantic Treaty Organization (NATO), the amount contributed to NATO by host countries, in dollars and in terms of the percent of the total NATO budget.

(c) In this section, the term "host country" means other member countries of NATO, Japan, South Korea, and United States allies bordering the Arabian Sea.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to

the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 121. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. In addition to any other transfer authority to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 123. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with envi-

ronmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year: Provided further, That nothing in this section precludes the Secretary of a military department, after notifying the congressional defense committees and waiting 21 days, from using funds derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, for the maintenance or repair of general and flag officer quarters at the military service academy under the jurisdiction of that Secretary: Provided further, That each Secretary of a military department shall provide an annual report by February 15 to the congressional defense committees on the amount of funds that were derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, in the previous year and were obligated for the construction, improvement, repair, or maintenance of any military facility or infrastructure.

SEC. 124. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 125. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS PROGRAMS

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38

U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), \$38,007,095,000, to remain available until expended: Provided, That not to exceed \$28,112,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses" and "Medical services" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

#### READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), \$3,262,006,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

#### VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapter 19; 70 Stat. 887; 72 Stat. 487, \$49,850,000, to remain available until expended.

#### VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

##### (INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2007, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$153,185,000.

#### VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

##### (INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$53,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$4,242,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$305,000, which may be transferred to and merged with the appropriation for "General operating expenses".

#### NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

##### (INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$615,000: Provided, That no new loans in excess of \$30,000,000 may be made in fiscal year 2007.

#### GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by subchapter VI of chapter 37 of title 38, United States Code, not to exceed \$750,000 of the amounts appropriated by this Act for "General operating expenses" and "Medical services" may be expended.

#### VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment and salaries and expenses of healthcare employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; and for necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); \$28,689,000,000, plus reimbursements: Provided, That of the funds made available under this heading) not to exceed \$1,350,000,000 shall be available until September 30, 2008: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

#### MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry and food services, \$3,569,000,000, plus reimbursements, of which \$250,000,000 shall be available until September 30, 2008.

#### MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, to remain available until September 30, 2008, \$412,000,000, plus reimbursements, of which not less than \$15,000,000 shall be used for Gulf War Illness research.

#### NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, \$160,733,000, of which not to exceed \$8,037,000 shall be available until September 30, 2008.

#### DEPARTMENTAL ADMINISTRATION

##### GENERAL OPERATING EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, \$1,467,764,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That the Veterans Benefits Administration shall be funded at not less than \$1,167,859,000: Provided further, That of the funds made available under this heading, not to exceed \$75,000,000 shall be available for obligation until September 30, 2008: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978, \$70,599,000, of which \$3,474,950 shall remain available until September 30, 2008.

#### CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$429,000,000, to remain available until expended, of which \$2,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: Provided, That except for advance planning activities) including needs assessments which may or may

not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2007, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2007; and (2) by the awarding of a construction contract by September 30, 2008: Provided further, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations of both Houses of Congress any approved major construction project in which obligations are not incurred within the time limitations established above.

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$168,000,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

#### GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131–8137 of title 38, United States Code, \$85,000,000, to remain available until expended.

#### GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$32,000,000, to remain available until expended.

#### INFORMATION TECHNOLOGY SYSTEMS

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; including pay and associated cost for operations and maintenance associated staff; for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations au-

thorized by chapter 3109 of title 5, United States Code, \$1,255,900,000, to remain available until September 30, 2008: Provided, That none of these funds may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; (2) complies with the Department of Veterans Affairs enterprise architecture; (3) conforms with an established enterprise life cycle methodology; and (4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That within 60 days of enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a re-programming base letter which provides, by project, the costs included in this appropriation.

#### ADMINISTRATIVE PROVISIONS

##### (INCLUDING TRANSFER OF FUNDS)

Sec. 201. Any appropriation for fiscal year 2007, in this Act or any other Act for "Compensation and pensions"; "Readjustment benefits"; and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

##### (INCLUDING TRANSFER OF FUNDS)

Sec. 202. Amounts made available for fiscal year 2007, in this Act or any other Act, under the "Medical services" and "Medical facilities" accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

Sec. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefor, as authorized by sections 5901–5902 of title 5, United States Code.

Sec. 204. No appropriations in this title (except the appropriations for "Construction, major projects"; and "Construction, minor projects") shall be available for the purchase of any site for the construction of any new hospital or home.

Sec. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under sections 7901–7904 of title 5, United States Code or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of cost is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

Sec. 206. Appropriations available in this title for "Compensation and pensions"; "Readjustment benefits"; and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2006.

Sec. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and

3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and pensions".

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2007, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the "General operating expenses" account for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2007 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2007 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed \$31,246,000 for the Office of Resolution Management and \$3,059,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to "General operating expenses" for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental is more than \$300,000 unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 7 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction,

major projects” and “Construction, minor projects” accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in “Construction, major projects” and “Construction, minor projects”.

SEC. 214. Amounts made available under “Medical services” are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to “Medical services”, to remain available until expended for the purposes of this account.

SEC. 216. Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall allow veterans eligible under existing Department of Veterans Affairs medical care requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Service or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan veterans in areas where an existing Department of Veterans Affairs facility or Veterans Affairs-contracted service is unavailable; (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with Capital Asset Realignment for Enhanced Services activities; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the “Construction, major projects” and “Construction, minor projects” accounts to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds available to the Department of Veterans Affairs, in this Act, or any other Act, may be used for payment for E-Gov initiatives.

SEC. 219. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 220. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Amounts made available under the “Medical services”, “Medical facilities”, “General operating expenses”, and “National Cemetery Administration” accounts for fiscal year 2007, may be transferred to or from the “Information technology systems” account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. For purposes of perfecting the funding sources of the Department of Veterans Affairs’ new “Information technology systems” account, funds made available for fiscal year 2007, in this or any other Act, may be transferred from the “General operating expenses”,

“National Cemetery Administration”, and “Office of Inspector General” accounts to the “Medical services” account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Amounts made available for the “Information technology systems” account may be transferred between projects: Provided, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 224. No funds in this Act may be deposited into the DOD/VA Health Care Sharing Incentive Fund.

SEC. 225. The authority provided by section 2011 of title 38, United States Code, shall continue in effect through September 30, 2007.

SEC. 226. REPORT ON USE OF LANDS AT WEST LOS ANGELES DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER. (a) REPORT.—The Secretary of Veterans Affairs shall submit to Congress a report on the master plan of the Department of Veterans Affairs relating to the use of Department lands at the West Los Angeles Department of Veterans Medical Center, California.

(b) REPORT ELEMENTS.—The report under subsection (a) shall set forth the following:

(1) The master plan referred to in that subsection, if such a plan currently exists.

(2) A current assessment of the master plan.

(3) Any proposal of the Department for a veterans park on the lands referred to in subsection (a), and an assessment of each such proposal.

(4) Any proposal to use a portion of those lands as dedicated green space, and an assessment of each such proposal.

(c) ALTERNATIVE REPORT ELEMENT.—If a master plan referred to in subsection (a) does not exist as of the date of enactment of this Act, the Secretary shall set forth in the report under that subsection, in lieu of the matters specified in paragraphs (1) and (2) of subsection (b), a plan for the development of a master plan for the use of the lands referred to in subsection (a) during the period beginning on the date of the enactment of this Act and ending 25 years later and during the period beginning on the date of the enactment of this Act and ending 50 years later. The master plan referred to in subsection (a) shall be completed prior to the adoption of the Capital Asset Realignment for Enhanced Services (CARES) plan for that property, or prior to the issuance of any enhanced use lease on the subject property. The CARES plan for the subject property shall be consistent with the master plan required by this section.

(d) LIMITATIONS ON IMPLEMENTATION.—

(1) IN GENERAL.—The Secretary may not implement any portion of the master plan referred to in subsection (a) until 120 days after the date of the receipt by the Committees on Appropriations of the Senate and the House of Representatives of the report required by that subsection.

(2) ACTIONS OTHER THAN DIRECT VETERANS SERVICES.—In the case of any portion of the master plan referred to in subsection (a) that does not relate exclusively to direct veterans services on the site referred to in subsection (a), the Secretary may not carry out such portion of the master plan without the approval of the Committees on Appropriations of the Senate and the House of Representatives.

(e) EXEMPTIONS.—Nothing contained in this provision shall prevent the Department of Veterans Affairs from providing maintenance, service or programs consistent with the mission of the Department.

SEC. 227. None of the funds available to the Department of Veterans Affairs, in this Act, or

any other Act, may be used to replace the current system by which the Veterans Integrated Services Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 228. The major medical facility project for a Department of Veterans Affairs Medical Center in New Orleans, Louisiana, for which funds were appropriated for the Department of Veterans Affairs for the “Construction, major projects” account in Public Law 109-234 and Public Law 109-148 shall be treated for purposes of section 8104(b) of title 38, United States Code, as a major medical facility project that has been specifically authorized by law, and the Secretary of Veterans Affairs may obligate and expend amounts so appropriated for that account for that project for the purchase of a site including property exchange for, and new construction, restoration, or replacement of, the Department of Veterans Affairs Medical Center in New Orleans, Louisiana.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$37,088,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, \$4,900,000, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251-7298 of title 38, United States Code, \$19,790,000: Provided, That \$1,260,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-29.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERY EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed \$1,000 for official reception and representation expenses, \$26,550,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$54,846,000.

## ADMINISTRATIVE PROVISIONS

SEC. 301. None of the funds in this title under the heading "American Battle Monuments Commission" shall be available for the Capital Security Costs Sharing program.

## (INCLUDING RESCISSION OF FUNDS)

SEC. 302. (a) For an additional amount for "United States Court of Appeals for Veterans Claims, Salaries and Expenses", \$500,000, to remain available until expended, for implementation of the Appellate Case Management Electronic Case Files System.

(b) Of the amount appropriated under the heading "United States Court of Appeals for Veterans Claims, Salaries and Expenses", in the Military Quality of Life, Military Construction, and Veterans Affairs Appropriations Act, 2006 (Public Law 109-114), \$500,000 are rescinded.

(c) This section shall take effect immediately upon enactment of this Act.

## TITLE IV

## GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2007 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

This Act may be cited as the "Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2007".

The committee amendment in the nature of a substitute was agreed to.

Mrs. HUTCHISON. Madam President, it is my pleasure today to bring the fiscal year 2007 Military Construction, Veterans Affairs, and related agencies bill to the Senate for consideration. The bill provides \$16.26 billion for military construction, \$77.9 billion for the Department of Veterans Affairs, and \$143.5 million for the related agencies.

The bill provides the much needed resources for the Department of Veterans

Affairs to care for our brave veterans returning from Afghanistan and Iraq, as well as those who have served with honor in our past wars. We fully support our veterans and appreciate the sacrifices they made for our country, by increasing the VA's funding by \$6.45 billion from last year's enacted level to the President's request of \$77.9 billion.

This year, we are proposing to bring medical services and medical administration under one account. This merger of the two accounts will give the VA the flexibility to manage and budget all medical services operations, including hospital staff personnel, from one account for better management, organization, and efficiency. The funding for the new combined medical services account is \$28.7 billion, which is \$3.1 billion above last year's level and equal to the President's request. The funding recommendation also includes the full request of \$3.6 billion for medical facilities; \$412 million for medical and prosthetic research, which is equal to last year's level and \$13 million above the President's request; \$429 million for major construction; and \$85 million for grants for construction of State extended-care facilities.

This bill bridges a significant funding gap in fiscal year 2007 for the Department of Veterans Affairs. The administration's budget request included legislative proposals for the VA's health care system that would have instituted new enrollment fees and increased the copayments for prescription drugs, both of which would have been paid by veterans. Revenue estimate for those proposals was \$795 million. The administration assumed this revenue in the VA's budget request. The subcommittee has denied these proposals and has provided the \$795 million difference for VA health care.

The bill also contains additional resources in the areas of advanced prosthetics, recognizing that veterans returning from Operations Iraqi Freedom and Enduring Freedom are experiencing the loss of limbs due to combat injury.

The bill provides much needed funds for military construction. With the impending return of troops as a result of the current overseas rebasing effort, which our subcommittee recommended and strongly supports, BRAC, Army modularity, and the global war on terror, our service men and women are in a time of great transformation, and the funds will be provided for these accounts. It is important that they receive these facilities to enable the transformation. We are also continuing to press our NATO allies to share the burden of construction costs for NATO facilities and have been successful.

The bill provides necessary funds for the rebasing effort as well as continues the emphasis on family housing initiatives within the Department of Defense. It also provides \$1.1 billion for Guard and Reserve components which is \$215 million above the requested level. The bill includes funding total-

ing \$5.2 billion to implement the BRAC 2005 decisions. This is an increase of \$3.7 billion over last year. We do recommend a minor cut of 7 percent to this account because we found flexibility in supplies and equipment will not be needed next year because of the slow pace of BRAC implementation. I would emphasize, however, that no BRAC construction projects are affected.

Putting our bill together was certainly a bipartisan effort. Let me say now we are giving notice to Members on both sides of the aisle that we plan to come forward tomorrow about 2:15 with all of the amendments we have had requested so far, and anything a Member might want to put in this bill needs to be in our hands by close of business today, 5 o'clock. We wish to finish up the bill, deal with the amendments at 2:15 on Tuesday, and have our vote then lined up for later in the afternoon on Tuesday, in the 5 o'clock to 5:30 range. So we are giving notice, and we hope if there are any amendments we have not already been given, anyone with that kind of request will come forward.

I thank Senator FEINSTEIN, the ranking member, for her partnership. We have worked so well together throughout our time on this subcommittee. We actually have been chairman and ranking member, both of us. I have been chairman and she has been ranking member, and we have been the other way, and I think we will be the other way come January. I know it will make no difference. I know we will meet the needs of military construction. We will meet the needs of our veterans. We will do it the right way, and we will do it in agreement, because we have the same goals—that we honor our veterans with the services they deserve and that we provide for our military housing and military construction and cleanup for BRAC in the most responsible way. I couldn't ask for a better working relationship than I have with my ranking member and her staff. I look forward to the years to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, as I was standing here looking out at a woman presiding and a woman chairman, a woman ranking member. I thought, there has been progress.

I am very pleased to join my chairman in recommending the 2007 Military Construction-Veterans Affairs, and Related Agencies appropriations bill to the Senate. I thank my friend Chairman HUTCHISON for her hard work on this bill, and I especially thank the chairman of the Appropriations Committee, Senator COCHRAN, and the ranking member, Senator BYRD, for their support and help in bringing this bill to the floor.

This past weekend the Nation observed Veterans Day, the day we set aside to honor America's veterans with ceremonies across this great land.

Today the Senate takes up a bill that backs up the speeches and ceremonies with the funding necessary to provide the services our veterans were promised and that they both need and deserve. The bill before us today is a critically important funding measure for our Nation's veterans and for the Active and Reserve Forces in the military. It is a good bill.

The bill provides a total of \$94.3 billion in its three titles. The bulk of the funding, \$77.9 billion, is for the Department of Veterans Affairs. Of that amount, \$41.4 billion is mandatory spending for veterans benefit programs, such as veterans compensation and pensions, and \$36.5 billion is discretionary spending, primarily for the medical program. This means that medical service programs are funded at the level necessary to meet the needs of our veterans. Both the chairman and I believe this is so.

The funding in this bill for the Department of Veterans Affairs is equal to the President's budget request and almost \$6.5 billion—that is an increase of 9 percent—over the fiscal year 2006 enacted level. This increase is necessary due to the Iraq and Afghanistan situation.

For veterans health, the bill provides \$32.67 billion. That is an increase of 11.3 percent above the 2006 level. It includes \$3.2 billion for mental health, a \$340 million increase over last year's enacted level. And it includes \$4.3 billion, a \$228 million increase over last year's enacted level, for geriatrics and extended care to assist the Nation's aging veterans population.

For military construction, which 2 years ago was all that we did together—now we also have the veterans budget for the second year—the bill includes \$16.3 billion in funding. That is for a wide range of mission-critical facilities—barracks, daycare centers, family housing projects, both within the United States and overseas. Also included in that funding is \$5.24 billion to implement the most recent base realignment and closure round, not so fondly known as BRAC around here.

Last but not least, the bill includes \$143 million for a group of small but essential agencies, including the American Battle Monuments Commission and the Armed Forces Retirement Home. This title of the bill also funds Arlington National Cemetery, a sacred site familiar to all Americans which in many ways is the centerpiece of our homage to those who serve the Nation and our military in war and in peace.

In a year in which the Appropriations Committee has been faced with severe budget constraints, we are fortunate to be able to bring to the Senate a bill that fully funds the President's request for veterans and meets the pressing infrastructure requirements of the military. We were able to accomplish this without imposing any new fees or co-payments on veterans. Most importantly, perhaps, is we do not appear to be facing the same kind of shortfall in

funding for VA health care that the Senate was confronted with last year.

Providing affordable, accessible, first-rate health care to our Nation's veterans is a priority for this Senate and for both the chairman and myself. At a time when our Nation is at war and over 155,000 Iraq and Afghanistan war veterans are seeking VA health care services, many with grievous physical and mental wounds, veterans health care must be placed at the top of the list. Money is tight, to be sure. But like America's military forces currently fighting in Iraq and Afghanistan, the veterans who have fought in those and past wars deserve the fullest measure of our support and gratitude.

Likewise, the Nation's military forces need and deserve quality facilities in which to live and work. With the new round of BRAC and the ongoing global realignment of United States forces in Europe, Korea, and elsewhere overseas, the Defense Department's base structure is undergoing change. Tens of thousands of military personnel are returning to the United States from bases that are being closed overseas, placing great demand on domestic installations that will absorb them and their families.

At the same time, the Army is in the midst of reinventing its military structure, transforming from cumbersome divisions and brigades into more mobile and agile modular units. This modularity carries with it a new set of infrastructure requirements, and new emphasis regarding new facilities is being placed on the Nation's special operations forces, including the fielding of a new Marine Corps special operations command. All of this restructuring, of course, is going on while upwards of 170,000 United States military personnel remain fully engaged in Iraq and Afghanistan.

In all, there are many challenges facing the military construction budget. Yet when the \$5.2 billion for a new BRAC round is taken out of the equation, the amount of military construction funding requested by the President remained nearly level with last year's funding. Nevertheless, with the budget constraints we face this year, we were able to provide sufficient military construction dollars to fund the hundreds of military construction priorities both at home and abroad that have all been authorized in the Defense authorization bill.

This is a carefully balanced, bipartisan bill that is designed to meet the health and welfare needs of America's veterans and the infrastructure requirements of America's military forces with very tight budget limitations.

I again commend Chairman HUTCHISON for her work in developing this package. With the passage of this bill, we will have done our work in the Senate. I firmly believe we can work quickly to complete a conference with the House and send a good bill to the President, if the leadership gives us the

opportunity. There has been some speculation that no appropriations bills will emerge from this lameduck session and that we instead will be operating under a continuing resolution for months to come. I hope that speculation is wrong. It would be a serious disservice to our Nation's veterans and our active-duty military to relegate the programs funded under MilCon-VA to a continuing resolution in the new year. It will be at a \$6.5 billion loss to these programs to do that. I know Chairman HUTCHISON, Chairman COCHRAN, and Senator BYRD share my desire to send a conference report on this bill to the President and see it signed into law before the end of the year. I very much hope we can do so.

A great deal of work on both sides of the aisle has gone into producing this bill. I thank my colleagues for their support, and I thank my staff—Christina Evans on my immediate left, BG Wright on my far left, and Chad Schulken who is back in the staff dock—and also Senator HUTCHISON's staff—Dennis Balkham, Sean Knowles, and Rose Fabia—for the long hours and great effort they have put into this bill.

The bill is a direct result of a remarkable working relationship between Senator HUTCHISON and myself and between her staff and my staff. I thank the chairman again for this warmth and most particularly for her leadership. I am very pleased to recommend passage of this bill to the full Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Madam President, I agree with Senator FEINSTEIN's statement completely that we should pass this bill. I think it would be irresponsible, honestly, for us not to fund the priorities and the increases that are in this bill for our veterans and our military construction projects. So I will make every effort to ensure that we do have this bill go to conference, and I think we will be very close with the House on the conference items.

I do believe we can get this bill to the President. Frankly, I think there are other appropriations bills that would be in the same situation. We have new projects in many of the pieces of legislation. I cannot think of an appropriations bill that is not bipartisan. So it is my hope that we can keep the priorities and spending that we have worked very hard all of this year to produce in all of the appropriations bills, rather than rely on a continuing resolution that does not take into account the bipartisan efforts that have been made to fund the priorities of today. That is especially true in our bill because it is ongoing, defense-related items, but I think there are other bills that have the same kinds of priorities and necessities as well. So we will work together in our bipartisan way and try to make sure that happens.

I will just say once again that if any of our colleagues have amendments,

now is the time to notify us, by the close of business today, 5 o'clock. It is our hope to dispose of amendments starting at 2:15 tomorrow. I am told that votes could occur any time after 2:15, and the offices will be appropriately notified.

Let me end by saying that I, too, want to give so much credit to Senator FEINSTEIN's staff and my staff who have a great working relationship. They work the long hours and they do so much behind the scenes that makes everything come together—the amounts that we have in the budget resolution and the allocations on the Appropriations Committee and all of the different factors that go into an appropriations bill. They do a great job. I thank Senator FEINSTEIN's three staff members, and my three staff members, who were named by Senator FEINSTEIN earlier.

Mr. GREGG. Mr. President, the pending Military Construction and Veterans Affairs appropriations bill for fiscal year 2007, H.R. 5385, as reported by the Senate Committee on Appropriations provides \$89.861 billion in budget authority and \$84.956 billion in outlays in fiscal year 2007 for the Military Construction and the Department of Veterans Affairs programs. Of these totals, \$36.961 billion in budget authority and \$36.814 billion outlays are for mandatory programs in fiscal year 2007.

The bill provides total discretionary budget authority in fiscal year 2007 of \$52.900 billion. This amount is \$111 million above the President's request, at the 302(b) allocations adopted by the Senate, \$8.8 billion above fiscal year 2006 enacted levels, and \$41.8 billion below the House-passed bill.

As my colleagues know, the large difference with the House funding level is due to the difference in allocations. This is primarily due to the Defense Health Program in the Senate's Defense allocation but in the House's Military Quality of Life and Veteran's Affairs allocation.

I commend the distinguished chairman of the Appropriations Committee for bringing this legislation before the Senate, and I ask unanimous consent that a table displaying the Budget Committee scoring of the bill be printed in the RECORD.

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

H.R. 5385, 2007 MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS, SPENDING COMPARISONS—SENATE-REPORTED BILL

(Fiscal Year 2007, \$ millions)

	General Purpose	Mandatory	Total
<b>Senate-reported bill:</b>			
Budget authority .....	52,900	36,961	89,861
Outlays .....	48,142	36,814	84,956
<b>Senate 302(b) allocation:</b>			
Budget authority .....	52,900	36,961	89,861
Outlays .....	*	*	*
<b>2006 Enacted:</b>			
Budget authority .....	44,143	38,188	82,331
Outlays .....	41,803	38,093	79,896
<b>President's request:</b>			
Budget authority .....	52,789	36,388	89,177
Outlays .....	46,782	36,284	83,066

H.R. 5385, 2007 MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS, SPENDING COMPARISONS—SENATE-REPORTED BILL—Continued

(Fiscal Year 2007, \$ millions)

	General Purpose	Mandatory	Total
<b>House-passed bill:<sup>1</sup></b>			
Budget authority .....	94,705	36,388	131,093
Outlays .....	89,448	36,284	125,732
<b>Senate-reported bill compared to:</b>			
<b>Senate 302(b) allocation:</b>			
Budget authority ....	0	0	0
Outlays .....	na	na	na
<b>2006 Enacted:</b>			
Budget authority ....	8,757	-1,227	7,530
Outlays .....	6,339	-1,279	5,060
<b>President's request:</b>			
Budget authority ....	111	573	684
Outlays .....	1,360	530	1,890
<b>House-passed bill:<sup>1</sup></b>			
Budget authority ....	-41,805	573	-41,232
Outlays .....	-41,306	530	-40,776

\* There is no outlay allocation in the Senate for 2007 appropriations bills.  
<sup>1</sup> House and Senate bills having different jurisdictions.

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. GREGG. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. AKAKA. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, it is so ordered.

AMENDMENT NO. 5128

Mr. AKAKA. Mr. President, I would like to call up my amendment for funding for VA oversight. I am talking about properly funding the VA Inspector General's Office. I do have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Hawaii [Mr. AKAKA], for himself and Mr. OBAMA, proposes an amendment numbered 5128.

Mr. AKAKA. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide, with an offset, an additional \$2,500,000 for the Department of Veterans Affairs for the Office of Inspector General)

At the end of title II, add the following:

SEC. \_\_\_\_ (a) ADDITIONAL AMOUNT FOR OFFICE OF INSPECTOR GENERAL OF DEPARTMENT OF VETERANS AFFAIRS.—The amount appropriated by this title under the heading "OFFICE OF INSPECTOR GENERAL" is hereby increased by \$2,500,000.

(b) OFFSET.—The amount appropriated by this title under the heading "CONSTRUCTION, MAJOR PROJECTS" is hereby reduced by \$2,500,000.

Mr. AKAKA. Mr. President, I want to say at the outset that I am cognizant of the constraints placed upon the Appropriations Committee and I am very pleased that funding has been included to obviate the need for the administration's proposals to charge veterans more for their care.

That said, I don't believe it is in anyone's interest—least of all veterans—to

cut funding for the VA watchdog, the inspector general.

The President's budget and this VA-MilCon bill both call for a reduction in 27 IG staff members.

Our amendment seeks to restore this cut and ensure the IG can do his job by adding \$2.5 million in resources. The money for this amendment would be drawn from the construction account and would amount to only a half of a percent of the entire account.

If this bill is enacted as is, the OIG oversight function would suffer. There would be an increased risk of criminal activity, waste, and abuse across VA programs and operations. It would result in fewer monetary benefits in a time of fiscal restraint, fewer reports with recommendations for improved economy and efficiencies, and fewer arrests, indictments, and convictions of individuals who prey on America's veterans or seek to defraud VA. The loss of staff would markedly diminish the IG's ability to address complex issues such as the recent loss of VA data and other information technology issues.

Furthermore, it would reverse the recent trend of the OIG expanding its truly independent oversight of VA's health care programs and operations and reduce OIG field presence where veterans receive care at VA facilities across the Nation.

During the recent VA data theft incident, had it not been for the diligence of investigators from the VA IG's office, it is likely it would have taken even longer for the Secretary, Congress and affected veterans to have learned of the loss.

Now is not the time to cut the IG's funding and staff. Clearly, it is more important than ever that VA has the effective internal oversight that only a robust and fully funded Inspector General's Office can provide.

The authors of the VA independent budget realize this and have written a letter to the House and Senate leadership in support of the amendment.

I ask unanimous consent that the letter be printed in the RECORD.

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

THE INDEPENDENT BUDGET,  
 Washington, DC, November 13, 2006.

Speaker of the House HASTERT,  
 House Minority Leader PELOSI,  
*House of Representatives,*  
 Senate Majority Leader FRIST,  
 Senate Minority Leader REID,  
*U.S. Senate, Washington, DC.*

DEAR \_\_\_\_: We write on behalf of AMVETS, Disabled American Veterans, Veterans of Foreign Wars of the United States, and Paralyzed Veterans of America, joint authors of the Independent Budget, on a matter of concern dealing with the Department of Veterans Affairs (VA) Office of Inspector General (OIG).

Like most Federal agencies, VA currently is subject to a Continuing Resolution until Congress passes VA's appropriations act, which may not occur until very late this calendar year, or perhaps even later. Because the proposed fiscal year 2007 appropriation

for VA's OIG is expected to result in a significant shortfall, we understand VA is preparing to take steps to develop a plan to reduce spending in that office. We also understand that the principal strategy will be a reduction in the number of OIG employees through attrition of the existing work force.

The VA OIG budget is formulated based on 458 full-time employee equivalents (FTEE). However, that office is currently staffed at 473 FTEE. The longer that office remains above 458 FTEE, the more they will be required to reduce staffing in order to achieve the lower FTEE limitation. Given this situation, we have been advised that a number of steps are being taken or are planned, including not filling vacant positions except on a case-by-case examination of need versus alternatives.

While we sometimes disagree with findings in a particular OIG review or investigation, the OIG constitutes a major segment of VA's management system to assure accountability, and within VA serves as an independent voice on patient safety, health care quality, financial stewardship, systems and facilities management and data integrity. Reducing the OIG's ability to carry out such vital functions, even on a marginal basis as has been proposed, ultimately could put veterans in jeopardy. We understand Senator Daniel Akaka has proposed an amendment to the Fiscal Year 2007 Veterans Affairs-Military Quality of Life appropriations bill that would replenish these funds to the OIG. We strongly support Senator Akaka's proposal and urge the House and Senate Leadership to include funds associated with Senator Akaka's amendment in the final conference report on VA's appropriation for the new fiscal year. We believe this small investment will pay very large dividends for veterans who need and use VA services.

We appreciate your attention to this request.

Sincerely,

DAVID G. GREINER,  
*Acting National Legislative Director, AMVETS;*

CARL BLAKE,  
*Acting National Legislative Director, Paralyzed Veterans of America;*

JOSEPH C. VIOLANTE,  
*National Legislative Director, Disabled American Veterans;*

DENNIS CULLINAN,  
*National Legislative Director, Veterans of Foreign Wars of the United States.*

Mr. AKAKA. Mr. President, I urge my colleagues to support this amendment. This is a small amount of money relative to the overall spending in this bill. Indeed, such a modest amount is essential to ensuring the billions included in this bill are spent wisely.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DEWINE. I ask unanimous consent to speak as in morning business.

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

#### HONORING OUR ARMED FORCES

##### LANCE CORPORAL ERIC BERNHOLTZ

Mr. DEWINE. Mr. President, I rise today to honor a brave young man from my home State of Ohio, Marine LCpl Eric Bernholtz. Lance Corporal Bernholtz was killed on August 3, 2005, when an improvised explosive device detonated under his military vehicle during combat operations south of Haditha, Iraq. He is survived by his parents, James and Catherine, his brother Adam and sister-in-law Sarah, and his long-time girlfriend Erica Scott.

Growing up in Grove City, OH, Eric enjoyed playing sports and video games with his friends. Eric loved children; his father said that even when he was in high school, little kids would knock on the door and say, "Can Eric come out and play?" He enjoyed reading and rock climbing and talked about becoming a firefighter and remodeling houses. Shortly after the attacks of September 11, Eric decided that he wanted to serve his country. He decided to do so by enlisting in the Marines in 2003.

Former neighbor Andy Unger described the 23-year-old Marine Reservist as a carefree kid who found his focus in the military. Jim, Eric's father, agreed that his son had found what he was looking for in the military, even though he knew it meant fighting in Iraq. These are Jim's words describing a conversation he had with his Eric: "When Eric told me he had joined the Marines I said, 'You know you will have to go over there.' And he told me, 'Somebody has to do this Dad.' He wanted to be one of those people."

Grove City High School guidance counselor John Hampson knew Eric well and said that he was simply the kind of person who always made others feel good. "He would always greet you," John recalls. "He was always making a point to go out of his way to say hello. He knew how to have fun, but to have fun in an appropriate manner." He remembers Eric as a jokester who liked to make everyone laugh and that he talked of being a firefighter when he ended his tour of duty.

The night before Eric's funeral, his friends shared humorous stories about their friend the prankster. They recalled how they would sneak into church to play basketball, drink chocolate milkshakes, and talk all night. In the words of his childhood friend, Brent Carman, "There was never a moment without a joke or a smile." They laughed about Eric's trademark footwear, which he called "shandals." This particular style involved Eric cutting off the toes and heels off his old gym shoes, and hence turning them into something resembling sandals. Dave Montgomery, a friend, reflected that Eric was simply the type of person who loved life.

At Eric's funeral, the Reverend Rob Paugh laughingly recalled his navigational skills. "Eric thought he had a

sense of direction" he said. He then shared a story about how Eric once managed to find a wedding in Louisiana by simply driving south—without knowing either the name of the town or the church. The minister was amazed to see him there in a suit—but no socks.

Eric was a man of tremendous dedication—dedication to his family and friends and dedication to his faith. A devoted member of the Grove City Church of the Nazarene, Eric spent much of his time and energy there. He acted in church dramas and coached church youth sports teams.

Those close to Eric said he was known for being full of life and personality, having a soft-spoken heart and a love of God. These same friends stood watch over Eric from the time the Marines brought his body to the funeral home until the morning of his burial.

And on July 19, few weeks before his death, this is what he told his mother over the phone: "I'm not afraid and you know, Mom, if something happens to me, I'm okay with Jesus. I'm fine. You're going to see me again."

Other friends have also reflected upon how important his faith was to Eric. Jerrod "Butter" Watson of Newark, OH, said:

Eric was a soldier for our country but more importantly, for God. He is guarding the gates of heaven now. We mourn the loss of such an honorable young man but rejoice that he is in a far better place and we will see him soon. May God bless the family and friends left behind. I am honored to have known such an amazing man of faith and courage. He will never be forgotten.

A fellow marine commented upon his friendship with Eric Bernholtz, also making special note of his strong faith in the Lord:

[Eric] was a solid Marine, with endless potential. I know he's in a better place now. He would never shy away from his faith and would try to convince others to believe. I remember that being one of his greatest qualities. I was always envious of his faith in the Lord. He will be greatly missed, and the Marine Corps is just a little bit weaker without him. To his parents, I couldn't have met a better man. I grieve with you, but couldn't begin to understand your pain. Be proud of Eric, he was a great person. To Eric, so long friend, I look forward to the day we meet again.

This strength in the Lord also gives Eric's parents the necessary willpower to make it through the loss of their beloved son. Jim Bernholtz said that when he and his wife learned of their Eric's death, the Lord gave them both peace right away. They miss him every day but they know exactly where Eric is. In an interview, Jim said that in twenty-some-odd years he would be shaking hands with his son again.

Eric Bernholtz was a brave young man who always wanted to do the right thing. His father said, "Eric told me when he was on the phone with me last, 'Dad, I'm not scared. I'm ready to come home, but I now have to finish what I came here to do.'"

His parents Jim and Cathy remember Eric as a "constant joy." Even when he

came home late, missing his curfew by minutes, as upset as they would try to be with him he would have them all laughing together within minutes.

At his brother's funeral, Adam Bernholtz, who is deaf, gave the eulogy in sign language. Eric was his best friend growing up and was his bridge to the hearing world. Eric grew up with sign language as much as the spoken word and fit into the deaf world as easily as the hearing. As Adam finished, he signed: "I love you. I can't wait to run and hug you when I see you again."

Eric Bernholtz will be greatly missed by all those who had the privilege of knowing and loving him. I am so honored to have been given the privilege of sharing his bravery with all of you today. Fran and I continue to pray for this courageous young man and his family.

LANCE CORPORAL CHRISTOPHER J. DYER

Mr. President, this afternoon I would also like to speak about a fellow Ohioan who gave his life during Operation Iraqi Freedom—Marine LCpl Christopher J. Dyer, from Evendale, OH. On August 3, 2005, Lance Corporal Dyer died near Haditha, Iraq, when a roadside bomb exploded under his vehicle.

Chris was only 19 years old when he gave his life in service to this Nation. But 19 years was more than enough time for him to inspire all who knew him. There are very few—young or old—who live with the same determination and joy that Chris did. Jason Rosser, one of his classmates and friends, remembers that Chris "lived every day to the fullest—if I was given 100 years more, I still couldn't catch up to him."

Winston Churchill once said something that was very simple, but which perfectly illustrates the life of Chris Dyer—"Never, never, never give up." Chris never gave up. No matter how difficult the challenge, he wasn't satisfied unless he excelled at it. In fact, Chris consistently sought out challenges that tested him both mentally and physically. Giving up simply wasn't an option in his world. He was the kind of person who sets goals—and then achieves them.

Chris graduated with honors from Princeton High School in 2004. He had excelled in his classes, taking 5 years of German and 3 of physics. "If there was a tougher course to take," his father, John, recalls, "he wanted to take it. He was such a fine young man."

Chris was well-rounded. He played viola in the orchestra and dove for the swim team. His teammates remember his drive to excel in all sports, even though he wasn't always the athlete who had the most natural ability. His father, John, remembers that Chris played football for the first time in eighth grade—and was team captain by the end of the season. And during one high school swim meet, Chris attempted a dive that fell somewhat short of what a dive should be—he belly flopped into the water with a loud smacking noise. But 5 minutes later,

Chris was bravely climbing the ladder once again—still red from the slapping of the water.

Princeton High School Principal Ray Spicher said:

Chris was a young man who had tremendous drive and tremendous potential. He was really intense about a lot of aspects of life but also fun-loving. He knew how to have a good time. Chris was the kind of guy we would all hope our kids would grow up to be like.

Chris was also involved in his community, and took the time to write to the second- and third-graders in a Sunday school class, thanking them for the letters they had sent him in Iraq—correspondence he had enjoyed sharing with his fellow marines.

I have talked about Chris the honors student and Chris the athlete. It is time for me to talk about Chris, the marine.

Chris joined the Marines out of a strong sense of duty, and because he felt it was an honor to serve. Growing up, Chris had kept his sights on his goal of one day serving his country. In high school, the advanced studies coordinator at Princeton High, Tim Dugan, was also an ex-Marine. He and Chris grew close, and had many discussions about Chris's own interest in joining the Corps.

Chris also viewed the Marines as the ultimate challenge. His father, John, recalls that his son joined the Marines for two reasons. One was to serve his country, and the other was to prove himself as one of the best. For Chris, the Marines were just another way of testing himself.

Chris also understood what it truly meant to be a marine. John remembers walking with his son just after he graduated from boot camp. These were Chris's words:

Dad, I know you're going to be worried. I don't want you to worry. I'm going to come home. I couldn't be any happier with what I am in life right now. Dad, I know this is hard for you, but if it comes to it and I have to give my life for one of my fellow Marines, I'll do it without thinking.

John says that the Marines gave Chris the focus that helped him fulfill his enormous potential. "I think, for him not to reach his dreams," John said, "would have killed him just as much as that bomb in Iraq." Upon arriving in Iraq, Chris was offered a job training Iraqis. Although this meant an immediate promotion and a job off the front lines, Chris—who was the only PFC in his company to carry a squad automatic weapon, or SAW—refused. He explained his decision in a long letter to his father, writing:

I was offered that job training Iraqis. But, Dad, I'm a SAW gunner, and you know what that firepower means to my squad, so I turned it down. So, no promotion, no safe haven, no worries.

I think Chris's letter says a lot about the type of marine he was—and about the type of marines he served with.

Chris was a member of Lima Company, which lost thirteen other men—eight of them from Ohio—on the day

Chris died. It was a tragedy felt not only by Ohio but by the entire Nation. The bond among these men was something not seen everyday. Chris' father, John, remembers that his son described them as closer than brothers. In video footage of the unit in Iraq, the musical Chris is seen strumming his guitar and singing Puff the Magic Dragon, while his Marine brothers laugh around him.

I attended Chris' funeral at Arlington Cemetery and was honored to meet his family and friends, who have been truly inspired by his strength of character and dedication to his country. Chris' little sister Sarah has also enlisted in the Marines, and is currently attending the Ohio State University on a Navy ROTC scholarship. She obtained her parents' permission to graduate from high school a year early, and was the second youngest recruit in her graduating class at Parris Island. "My brother did influence my decision in that he wanted to serve his country," she said. "He realized we have so many freedoms. We have a debt to society."

Sarah wrote the following poem in honor of her brother:

Dear Dear Brother  
You have gone home,  
To your Father, your Savior,  
Your Kingdom is come.  
Dear Dear Brother,  
You fought bravely as a knight,  
You are a Devil Dog with the fiercest bite.  
Dear Dear Brother  
We miss you so,  
Your father, mother, sisters.  
All your friends and Joe.  
Dear Dear Brother  
We will see you again,  
After triumphs, and troubles, and all of our  
pain.  
Dear dear brother,  
Stay Tough on high.  
We will remember you.  
SEMPER FI

A bright future awaited Chris Dyer. He had been accepted into the honors program at the Ohio State University and was planning to study finance so that he could become a partner in an investment firm. In the last email he sent to his father, he asked that his coming home party include salmon, burgers, steaks, and brats. He wanted to purchase a 1999 Jeep Grand Cherokee, complete with power V-6 and a Moon roof.

Chris also wrote that he wouldn't be working during the few months he was home before beginning classes—he was going to take that time to get his pilot's license, something that had been his dream for years. In a mural painted in his memory, a plane flies across a midnight blue background towards a single star representing Chris' spirit.

Chris Dyer was a man who was always reaching for the next goal, the next accomplishment. With his life he selflessly defended the values that we all cherish—freedom, liberty, and democracy. His mother, Kathy, spoke as Chris during a memorial service in his honor. "Today I am not a fallen hero," she said. "I am a risen one."

There is no one for whom that statement could be truer than Chris Dyer.

He always wanted to be the absolute best in whatever he did, be it a new sport, an honors student, a caring brother, or a marine. His parents John can take comfort in knowing that their son was successful in all of the above.

My wife Fran and I wish to express our deepest thanks to Christopher Dyer for giving his life for our freedom. We will keep his family—his parents John Dyer and Kathy Dyer, and his sisters Laura and Sarah—in our thoughts and prayers.

LANCE CORPORAL DANIEL MC VICKER

Mr. President, this afternoon I come to the Senate floor to pay tribute to a remarkable young man and a fellow Ohioan—Marine LCpl Daniel M. McVicker from Alliance, OH. Lance Corporal McVicker was killed in the city of Al Qaim, Iraq on October 6, 2005, while driving an armored vehicle that was hit by a roadside bomb. He was 20 years old.

Daniel is survived by his father and stepmother, Mark and Irma McVicker, and his mother and stepfather, Carey and Bill Meissner. He was also the loving brother of Mollie McVicker and Eddie Ricci. Daniel is also survived by his grandparents Chet and Nancy Wiley; his grandfather Morgan McVicker; and his great-grandmother Dorothy Bingham.

Danny—as he was known to family and friends—lived his life to the fullest. His mother, Carey, remembers him as “a wonderful son and a guy who always liked to have fun.” He had many interests, and was deeply involved in school extracurricular activities. As a freshman at West Branch High School in Beloit OH, he wrestled and played football until he injured his ankle. But this didn’t stop Danny, who quickly turned to a new love—music.

He joined the school’s concert choir and became a favorite participant in West Branch’s annual spring musicals, playing roles in “Guys and Dolls,” “The Wizard of Oz,” and “Grease.” During his junior and senior year, he joined the school’s highly competitive ensemble choir, Young and Alive, and also traveled to perform at Disneyland. And during his senior year, Danny earned the honor of being elected by his peers as “Assistant Warrior Chief,” one of three mascots for the school.

Danny was something we could all aspire to—a young man who simply had the confidence to be himself. This is what his father, Mark McVicker, had to say about him:

He had his own drum and people loved him for it. If you met him, you loved him. He was very strong, very friendly, very popular.

Dr. Scott Weingart, the superintendent of West Branch High School, expressed a similar sentiment. He said:

Our students remember Dan McVicker as a student who was nice to everyone, who had friends in many, many different circles.

And Mr. John Zamarelli, Danny’s music teacher, described Danny as “the rarest of teenagers—one so secure that he never worried about what anybody thought of him.”

Danny was indeed an individual with many interests. But his strongest passion was the desire to serve our Nation. Danny and his friends were only high school juniors when the September 11, 2001, terrorist attacks occurred. And yet they were deeply moved by the events of that day. Inspired to serve his country, Danny joined the Marines Corp shortly after he graduated in 2003. Nine of his classmates joined along with him, all motivated by the same desire. Together, these young men gave new meaning to the mascot of West Branch—the Warriors.

Dr. Weingart was not surprised when he learned that Danny had decided to enlist. “He was just that kind of young man,” he said.

Once Danny made the decision to enlist in the Marines, he was surrounded by love and support. Eleven family members accompanied him to his enlistment ceremony in Cleveland. They were all very proud.

In Iraq, Danny served in the Combat Logistics Battalion Security Company, providing security for convoys as part of the II Marine Expeditionary Force. His fellow marines thought very highly of him. Joe Vickery of Mantua, Ohio, remembers that he saw Danny “transform into a great marine.” In Joe’s words, Danny “never gave up.”

Indeed, Danny was a great marine who “knew what he had to do.” While stationed at the Marine Corps Air Station in Cherry Point, NC, he volunteered to go to Iraq on several occasions. In the words of his father, Mark:

He truly felt like he wasn’t contributing unless he was over there.

This was just typical of Danny. He was always willing to help out—be it his country, community, or fellow man. He was a proud member of the First Brethren Church of North Georgetown, someone deeply rooted in his church and community. After joining the Marines, he corresponded on a regular basis with his pastor, Rev. Mitchell Funkhouser. Reverend Funkhouser particularly recalls one letter, the last that Danny sent. Referring to his duty to protect the other troops, Danny had written:

They called us the Guardians. It’s a humbling title.

I would like to share a story that his father Mark relates about Danny, who had wanted to get a tattoo since he was 18, but waited until he joined the Marines to do so. Danny had waited until after his 18th birthday to enlist because he wanted to sign up on his own—he didn’t want his dad to do it for him. Well, Danny talked over the tattoo decision with his father Mark and his stepmother Irma. A Bible verse was what he wanted, he said, thinking that because it was religious they would agree to it quicker. As his father, Mark, says:

So one Sunday the three of us sat down in the living room and researched the Bible. He said I want something that describes strength and it must be in the Book of Daniel.

Mark and Irma—but mostly Danny—agreed after a couple hours of Bible study that Daniel 10:6 was going to be his first tattoo once he was a Marine. Danny unveiled the new tattoo that Thanksgiving. It was on his left shoulder and read:

His body also was like the beryl, and his face as the appearance of lightning, and his eyes as lamps of fire, and his arms and his feet like in colour to polished brass, and the voice of his words like the voice of a multitude.

Danny was proud of the chosen verse, and Mark himself even agreed that it was a nice-looking tattoo. And 10/6—the number of the Bible verse that Danny chose—also became the month and day that he died a hero serving his Nation, a symbol of strength and dedication.

Danny McVicker was dearly loved and respected by all who knew him. Over 400 friends, neighbors, and strangers came to his funeral to pay their respects. At the funeral, Danny’s old roommate, Marine Corporal Ben Fiddler, said that “having Daniel as a friend was a blessing.”

Danny’s schoolmates at West Branch felt the same way. After his death, they honored him with a makeshift memorial in front of the school. The school has also formalized a tribute by naming a senior award in his honor, and a moment of silence was observed in his honor before a West End versus Alliance High School football game, a game which Danny’s Warriors won with a thrilling, last minute field goal.

Indeed, his family, friends, and neighbors will never forget Danny McVicker. He lived life to the fullest, and was model of what we all hope our children will become. His heart was big, and he had a tremendous sense of dedication to his family, community, and country. His parents should be applauded for having raised such a wonderful son and patriot.

My wife Fran and I will continue to keep the family of Daniel McVicker in our thoughts and prayers.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. DEWINE. Mr. President, I ask unanimous consent the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

Mr. DEWINE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

#### MEDICARE ENHANCEMENTS FOR NEEDED DRUGS ACT

Mr. WYDEN. Mr. President, a new public opinion poll shows that Americans are particularly concerned about the restriction that keeps Medicare from bargaining to hold down the costs of the medicine older people purchase.

In fact, a new poll yesterday indicated 93 percent of the American people want this restriction lifted—and for obvious reasons. The fact of the matter is, millions of older people simply cannot pay their skyrocketing prescription drug bills and they want to know why the Government isn't doing more to contain these costs.

Fortunately, we have been able to make a little bit of headway on this issue in the Senate. Senator SNOWE and I, in particular, earlier this year, got the support of 54 Senators, a majority of the Senate, to lift this restriction and take stronger action to hold down the cost of medicine.

Medicare is sort of like the guy going to Costco buying toilet paper one roll at a time. The Government is not acting like a smart shopper. The Government is not taking practical steps like everyone in Tennessee, Oregon, Iowa, or anywhere else, to use bargaining power to hold down the cost of this essential for older people, prescription drugs.

We have made a bit of headway. I have been particularly pleased the distinguished Senator from Nevada, Mr. REID, made it clear this would be a top priority for the Senate to take up when we begin our work early next year.

Given that and in hopes that the Senate can come together on a bipartisan basis—and I believe the approach Senator SNOWE and I have been taking for the past 3 years can now get over 60 votes in the Senate—I take a few minutes tonight to outline a bit as to how it would work if this restriction was lifted and Medicare could genuinely act to hold down the cost of medicine.

So let's start with the example of a new drug coming out on the market for cancer, and it is an expensive drug. Let's say this drug that many seniors will need will cost \$100,000. At present, each of the plans that offers the prescription drug benefit has to negotiate for the few people in each of those plans who might need the new drug.

If the legislation Senator SNOWE and I have been advocating became law, the Secretary could negotiate on behalf of all the people in the Medicare private plans who need the drug. That way, there would be new leverage for older

people in the private marketplace to hold down the cost of medicine. If you had a small number of people in a private plan, say, in Tennessee, and a small number of people in a private plan in Oregon, and a small number of people in a private plan in Iowa, the Secretary could negotiate on behalf of all of those people in Medicare's private plans. That could mean real savings to folks in Tennessee and folks in Oregon and folks elsewhere who right now do not have a lot of leverage in the private marketplace.

Now, think about the implications of this proposal. Nobody is talking about price controls. Nobody is talking about a one-size-fits-all run-from-Washington, DC, approach that would freeze innovation.

I know the distinguished Senator from Tennessee has been particularly interested, as I have, in taking approaches that promote innovation in the science and biomedical fields. What I have just described, which is something that could be done under the approach Senator SNOWE and I have been advocating, will not freeze research, will not freeze innovation, but will make darn sure the senior citizens of this country and the taxpayers of this country have a new opportunity to hold down the cost of medicine and also protect the wallets of our taxpayers.

Let me give another example of how this approach can contain the costs of medicine. Let's say we have an older person in Portland, OR, or Miami or New York. They are in a metropolitan area, and in the metropolitan area they may have a choice of major plans because a lot of folks are vying to get a part of the "big city" market with a lot of older people. So let's say one of the seniors is in an HMO, a health maintenance organization, or they are in something called a PPO, a preferred provider organization, or maybe they are in a drug-only private plan. All of those private entities may be looking for ways to hold down the costs, but if one of those private plans does not get the same deal the other big private buyers get, then one of those plans can ask Medicare to step in at that point. In effect, one of those private plans that is not getting a fair shake in the marketplace can say to Medicare: Hey, look, we are not getting a very good deal when it comes to negotiating for our seniors. At that point, Medicare could step in and say: We are going to assist in that kind of bargaining process.

I happen to think just the fact Medicare is in a position to have that leverage—if the private marketplace is not willing to bargain seriously, is not willing to negotiate seriously—just the fact there would be that kind of leverage for Medicare can help to be a force to contain the cost of medicine for older people.

So here again I have cited an example of how you can hold down the cost of medicine without price controls,

without national formularies and approaches that could constrain innovation, just by using plain old common sense and bargaining power, the way every business does in North Carolina, Tennessee, and across the country.

Now, finally, it seems to me we ought to be thinking about the fact that with many older people, they will have a private retirement package as well. So a lot of those seniors are concerned about their overall health care bill, knowing they are going to get some help from Medicare and some help from a private health package as well. But if you hold down the costs of the Medicare plan, then you are going to have more money in the pockets of older people as they try to cope with their extra out-of-pocket costs.

So when the Medicare plans save seniors money on medicine, that is simply less cost the retiree plan has to make up. Seniors are going to be looking at their overall bill, and they want to know that every step possible is being taken to hold down their Medicare expenses, as Senator SNOWE and I have been advocating for the last 3 years, because if that is done, there is simply less cost for the retiree plan to make up.

Containing the costs on the Medicare side has the potential to help keep costs down for employers insuring their retirees. So if you do that, you are also going to provide some relief to the taxpayers of this country because included in the original Medicare bill are a lot of subsidies designed to help employers keep insuring their retirees so a lot of older people do not just get pushed back entirely into Medicare when their employers ought to be helping them. By containing drug costs through Medicare and containing some of the costs for those employers, then the need for taxpayer dollars to shore up those employer plans goes down.

What is the bottom line? We are going to be able to help seniors not through a Government cost-containment approach but by empowering those who are supposed to advocate for them in the private marketplace. That is what 54 Members of the U.S. Senate have voted for. It is a comprehensive, market-based, cost-containment approach. It will help older people in the marketplace if they are part of a small plan. And the Secretary is in a position to negotiate on behalf of all of those in those small plans, say, for an expensive cancer drug. It could help the older person in a big city where some plans are getting a good deal but one senior is not. At that point, the senior wants somebody to make sure there is some extra clout in the marketplace.

Finally, I think what Senator SNOWE and I have been advocating over these last 3 years will help employers and taxpayers as well. If you hold down the costs on the Medicare side, that is going to mean the employers—the employers—of this country are not going to have to come up with as much

money on their side to protect their retirees. Containing costs on the Medicare side clearly has the potential to keep costs down for employers insuring their retirees.

So now, as the Senate begins to schedule for early next year and Senators look at the variety of issues that are coming up, I hope they will look in particular at this concept which has won the support of 93 percent of the American people. I think most Americans just scratch their heads and say: How in the world could the Government say the only people in the United States—the only people in the United States—who will not bargain to hold down the costs of medicine are those running Medicare?

If you are in North Carolina and you are in the technology sector or you are in Oregon in the natural resources sector, the first thing you try to do is use your bargaining power and get the most for your dollar. You act as a smart shopper. And people have been flabbergasted that Medicare is the only “person” out there shopping without using every bit of clout that would be available to older people in the marketplace.

That is why this evening I wanted to take a few minutes to outline specifically how the changes Senator SNOWE and I have been advocating for the last few years would work. They are common sense. They use the marketplace to protect the wallets of senior citizens and our taxpayers. I am particularly pleased Senator REID has indicated this would be a high priority. Fifty-four Members of the U.S. Senate have already voted for it. I hope next year—as people begin to understand, with the examples I have given tonight and others, how this would work—my hope is early next year a significant step will be taken finally to hold down the costs of the medicines that are essential for this country’s older population.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURR). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### EDWARD MCGAFFIGAN, JR.

Mr. BINGAMAN. Mr. President, the Nuclear Regulatory Commission was established on January 19, 1975, to regulate the Nation’s civilian nuclear power industry. Since then, 25 men and three women have served as members of that commission. Members are appointed by the President by and with the advice and consent of the Senate for 5-year terms. On November 3, Commissioner Ed McGaffigan, Jr. became the longest serving member of the NRC. Of the 28 men and women who have served as commissioners since

1975, only 6 have been reappointed to a second term. Only one, Ed McGaffigan, has been reappointed to a third term. First appointed by President Clinton in 1996, Ed was reappointed to a second term in 2000, and reappointed by President Bush to a third term in 2005.

The Senate rarely confirms NRC nominations before the date set by law for the term to begin, so none of the six commissioners who have served 2-year terms have served a full 10 years. Until this month, the longest serving NRC commissioner was Kenneth Rogers, who served a week short of 9 years and 11 months. On November 3 of this year, Ed McGaffigan broke that record.

Length of time in office, of course, is not an end in itself. How long a commissioner serves is not as important as how well he or she serves the public interest while on the commission. By this measure, too, Ed McGaffigan stands out.

Congress created the Nuclear Regulatory Commission not to promote nuclear power but to regulate nuclear power. The commission’s job, in the words of the Atomic Energy Act, is to “promote the common defense and security and to protect the health and safety of the public.” Ed has taken those words to heart.

Throughout his time on the commission, Ed has worked to improve the efficiency and the effectiveness of the NRC’s regulatory programs. He has been instrumental in improving the reactor oversight process, focusing it more directly on risks and on activities important to plant safety and, at the same time, making it more transparent and open to the public. Following 9/11, he helped revamp the NRC’s security and emergency preparedness programs to strengthen the Nation’s nuclear facilities against the possibility of a terrorist attack. He has helped lay the groundwork for licensing the next generation of nuclear powerplants, new uranium enrichment plants, and the nuclear waste depository. He has also taken an active role in managing the generation change confronting the NRC by helping to hire and train a new generation of nuclear regulators to replace the current generation which is now retiring. He is a firm but fair regulator and an effective nuclear safety watchdog.

I take special interest in Ed’s achievements on the commission because Ed was one of the first people I hired when I came to the Senate in 1983. He was a legislative assistant. Later he was my legislative director and, finally, my senior policy adviser. He was my right hand on defense and technology policy, on personnel and acquisition reform, on nuclear non-proliferation and export control policy, all of that until he joined the NRC in 1996.

Ed had already established himself as a brilliant physicist and a dedicated public servant before I hired him. He had earned degrees in physics from both Harvard and Cal Tech and in pub-

lic policy from Harvard’s Kennedy School of Government. He had served in the Foreign Service. He had been a science attache at our embassy in Moscow. He held simultaneous senior posts on both the staff of the National Security Council and the Office of Science and Technology Policy. He was, in short, an established expert on science and technology and energy and defense issues when he joined my staff. As a newly elected Senator, I was indeed fortunate to have his counsel at the start of my work here in the Senate. He is an invaluable ally, a tenacious adversary, and a fine human being. I am honored to have his friendship.

It comes as no surprise to me that Ed has served the commission as long or as ably as he has. He has devoted his career to public service. He has served us well with his scientific skill, his expert knowledge, and his sound judgment.

At his third confirmation hearing before the Committee on Environment and Public Works last year, Ed spoke movingly of his Irish immigrant father. He had encouraged Ed to “dream big dreams” and taught him, by acting on those dreams, to make them possible. In a lifetime of public service, Ed has dreamed big dreams and the Nation is better for it.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### SERVING FLORIDIANS

Mr. NELSON of Florida. Mr. President, it is a great privilege for this Senator from Florida to continue public service as a result of the will expressed in last Tuesday’s election by the people of my State of Florida. It is a great privilege for a lifetime of public service. It is especially a great privilege serving in this body at this time in our Nation’s history, with the challenges that are facing us.

I believe there are many messages that have come from the American people in this election that we have just experienced. Clearly, the issue of Iraq and the policy of the United States Government toward Iraq is one. That was discussed during the election all over this country, and it was particularly discussed as two of the main items of interest in the two televised debates that we had in the Senate election in Florida.

The other message coming out of this election, in addition to Iraq, is that the American people are tired of the partisan bickering. They have seen excessive partisanship operative in Washington. When they see that excessive partisanship overlaid with ideological

rigidity, the result is gridlock. That is what we have had, in large part. People would like for their public servants to perform by reaching out to each other across the aisle and bringing people together in order to build that consensus in order to govern. That has not been the main theme in the American Government in the last several years.

I hope that both the House of Representatives and the Senate are getting that message loudly and clearly from the American people. I can tell you, Mr. President, I know what Floridians are thinking. It is my business to know that. Interestingly, also, Florida is a microcosm of the Nation. People are tired of this bickering. Folks do not want a Republican or a Democratic solution; they want the right solution. If you do what is right, you can get a lot done. That is what the American people want.

Certainly, a thorny problem, such as how to bring about stability in Iraq, is going to require a bipartisan solution. It is going to take a great deal of cooperation between the legislative branch, the Congress, and the executive branch, the President. The statements that we have heard by the new majority leaders of both the House and the Senate, as well as the statements made by the President, are certainly statements in the right direction. Now we will see if those statements can, in fact, become a reality in deeds and accomplishments.

This Senator is dedicated to reaching out and building that consensus across the aisle, when you look at the enormous challenges that are facing this country in addition to Iraq—the whole war on terror, the defense of the homeland, the protection of our seaports; the stability of the U.S. budget, the attempt to bring the budget back into balance, an approach of pay-as-you-go; attending to the needs of our senior citizens, particularly senior citizens who have been lifted out of so much poverty as a result of these programs, such as Medicare and Social Security, and the protection of those programs and the proper financing of those programs; the need of the United States to address the needs of assisting State and local governments on education; the preparation for the big one that is surely to come in terms of natural disasters because, surely, we are going to have it—and the two Senators in the Chamber, both, are coastal Senators. A category 4 or 5 hit directly from the water on a highly dense urbanized area, and that will cause economic havoc that will be even over and above what we have seen, and the potential of insurance losses in excess of what we experienced in the 2005 and 2004 hurricanes that hit a lot of our Southeastern States.

When the economic loss and insurance loss hits \$50 billion, there is no one State, no one insurance company that can withstand that kind of loss. That is another challenge facing us. Then there is the straightening up of

FEMA and its ability to respond, and respond quickly, which I have great hopes under Administrator of FEMA Paulison that we are much better prepared than we were in the 2004 and 2005 hurricane cycles.

As we go down the list of the challenges that are facing this country—and there are many that I have not named—these cannot be solved as a Democratic or as a Republican solution; they have to be solved with the right solution; otherwise, you will never get consensus, particularly in the Senate. So this is my profound hope, and I want to express it to the Senate on this first day after the Tuesday election of November 7.

The message has been clear: Stop the partisan bickering. Reach out across the aisle. Bring people together with the enormous geographical and philosophical differences as are expressed in this Senate, reflecting the opinions of the people of the United States to reach out across these partisan lines and bring people together.

Mr. President, again, I appreciate the privilege of continuing my service to our country as I express this heartfelt opinion.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Georgia.

#### TRIBUTE TO DR. ROBERT LIPSON

Mr. ISAKSON. Mr. President, simultaneous with my remarks tonight at Kennesaw University Convocation Center in Cobb County, GA, there is a memorial service where thousands of my fellow citizens are paying tribute to the life, the times, and the contributions of Dr. Robert Lipson. On Saturday night, Dr. Lipson, leaving Kennestone Hospital, was killed in a tragic automobile accident with a motorcycle just two or three blocks from the health care facility to which he had dedicated the majority of his life.

Dr. Lipson was just not any ordinary doctor; he was an extraordinary human being. Dr. Lipson was president and CEO of WellStar Health Systems, the owner and operator of five hospitals in metropolitan Atlanta, in Cobb, Douglas, and Paulding Counties, the employer of hundreds of doctors and thousands of caregivers, and one of the true leaders in modern health care today in our State.

Dr. Lipson, in his time at Kennestone Hospital, did a \$68 million capital improvement with an 84-bed residential tower. He brought an open-heart surgical unit to Kennestone Hospital, and at the time of his tragic loss, Dr. Lipson's emergency room at Kennestone Hospital was the second largest emergency room in the State of Georgia and one of the largest in the United States, serving victims of tragic trauma throughout the metropolitan area.

But it wasn't only his leadership as the head of WellStar Health Systems. For 25 years prior to his appointment, he had a practice in internal medicine

in our community. He was a leader in his synagogue, Etz Chaim, and brought to that leadership tremendous involvement in our community. He was a gifted photographer. In fact, only 8 weeks ago—8 weeks before his death—his photography was displayed at Kennesaw University for all to see because of his great insight, his great talent, his credibility, and the way he had captured not only our community but all the special places in the world he visited.

So tonight on the floor of the Senate, on behalf of myself and thousands and thousands of citizens in my State, I extend to his wife, his mother, his son, and his daughter our sympathy in this tragic loss but also our pride and joy in the great contributions of Dr. Robert Lipson to the betterment of the health of countless thousands of citizens and the betterment and the health of our community.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### HONORING OUR ARMED FORCES

CORPORAL LANCE M. THOMPSON

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Upland, IN. Cpl Lance M. Thompson, 21 years old, died on November 15th. Lance was killed by an improvised explosive device while conducting combat operations in the Al Anbar Province of Iraq. With his entire life before him, Lance risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

A 2001 graduate of Eastbrook High School, Lance followed in his brother Phillip's footsteps by joining the Marines. His father, Gregory, told the Kokomo Tribune that his son had been a committed member of the Armed Forces and believed in what the Marines were doing in Iraq. Reflecting on Lance's life, his half-brother, Matt, told the Marion Chronicle-Tribune that his "motto" had been "gung-ho." This selfless dedication carried Lance through his first tour of duty in Iraq and led him back again for a second tour, which began in September of this year.

Lance was the 38th Hoosier soldier to be killed while serving his country in Operation Iraqi Freedom. He was assigned to the Weapons Company, 2nd Battalion, 5th Marine, 1st Marine Division, Camp Pendleton, CA. This brave young soldier leaves behind his wife Dawn, his father Gregory, his mother Melanie, his brother, Phillip; and his half-brothers, Matt and Alexander.

Today, I join Lance's family, his friends, and the entire Upland community in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Lance, a memory that will burn brightly during these continuing days of conflict and grief.

Lance was known for his dedication to family and his love of country. According to friends and loved ones, he also enjoyed spending time outdoors, being with children and animals, and was always making jokes. Today and always, Lance will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Lance's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Lance's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Lance M. Thompson in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged and the unfortunate pain that comes with the loss of our heroes, I hope that families like Lance's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Lance.

LANCE CORPORAL JAMES BROWN

Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Owensville. James Brown, 20 years old, died on November 2 after being struck by a sniper bullet while on patrol in Al Anbar Province west of Baghdad. James risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Inspired by the Sept. 11, 2001, terrorist attacks, James joined the Marines after graduating from Gibson Southern High School in 2005 and was deployed to Iraq in June. He planned to marry his high school sweetheart, Jamie Coleman, when he returned home in a few months. Family friend

Kenny Dewig said James had been a leader in the Marines just as he had been a leader with his Titans high school football team, "He was just in charge of the whole squad on patrols. He was just a really good boy."

Jonathan was killed while serving his country in Operation Iraqi Freedom. He was assigned to the 3rd Battalion, 2nd Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, NC. This brave soldier leaves behind father James Ling of Evansville, mother Joanne Van Antwerp of Owensville, sister Carma Dart, and brother Dillen Friend.

Today, I join James's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of James, a memory that will burn brightly during these continuing days of conflict and grief.

James was known for his dedication to his family and his love of country. He was looking forward to his wedding and starting a life with Jamie. Today and always, James will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring James's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of James's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of James Brown in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged and the unfortunate pain that comes with the loss of our heroes, I hope families like James's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with James.

SERGEANT BROCK BABB

Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave Hoosier from Evansville. Brock Babb, 40 years old, died on October 15 after a roadside bombing in Al Anbar Province, Iraq.

Brock risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Brock enlisted in the Marines after graduating from Reitz High School in 1984. He served in the first Gulf War and then returned home to become a sheet metal worker and raise his family. In 2004, Brock decided to reenlist, feeling that he had unfinished business in Iraq. Brock was remembered by his mother Susie as a dedicated and caring American happy to carry out his duty, when she said that he wanted to help young marines survive.

Brock was killed while serving his country in Operation Iraqi Freedom. He was assigned to Marine Forces Reserve's 3rd Battalion, 24th Marines, 4th Marine Division. This brave soldier leaves behind wife Barbara Babb; parents Susie and Terry Babb; and children Tanner, Zoie, and Levi Babb.

Today, I join Brock's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Brock, a memory that will burn brightly during these continuing days of conflict and grief.

Brock was known for his dedication to his family and his love of country. He had only been in Iraq for 2 weeks at the time of the attack and was looking forward to helping his fellow marines. Brock's dedication and sense of duty made him a model marine and a true leader for the others serving with him. Today and always, Brock will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Brock's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Brock's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Brock Babb in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged and the unfortunate pain that comes with the loss of our heroes, I hope families like Brock's can find comfort in the words of the prophet Isaiah who said, "He

will swallow up death in victory; and the Lord God will wipe away tears from off all faces.”

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Brock.

SERGEANT KRAIG FOYTECK

Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from LaPorte. Kraig Foyteck, 26 years old, died on October 30 after being hit by small arms fire during a raid on a house near Baghdad. Kraig risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Kraig enlisted in the military at 23 in search of adventure. He had a passion for gymnastics and enjoyed parachuting. Kraig’s mother spoke of his deep sense of patriotism and commitment to his country, telling a local news outlet that the night before he left for his tour she sensed second thoughts, but her son wanted to honor his commitment. In August 2005, Kraig was sent to Mosul in northern Iraq, where his mother said he patrolled with his Stryker unit and handed out candy and toys to Iraqi children. Kraig was supposed to have finished his tour in August, but the day before leaving Iraq, he was told he would be sent to Baghdad for a few months. He was due to return in January. He had hoped to reenroll in college after being discharged from the Army and planned to study medicine.

Kraig was killed while serving his country in Operation Iraqi Freedom. He was assigned to A Company, 2nd Battalion, 1st Infantry Regiment, 172nd Stryker Brigade Combat Team, Fort Wainwright, AK. This brave soldier leaves behind his mother, Connie Foyteck of LaPorte; father Rik Gutzke of Oregon; a brother, Christopher; and grandparents Virginia and Jack Foyteck.

Today, I join Kraig’s family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Kraig, a memory that will burn brightly during these continuing days of conflict and grief.

Kraig was known for his dedication to his family and his love of country. The Army awarded him a Purple Heart in December after he broke four bones in his back, but Kraig insisted that he return to his unit. Today and always, Kraig will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Kraig’s sacrifice, I am reminded of President Lincoln’s remarks as he addressed the families of the fallen soldiers in Gettysburg: “We cannot dedicate, we cannot consecrate, we

cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.” This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Kraig’s actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Kraig Foyteck in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Kraig’s can find comfort in the words of the prophet Isaiah who said, “He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.”

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Kraig.

PRIVATE FIRST CLASS NATHAN J. FRIGO

Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Kokomo, IN. Nathan J. Frigo, 23 years old, died on October 17 in Baqubah, Iraq. Nathan risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Nathan enlisted in the Army after graduating from Northwestern High School in 2001. He is remembered as an active student and athletic leader, having lettered in both track and cross country. Nathan chose the position of infantryman and volunteered to serve a 4-year tour of duty. Nathan’s father spoke of his deep sense of patriotism and commitment to his country, saying, “He knew the risks, but he wanted to go where he was needed. He wanted to help, and he wanted to make a difference with his life.”

Nathan was killed while serving his country in Operation Iraqi Freedom. He was assigned to Headquarters and Headquarters Company, 1st Battalion, 68th Armor Regiment, 4th Infantry Division, Fort Carson, CO. This brave soldier leaves behind parents Maureen and Fred Frigo and sisters Sarah and Beth.

Today, I join Nathan’s family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Nathan, a memory that will burn brightly during these continuing days of grief.

Nathan was known for his dedication to his family and his love of country, having aspired since he was a child to become a member of the military. The Army announced that he has been elevated to specialist and awarded a

Bronze Star and a Purple Heart. Today and always, Nathan will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to justly honor the Frigo family’s sacrifice, I am reminded of President Lincoln’s condolences to the mother of two fallen soldiers: “I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours, to have laid so costly a sacrifice upon the altar of Freedom.” These words of comfort withstand the tests of time and circumstance, and remind us all that the impact of Nathan’s actions will live on far longer than any record of them.

It is my sad duty—and great honor—to enter the name of Nathan Frigo in the official RECORD of the U.S. Senate for his service to his country and for his profound commitment to freedom, democracy, and peace. When I think about the terrible pain that comes with the loss of our heroes, I hope that families like Nathan’s can find comfort in the words of the prophet Isaiah who said, “He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.”

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Nathan.

SERGEANT 1ST CLASS SCOTT E. NISELY

Mr. GRASSLEY. Mr. President, today I rise to pay tribute to SFC Scott E. Nisely, who made the ultimate sacrifice while serving his country. Sergeant Nisely, of Marshalltown, IA, was assigned to C Company, 1st Battalion, 133rd Infantry Regiment, 34th Infantry Division, Army National Guard, based out of Iowa Falls, IA. He was mobilized for Operation Iraqi Freedom with the unit in September 2005 and arrived in Iraq in early May 2006. He died at the age of 48, on September 30, 2006, in Al Asad, Iraq, when his military vehicle encountered small arms fire.

Staff Sergeant Nisely will be posthumously awarded the Bronze Star for the second time, the Purple Heart, the Iraq Campaign Medal, the Army Good Conduct Medal, the Armed Forces Reserve Medal with Mobilization device for the second time, and the Combat Infantryman Badge.

My thoughts and prayers have been with Scott’s wife Geri and his children, Justin and Sarah, as well as all those other family and friends who are grieving his loss. Scott’s family said, “Scott was a dedicated and loving husband and father. He was actively involved in his children’s lives. He was a loyal, compassionate, and caring friend that everyone liked. He loved and was committed to God, and was very involved with his church and community.”

Learning about the sacrifice of Scott Nisely, I am reminded of the words of

John 15:13: "Greater love has no man than this, that he lay down his life for his friends."

His family also said of Scott that he "loved his country and was a volunteer career service-member that was proud and honored to serve his country." Our Nation will be forever grateful for Scott Nisely's loyal service and sacrifice. His loss is tragic, but he will be remembered as an American hero.

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of U.S. Army National Guard SFC Scott Nisely of Nebraska. Sergeant Nisely died during a firefight with insurgents near Asad, Iraq, on September 30. He was 48 years old.

Sergeant Nisely was born in Syracuse, NE. After high school, he attended Doane College in Crete, NE, where he competed in track and cross country. He would later settle in Marshalltown, IA, with his wife Geri. In addition to his service in the Armed Forces, Sergeant Nisely also worked for the U.S. Postal Service in Iowa for 12 years.

While at Doane, Sergeant Nisely enlisted with the Marine Corps Reserve and served 22 years with the Marines on active duty and as a reservist. He was a veteran of Operation Desert Storm. In July, 2002, Sergeant Nisely accepted a demotion in rank to fill a vacancy in the Iowa Army National Guard and served in that capacity until his death.

Sergeant Nisely will be remembered for his strong faith and his desire to serve his country. In honor of Sergeant Nisely, Doane College will rename an annual track and field event the Scott Nisely Memorial Track Classic.

In addition to his wife, Sergeant Nisely is survived by his son Justin and his daughter Sarah.

I ask my colleagues to join me and all Americans in honoring SFC Scott Nisely.

#### A MALL MEMORIAL FOR DR. KING

Mr. LEAHY. Mr. President, this morning, our Nation took an important step toward honoring one of our most preeminent leaders. The National Mall in Washington, DC, is graced with memorials to America's greatest presidents. Today we broke ground on a memorial to honor the Reverend Dr. Martin Luther King, Jr. Although never elected to national office, Dr. King courageously led the Nation through a crucial chapter of American history and became the voice of the entire civil rights movement.

In his famous "I Have A Dream" speech on the National Mall, Dr. King noted that "[w]hen the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir."

This past summer we reaffirmed and reauthorized one of the most important methods of enforcing this promise and

upholding the Constitution—the Voting Rights Act. Over the course of dozens of Judiciary Committee hearings and markups, we recalled the great historic struggle for civil rights led by American heroes of vision and strength, including Martin Luther King, Jr., and his widow, Coretta Scott King.

The pervasive discriminatory tactics that led to the original Voting Rights Act were deeply rooted. As a Nation, this effort to ensure equal protection dates back more than 135 years to the ratification of the 15th amendment in 1870, the last of the post-Civil War Reconstruction amendments. It took the passage of the Voting Rights Act of 1965 for people of all races in many parts of our country to effectively begin exercising the rights granted 95 years earlier by the 15th amendment. Despite the additional gains we have made in enabling racial minorities to participate fully in the political life of our country, the work of the Voting Rights Act is not yet complete, and the dream of Dr. King has not yet been fully realized. But his dream lives on, as vital and as inspirational as the day it was delivered.

Just last week, we had a historic national election. Men and women of every color and creed came to polling places around the country to have their voices heard. Nonetheless, some citizens experienced problems casting their votes. The Senate Judiciary Committee will hold a long-overdue oversight hearing this week to examine shortcomings in the enforcement of our civil rights laws and the guarantees of political equality enshrined in the 14th and 15th amendments. In doing so, we continue to honor the promissory note written to all Americans.

I look forward to bringing my children and grandchildren to the Martin Luther King, Jr. Memorial when it is completed in 2008. I trust it will be a moving tribute befitting one of our Nation's greatest leaders.

#### NATIONAL HERITAGE AREAS ACT

Mr. LIEBERMAN. Mr. President, I rise to celebrate final passage of the National Heritage Areas of 2006. I am grateful that Congress finally has recognized the Upper Housatonic Valley in Connecticut and Massachusetts for its special contribution to the American experience. This new law designates the Upper Housatonic Valley as a National Heritage Area and authorizes \$10 million to preserve its historic and cultural assets.

Today's victory has been a long time in coming. In 2000, I sponsored legislation directing the Secretary of the Interior to conduct a study of the feasibility of establishing the Upper Housatonic Valley as a National Heritage Area. After the Interior Department completed that report, Senator DODD and I in 2003 introduced the first bill to create the Upper Housatonic National Heritage Area. Last Congress, a

bill that would have created that area and a dozen others passed the Senate but died in the House. In this Congress, we reintroduced the Senate bill, and Representative NANCY JOHNSON reintroduced its House companion. Finally, after 6 years of hard work, I can stand announce that legislation to create the Upper Housatonic National Heritage Area has passed the Senate and the House. The act now goes to the President, who is expected to sign it into law without delay.

The Upper Housatonic Valley's history is this Nation's history in microcosm—spanning Native American civilization, European settlement, the industrial revolution, and the present day. In contrast to many other areas of the country, the Upper Housatonic Valley's early historical and natural landscape remains largely intact. What is more, the area presents excellent opportunities for outdoor recreation, on waterways and greenways or trails, and a wide range of other activities for visitors or residents. For example, the section of the river below Falls Village, Connecticut is one of the Northeast's most prized fly-fishing centers.

This unique 950-square-mile region encompasses 29 towns in the Housatonic River watershed, extending 60 miles from Lanesboro, MA, to Kent, CT. The valley brims with more than 100 historically important sites—some dating back to pre-Revolutionary times—including five National Historic Landmarks and four National Natural Landmarks.

The Iron Heritage Trail celebrates the valley's distinctive role in iron production. During the Revolutionary War, cannons and rifles were forged for Gen. George Washington's Army from abundant local iron ore, and iron used in the USS *Constitution* also came from this area. More than 40 iron blast furnaces in the region fueled the Industrial Revolution.

Within Upper Housatonic Valley, the African-American Heritage Trail celebrates the region's significant contributions to our Nation's African-American history, including the abolitionist and civil rights movements. For example, the valley was home to Elizabeth "Mumbet" Freeman, a pioneer in the fight against slavery, W.E.B. Du Bois, a father of the modern civil rights movement, NAACP leader Mary White Ovington, and Frank Grant of the Negro Baseball League.

The valley has produced writers, painters, sculptors, photographers, and musicians, among them Herman Melville, Edith Wharton, Norman Rockwell, Daniel Chester French, James VanDerZee, and James Weldon Johnson. These artists have left the Nation a rich cultural inheritance. Today, the region remains a vibrant center for ongoing literary, artistic, musical, and architectural achievements.

Coordinated efforts to preserve the natural and cultural resources of this region are already well underway. The designation of the Upper Housatonic

Valley National Heritage Area supports and enhances these local efforts to interpret, preserve, and showcase the diverse historic, cultural, and natural resources of the valley.

In closing, I would like to congratulate the many dedicated advocates in Connecticut, whose dogged efforts led to today's achievement.

#### LONG ISLAND SOUND STEWARDSHIP ACT

Mr. LIEBERMAN. Mr. President, I rise to celebrate final passage of the Long Island Sound Stewardship Act. I am proud to have coauthored and introduced this bill in the Senate in April 2004. This body passed the bill that October, but then the bill died in the House. So we reintroduced it in the Senate last January, and Representative ROB SIMMONS reintroduced its House companion. The House passed its bill on Wednesday, and we in the Senate have just followed suit. Now the bill will go to the President, who is expected to sign it into law without delay. Today's final passage will ensure expanded protection and restoration of a national treasure.

A healthy Long Island Sound is crucial to our region's economy, quality of life, and heritage. I am deeply gratified that Congress has acted to support a new way for communities and citizens to work together to preserve this ecologically important estuary for years to come. The Long Island Sound Stewardship Act, or LISSA, will help protect the sound by providing financial incentives for land owners within the sound area to preserve the environmental quality of and public access to this endangered habitat.

Long Island Sound is a unique estuary with profound economic, ecological and cultural importance for the United States. This critical resource contributes approximately \$6 billion annually to the economy of the region, and it is especially important to the tens of millions of people who live within 50 miles of its shores.

We have come a long way in restoring the Sound and its rich biodiversity. Take, for example, the osprey—a bird that has come to symbolize the Sound. In 1940, there were approximately 1,000 osprey nests along the Sound shoreline. But by 1974, pollution reduced the number of osprey nests to just nine. Because of proactive conservation measures, the osprey has rebounded. That is real progress.

Despite our efforts, however, the sound remains in a diminished condition. It suffers from hypoxia, habitat loss, and contamination by toxic substances, pathogens, and solid waste, all of which negatively affect the health of all the organisms, including humans, who live in or near the sound.

I have been working to defend the sound since I arrived in the Senate. In 1989, I sponsored legislation that established a Long Island Sound office within the U.S. Environmental Protection

Agency. EPA's Long Island Sound Office went on to identify the sound region as vulnerable to degradation and, with my support, established the Long Island Sound Study to develop a plan for protecting the sound. In 2000, I kicked off a "Listen to the Sound" campaign, which focused on establishing a comprehensive network of open space and natural areas along the sound's rim, as well as creating more opportunities for public access and habitat restoration. More than 1,500 Connecticut and New York residents attended those meetings. In 2002, the EPA released the results of its Long Island Sound study, which concluded that coordinated action to save the sound was necessary.

Building on several of the EPA study's recommendations and on feedback from my Listen to the Sound meetings, I introduced LISSA in April 2004 with Senators DODD, SCHUMER, and CLINTON as cosponsors.

LISSA establishes a broad-based Long Island Sound Stewardship Advisory Committee comprised of all sound stakeholders, including Federal, State, local governments, tribal interests, nongovernmental organizations, academic interests, private interests including land, agriculture, and business interests, and recreational and commercial fishing interests. The advisory committee is charged with evaluating the parcels of land within the sound region and recommending crucial parcels for designation by the Environmental Protection Agency as Stewardship Sites eligible for special preservation funds. LISSA authorizes \$25 million per year for fiscal years 2007 through 2011 to the EPA Administrator to carry out this act.

By enacting this legislation, we aim to preserve the natural beauty and ecological wonder of this majestic waterway between New York and Connecticut. LISSA will ensure that our children and grandchildren can enjoy the sound's beauty, ecology, and recreational opportunities.

In closing, I wish to acknowledge the many Long Island Sound advocates in Connecticut and New York who have worked so hard to achieve today's great success.

#### TRIBUTE TO ALTHIA HARRIS

Mr. ROCKEFELLER. Mr. President, today I rise to honor a longtime member of my staff, Ms. Althia Harris, who has served over 30 years in the Senate. Ms. Harris has reached an incredible benchmark in her career, and I stand today to reflect on her service.

Ms. Harris began working in the Senate on April 30, 1975, for distinguished Senator Philip A. Hart of Missouri. Just a few days before the end of his term, Senator Hart lost his battle with cancer on December 26, 1976. Ms. Harris then served Senator Adlai E. Stevenson III of Illinois for 5 years. Upon Senator Stevenson's retirement, she joined the office of his successor, Senator Alan J.

Dixon. I was then lucky enough to inherit a most loyal and experienced Senate employee when Ms. Harris joined my staff in 1984.

Upon joining my team, Althia initially helped with my transition from the West Virginia Governor's office to Capitol Hill. An immeasurable and invaluable aide, I am sure without Althia's able assistance the job would have taken much longer to accomplish. I know it would have been more difficult without a seasoned Senate staffer knowledgeable in how to really make things work in the Senate.

On September 12, 1986, Althia began working part time in my office so she could take on new challenges in the private sector and other areas of government. She first worked for the Advertising Council and then for the National Aeronautics and Space Administration, NASA. At NASA, she continues to work as a contractor for the Office of Education. As an active member of her community, she has never abandoned her work here in the Senate.

With continual service in my office for over 20 years, Althia is someone who has helped keep my office operation running with important day-to-day tasks. She is a lover of urban gardening, a collector of African art, and a domestic and international traveler.

As Senators, we are each here to represent our respective States and to work on the needs of our constituents. But the work we do is directly dependent on those who support us—our staff who are always there, always pushing behind the scenes. Each and every devoted member of my staff helps me accomplish the job I am here to do, and Althia has made a real contribution to my work for over 20 years.

I am honored to recognize Althia's devotion and service and to extend my deepest appreciation for her ongoing contributions. Althia is a true gem—the kind of person you are lucky to find and retain for what time they can give. It has been a wonderful 20 years.

#### INTERNATIONAL EDUCATION WEEK

Mr. FEINGOLD. Mr. President, in honor of the seventh annual International Education Week, November 13 to 17, 2006, I would like to talk about the importance that international education and exchange programs play in establishing closer relations between the United States and the world.

The U.S. Government has a proud tradition of supporting international education and exchange programs, and we must continue that tradition. Why? First of all, international education is necessary for our children to remain competitive in the increasingly global economy. Second, exchange programs also attract future leaders from abroad, exposing them to the opportunities and freedoms afforded by our democratic system. Third, international education and exchange programs expand horizons and change the

lives of the participants for the better. Finally, international education builds bridges between communities and improves understanding of cultures different from our own—something that has perhaps never been as important as it is today.

International Education Week will be observed in all 50 States and in over 100 countries. I encourage my colleagues to take a moment during International Education Week to acknowledge the work the citizens of their States are doing to ensure the successful future of the United States through the promotion of international education.

In Wisconsin, schools such as Fox Valley Technical College in Appleton, Northcentral Technical College in Wausau, and the University of Wisconsin system, to name a few, will hold events recognizing the importance of international education in higher education. Community organizations will be recognizing the week as well; the International Institute of Wisconsin will be hosting a Community Summit on Citizen Diplomacy to discuss the important role citizen diplomacy—including international education—plays in today's world. I am proud that these and many other Wisconsin institutions and organizations are working to recognize the important role of international education and exchanges.

I am a strong supporter of international education and exchange programming. On April 12, 2005, I introduced S. Res. 104, the "People-to-People Engagement in World Affairs" resolution. My resolution recognized the importance of international programs and exchanges and called on Americans to strive to become more engaged in international affairs and more aware of peoples and developments outside the United States—including studying abroad. I have also cosponsored resolutions making 2005 the Year of Foreign Language Study and 2006 as the Year of Study Abroad.

I would like to take a moment to lay out in more detail the reasons international education is so important.

First and foremost, we need to be preparing our children to compete in a global economy. Because the United States is increasingly connected to foreign economies, international education and exchanges are critical for the United States workforce to remain competitive—especially to fulfill the increased need for foreign language proficiency. We cannot compete globally if we are unable to promote and sell our goods and services, and we will hinder ourselves if we do not provide opportunities for American students to learn foreign languages or about other cultures and societies.

In 2006, a University of Wisconsin—Platteville alum, triple majoring in criminal justice, Spanish, and biology, participated on a study-abroad program in Merida, Venezuela. During her studies in Merida, she was able to hone her Spanish language skills and take a specialized course in law. She now

works in Wisconsin as a correctional officer and is called upon regularly to assist with translation services. This student—like many others who study abroad—honed her foreign language proficiency through her international education experience and is directly applying the skills she obtained overseas in her employment. She is a greater asset to her employer because she can provide translation services. International education and exchange programs are crucial components for the United States and must continue to be supported in order to maintain a healthy economy.

International education advances the global economic interests of the United States and has been shown to give students an advantage over their peers in the United States who have not been exposed to international experiences. Most students realize this fact. The Department of State has noted that 88 percent of American college students believe international education will give them a competitive advantage in the workplace.

While international education and exchange programs improve America's competitiveness globally, they also attract current and future leaders from other countries to the United States. According to the Department of State, more than 565,000 international students from over 200 countries study in the United States each year—some of whom will return home to become leaders of their countries. The more they know about the United States and the more connections they have with American citizens, the better.

Emmanuel Sanon of Haiti was a recent participant in the Northcentral Technical College's CASS, Cooperative Association of States for Scholarships, program. CASS is a USAID funded scholarship program for students from countries in the Caribbean, Central America, and Mexico to study at a 2-year college in the United States with hopes of gaining technical and leadership skills in order to return home to become agents for change in their countries.

Bonnie Bissonette, director of international education at Northcentral Technical College, wrote me about Emmanuel's experience and said:

Emmanuel studied Electromechanical Technology and Leadership at Northcentral Technical College in Wausau from 2003-2005 and returned home to Haiti with high hopes for his future. Since returning home, he has had 5 contractual jobs with the U.N. in Haiti and is looking to start a tech school for the youth of his community. He has already started to provide some computer and English language training. Wisconsin has taken a lead role in educating the economically disadvantaged youth of our close neighbors to the south so that they can improve the standard of living and slow the tide of economic emigration. Fox Valley Technical College and NTC are two of only 13 community colleges in the United States that host this highly successful program.

Emmanuel's experience is only one of several success stories I could share about the useful skills exchange stu-

dents gain while studying in the United States which are later used to improve the lives of others in their home countries.

Which brings me to my next point—international education and exchange programs expand horizons and change lives by exposing the participants and programmers to new ways of thinking and living. Those who study abroad are forced to live outside of their comfort zones and as a result they learn a vast amount about themselves and other cultures. They often return home as different people with greater awareness and appreciation for others.

A University of Wisconsin—Whitewater professor wrote to me recently and said:

For about ten years now, I have been the coordinator of a student exchange between UW—Whitewater and Arnhem Business School in the Netherlands. My students change dramatically during their experience. They even 'look' different when they return. At first they are tentative and worried, and by the time they leave, they are truly citizens of the world . . . Working as a coordinator is one of the most rewarding things I do as a professor.

This example drives home the fact that in Wisconsin, and also across the United States, students who choose to engage in international education and exchange opportunities are truly changed forever.

The deeper understanding of other cultures is a two-way street and is vital to enhancing the image of the United States abroad and our national security. Citizen-to-citizen exchanges improve perceptions of the United States: a 2006 study published by the Pew Research Center found that "publics around the world continue to have a more positive opinion of the American people than they do of the United States. In seven of the 14 foreign countries surveyed, at least half of respondents have a favorable impression of Americans; in contrast, four countries give the U.S. positive marks."

Through their international experiences, exchange participants are able to demonstrate American values, listen to different viewpoints, and speak about the similarities they share with populations around the world. Increasing international understanding of America will improve the image of the United States—and an improved perception of the United States will serve to also improve our national security.

International education and exchange programs also have great potential to create beneficial relationships between communities on opposite sides of the world. These relationships can lead to increased opportunities for commerce and development for everyone.

Let me give you an example. For the first time this year, the University of Wisconsin—Green Bay was awarded a Department of State grant to take college students to Jordan to study for 2 weeks. The program, called Journey to Jordan, gave students the opportunity

to spend 6 weeks in Jordan learning Arabic, living with host families, volunteering at civil service organizations, and learning firsthand about Jordanian culture. These students returned with exposure to another language and a greater understanding of another culture.

Just as important, however, is that the program itself built a bridge between Jordan and the United States. Earlier this month, the vice president of the University of Jordan, along with members of the North American Jordanian Association, NAJA, and the American MidEast Leadership Network, traveled to the University of Wisconsin—Green Bay, at their own expense, to discuss future partnership opportunities.

These individuals chose to travel to the United States because they want to maintain a relationship with the University of Wisconsin—Green Bay. This is a wonderful connection between universities and countries that I hope will continue to grow.

I commend those who work every day to promote international education and exchange programs, but we need to work even harder to engage more Americans in international education and exchange programs. To start, we should be following the lead of those who have begun this process. The University of Wisconsin—Oshkosh has a global education certificate program that educates teachers on how to introduce global perspectives in the classroom. Wisconsin's own State superintendent, Elizabeth Burmaster, has worked to encourage K–12 schools to introduce students to global perspectives in the classroom at an earlier age.

But we can do more. I was a strong supporter of the creation of the Commission on the Abraham Lincoln Study Abroad Fellowship Program, an independent commission created in 2004 for the purpose of recommending a program to greatly expand the opportunity for students at institutions of higher education in the United States to study abroad, with special emphasis on studying in developing countries. One of my colleagues—Senator DURBIN—has taken the first step in working to implement the commission's published recommendations by introducing the Abraham Lincoln Study Abroad Act, S. 3744.

The purpose of S. 3744 is to encourage at least 1 million undergraduate students in the United States to participate in study abroad programs academic credit within 10 years, including students in technical and scientific fields of study. The program also seeks to ensure that an increasing portion of study abroad takes place in nontraditional destinations, with substantial increases in developing countries.

The bill would specifically authorize the Secretary of State to establish an Abraham Lincoln Study Abroad Program to facilitate undergraduate study abroad for academic credit through the

creation of undergraduate fellowships and grants to institutions of higher education to reform academic programs and institutional policies that inhibit participation by students in study abroad.

Senator DURBIN's bill—along with other international education and exchange legislative initiatives is an important step to one day having all American students engaged in some type of international education or exchange program, and we need to continue to take the necessary steps to provide our children every opportunity to learn about new cultures and to speak a second, or even third, language.

As we recognize and celebrate International Education Week, I call on all Americans to take a few minutes to learn something new this week about another culture, and I encourage all Americans to recognize and support international education and exchange throughout the year.

#### ADDITIONAL STATEMENTS

##### HONORING CLARENCE J. "MAC" MCCORMICK III

• Mr. BAYH. Mr. President, today I pay tribute to the life of a distinguished businessman, community leader, and friend, Mac McCormick, who passed away on October 26. Mac's dedication to the State of Indiana kept him involved in public service throughout his life, and I know that he will be greatly missed.

Mac was a good and decent man who dedicated his life to serving others. From his work in economic development to his involvement with Vincennes University, his career was filled with acts of conscientious service on behalf of friends, family members, and Hoosiers across Indiana.

Mac comes from a long line of distinguished Hoosier public servants, including his father, Jim McCormick, and his grandfather, Clarence McCormick. I have had the privilege of knowing the McCormick family for many years and have seen firsthand the difference his efforts have made in our State. The contributions Mac made through his leadership and philanthropy touched countless lives, and his dedication and good humor made him a role model for a generation of Hoosiers.

In 1981, Mac started Best Way Express, Inc., with four trucks. Through his skillful oversight it grew to the 400-truck operation it is today. Over the past quarter century, Mac has used that same tireless dedication and business savvy to serve the people of Indiana. As a board member of the Indiana Economic Development Corporation and the Indiana Chamber of Commerce, he helped ensure a bright future for the working men and women of our State, and his service to Vincennes University as a member of the board of trustees and vice president of the nonprofit

Jamac Corp. exemplified his spirit of philanthropy.

Mac is survived by father Clarence J. "Jim" McCormick; stepmother Marilyn McCormick; brothers Mike and Pat McCormick; sister Jane Wissell; sons Will, Ry and Eli McCormick; and partner Andre Neal.

A lifelong Hoosier, Mac served in leadership roles in numerous trucking trade associations, including Truck PAC, Truckload Carriers Association, and Indiana Motor Truck Association, and in July he was chosen as the Indiana Chamber of Commerce's 2006 Business Leader of the Year. He was set to assume the chairmanship of the American Trucking Association next week, where he previously had served as vice chairman. It is a rare man who can make such an impact on so many people over the course of one life. Hoosiers will miss Mac as a friend, a community leader, and a committed advocate for our state.

It is my sad duty to enter the name of Clarence J. "Mac" McCormick III in the Record of the U.S. Senate for his service to the State of Indiana.●

##### HONORING THE 2006 CALIFORNIA NOBEL LAUREATES

• Mrs. BOXER. Mr. President, I would like to take this opportunity to extend my most sincere congratulations to all of the 2006 Nobel laureates. These individuals have shown themselves to possess some of the world's most creative and accomplished minds, and each has made a remarkable contribution to humanity. I am extremely proud to say that California is home to three of these individuals. Their names are Roger D. Kornberg, recipient of the Nobel Prize in chemistry; Andrew Z. Fire, recipient of a share of the Nobel Prize in medicine; and George F. Smoot, recipient of a share of the Nobel Prize in physics.

Dr. Roger D. Kornberg was born into the shadow of a giant in the scientific community. Dr. Kornberg's father, Dr. Arthur Kornberg, won a share of a Nobel Prize in 1959 for his trailblazing work on DNA information transfer. Dr. Roger Kornberg's decision to follow in his father's footsteps reflects a man of clear vision and unshakable will, and it is extraordinarily inspiring to see an individual meet the high standard that was set before him.

Dr. Kornberg graduated from Harvard University in 1967 and went on to get his doctorate from Stanford in 1972. For the last 26 years, Dr. Kornberg has been a professor of structural biology at Stanford, conducting cutting-edge research while guiding his students in their exploration of nature's mysteries. Over that time he tirelessly probed the questions surrounding how information is stored in genes and transferred to other parts of a cell. This process is called transcription, and it holds a key to understanding of how cells operate.

As a result of Dr. Kornberg's efforts, we can now visually demonstrate how

information encoded in a cell's DNA blueprint is read and duplicated into what is called messenger RNA. This constitutes a significant leap forward in our knowledge of cellular mechanics and has brought us closer to identifying and rectifying the disturbances in the transcription of genetic information that is the cause of common killers like heart disease and cancer. Dr. Kornberg's work has already influenced the development of drugs and therapies for various conditions and is opening new avenues for future research.

The story of Dr. Andrew Z. Fire is equally impressive and inspirational. Although extremely modest in demeanor, Dr. Fire has demonstrated world-class intellectual ability and unquenchable drive since childhood. Having graduated high school at the age of 15, Dr. Fire attended the University of California, Berkeley, after being turned down by his other choice: Stanford. Now, at age 47, Dr. Fire has achieved the highest pinnacle of success in his field, opened up previously inaccessible areas of research with vast potential for the future of medicine, and gotten into Stanford, where he is the third Nobel laureate of the institution's proud medical school.

Dr. Fire, like Dr. Kornberg, was recognized for his years of exploration into RNA and its role in transcription of genetic information. More than 15 years ago, Dr. Fire became interested in understanding the genes involved in the earliest steps of cellular development. In an attempt to plot cellular development from the beginning, Dr. Fire designed an experiment that produced the exact opposite of the anticipated result: After injecting a worm with a piece of DNA to increase the expression of a particular gene, Dr. Fire inadvertently succeeded in suppressing the gene completely. This result would eventually lead to the discovery of a fundamental mechanism for controlling the flow of genetic information—that of RNAi, or RNA interference, which quashes the activity of specific genes. This discovery was termed the "Breakthrough of the Year" in 2002 by *Science Magazine* and has earned Dr. Fire and his colleague, Dr. Craig Mello, the 2006 Nobel Prize for medicine.

The potential benefits of the discovery of RNA interference are limitless. By using RNAi to silence one gene at a time and observing abnormalities in the behavior of cells, researchers are able to identify the function of genes, and potentially, use silencing to reduce or eliminate cellular activity harmful to human health. Dr. Fire's many achievements constitute an extraordinary contribution to our understanding of how life operates at its most basic level, and demonstrate his outstanding talent and unwavering commitment to improving the health of his fellow human beings.

Dr. George F. Smoot has for years been examining the cosmos in search of an answer to the biggest question of them all: How did it all begin? To an

amazing degree, Dr. Smoot has been answering this seemingly unanswerable question. For 50 years, scientists struggled in vain to support the Big Bang theory with hard, indisputable evidence. Dr. Smoot dealt the contentious theory a further challenge when, in 1976, he and others found startling evidence that galaxies are clustered together and not, as previously thought, spread evenly throughout the universe. This observation conflicted with temperature readings that consistently found space to be an even temperature of 2.7 degrees above absolute zero. Dr. Smoot had presented the scientific community a quandary: How could the heat be evenly distributed through the universe if galaxies were not?

It is a testament to Dr. Smoot's brilliance, ingenuity, and diligence that he, along with his colleague and co-recipient of this year's Nobel Prize in physics, Dr. John C. Mather, would clear up the confusion resulting from the establishment of a "lumpy" universe and finally cement the Big Bang theory of the creation of the universe. To achieve that ambitious goal, Smoot overcame nearly insurmountable obstacles and broke through barriers that had thwarted previous generations of researchers. Dr. Smoot was a driving force behind NASA's construction and development of the COBE satellite, which under the direction of Dr. Smoot and Dr. Mather succeeded in detecting the minuscule variations in temperature that were anticipated by the Big Bang theory and the "lumpy" nature of the universe.

As a result of Dr. Smoot's incredible achievement, we now have a much clearer picture of where we came from and where we are going. His penetrating vision challenges the limits of human comprehension, transporting us to times and places that were once unreachable. Dr. Smoot has fundamentally changed the way we view the universe and secured his place as one of the most important astrophysicists of all time.

It is with great pleasure that I applaud all three of California's 2006 Nobel laureates. Dr. Kornberg, Dr. Fire, and Dr. Smoot have made extraordinary contributions to our understanding of how the universe operates, from the microscopic level of the cell to the vast level of galaxies. Their phenomenal insights have answered questions that have long puzzled the scientific community and raised new possibilities for the research of future generations. I thank these men for the many valuable gifts they have given humanity, not least of which is the gift of unbridled imagination and the belief that anything is possible. ●

IN HONOR OF SHERIFF DON  
HORSLEY

● Mrs. BOXER. Mr. President, I take this opportunity to recognize San Mateo County sheriff Don Horsley, who is retiring after 38 years of dedicated

service to law enforcement and public safety.

Sheriff Horsley is a San Francisco Bay Area native who was born in San Francisco, raised in Daly City, and educated in the county's public schools. He graduated from Daly City's Westmoor High School before graduating with honors from San Francisco State University in 1969.

After a brief time as a classroom teacher, Sheriff Horsley entered into a career in law enforcement that has spanned 38 years.

Beginning as a patrol officer in Daly City and later serving as a patrol deputy officer in East Palo Alto, Sheriff Horsley was elected Sheriff of San Mateo County in June 1993. From the beginning, Sheriff Horsley has been dedicated to making his community a better and safer place to live. Under his leadership, the San Mateo County Sheriff's Office has implemented an extensive number of innovative programs to make the community safer, including community policing, graffiti abatement, gang intelligence/investigative unit, sexual habitual offender program, high-tech task force, school resource officer program, and a youth camp for at-risk youth. Sheriff Horsley also established an after school Sheriff's Activity League to help kids succeed in school and stay out of gangs.

After the tragedy of September 11, 2001, Sheriff Horsley stepped into a leadership role and joined the FBI in a regional Joint Terrorism Task Force. He established a regional information sharing network with the nine Bay Area counties and directed the Sheriff's Office of Emergency Services to take the lead to ensure that the county's first responders and public health workers had the equipment and training to respond to disasters. Sheriff Horsley also worked with regional transit agencies to establish a transit unit of deputy sheriffs to patrol bus and rail transportation within the county.

Sheriff Horsley was also a fierce advocate for the construction of a state-of-the-art forensic crime lab that is used by local, regional, State, and Federal agencies to solve crimes. Sheriff Horsley tirelessly worked with the Bay Area Congressional Delegation, including my office, to obtain funding to ensure that the forensic crime lab had the latest in crime fighting technology.

Among his many accomplishments, Sheriff Horsley currently serves as co-chair of the Attorney General and State Superintendent of Public Instruction's Safe Schools Task Force; vice chair of the Northern California High Intensity Drug Trafficking Area; chair of the San Mateo County Vehicle Theft Task Force and Vice Chair for the County Narcotics Task Force. Sheriff Horsley has also been a member of the executive board of the California State Sheriffs' Association since 1996, served as the past chair of the San Mateo County Criminal Justice Council and as a past member of the board

of directors of the California Peace Officers' Association.

Sheriff Horsley has not only improved public safety but has worked tirelessly with local elected officials, schools, and community organizations to foster a strong sense of community and improve the lives of children and families in San Mateo County.

Sheriff Horsley's service to San Mateo County and dedication to public safety throughout California is inspiring. I have been honored to work with him. I am confident that, even in retirement, Sheriff Horsley will continue to touch lives with his good will and compassion.●

#### RECOGNIZING CHARLES A. BIBBS

● Mrs. BOXER. Mr. President, today, I ask my colleagues to join me in recognizing entrepreneur and philanthropist Charles A. Bibbs as he is recognized by the Black Voice Foundation for his exceptional contributions to ethnic art.

Charles Bibbs is a recognized and accomplished artist, known for his representations of ethnic and cultural themes. Throughout his life, he has been lauded and recognized by numerous community and philanthropic organizations for his work in the multicultural communities and his dedication to music and art. His work has been featured in several exhibits, on the Internet, and on several local and national television stations.

Since he was a young person, Charles Bibbs has possessed a strong talent for art and artistic creation. Throughout his career, he worked in corporate America and funded his artistic cultivation through that work. In 1985, Bibbs was able to fuse his strengths in business with his passion for artistic expression and formed B Graphics and Fine Arts to publish and distribute his own artwork. Since that time, Bibbs has become a dedicated and renowned ethnic artist and has worked passionately for cohesion and unity within marginalized communities.

Recently, Charles Bibbs has spent much of his time conducting seminars and workshops to educate and inspire young people and reinforce educational institutions. He formed Art 2000, a nonprofit visual art association that works to inform local communities about art, and helps to inspire art patrons and artists themselves. From this organization has come Images Magazine, which is the first national publication dedicated to ethnic art. As well, this has inspired the traveling ethnic art exhibit "Art on Tour." Along this same vein, Bibbs' passion for jazz music led him to the creation and founding of Inland Empire Music and Arts Foundation, a nonprofit organization that has hosted an annual world-class jazz and art festival in southern California for the past 3 years.

Art and graphic representations are powerful tools that can help unite communities and inspire young people. The work and example of Charles Bibbs has

inspired countless individuals and continues to bring art and music to our Nation's youth. I applaud Charles Bibbs and look forward to many more years of cultural representation and youth enrichment from this great American artist.

#### CELEBRATING THE CITY OF LODI'S 100TH ANNIVERSARY

● Mrs. BOXER. Mr. President, I ask my colleagues to join me in celebrating the 100th anniversary of the city of Lodi, a thriving, family-oriented community located in California's San Joaquin Valley.

The city originally known as Mokelumne was founded in 1869 when Charles O. Ivory and John M. Burt established the Ivory Store, an enterprise that attracted scores of homesteaders and businesses to the area. In order to avoid confusion between the towns of Mokelumne, Mokelumne Hill, and Mokelumne City, the city's name was officially changed to Lodi in 1874. According to local folklore, the city's new name was inspired by a successful local racehorse, as horse racing was a popular activity in the area during this period. By the time its residents overwhelmingly voted for incorporation on November 27, 1906, Lodi was already one of the fastest growing communities in San Joaquin County.

In 1907, in an effort to publicize a large carnival to promote Lodi's famous Tokay grapes, a mission-style arch was erected at Pine and Sacramento Streets. The Lodi Arch, one of the few remaining Mission Revival ceremonial arches left in California, has served as an entrance into Lodi for the past century. In 1919 and 1926, the world-famous A & W Root Beer and the Supertreader, the first successful full-circle tire retreading mold, were respectively introduced to the world within a short distance from the Lodi Arch. To many people, this remarkable landmark symbolizes the city's proud history and economic vitality.

In 1956, the Federal Government officially recognized Lodi as a winegrape growing region, thus allowing vintners to label their wine as originating from Lodi. However, it was not until 1986, when the Lodi Appellation was formally approved, that Lodi began to shed its label as the wine industry's best kept secret to become one of the emerging wine-producing regions in the Nation. Today, Lodi is home to a highly regarded and vibrant wine industry where nearly two dozen wineries utilize exemplary viticulture practices to consistently produce wines that are renowned for their quality.

The city of Lodi has grown from a town of less than 2,000 residents from the time of its incorporation to a flourishing and diverse community of 63,000 that rests in the middle of one of the most dynamic regions of California. The state of the city as it turns 100 is best captured by its slogan: "Livable, Lovable, Lodi." The story of the city's

first 100 years is a testament to the value of community, vision, and optimism. As the residents of the city work together to make their city a better place to call home, I congratulate them on their centennial anniversary and wish them another 100 years of good fortune and success.

#### A LIFETIME OF NATIONAL SERVICE

● Mr. CRAPO. Mr. President, last month, the State of Idaho lost one of its distinguished citizens. Ralph Ray Harding, who served our State as the 2nd District Congressman for two terms in the 1960s, passed away on October 26 in Blackfoot. He left behind a legacy of public service and community involvement, as well as a remarkable family. Senator CRAIG and I want to take this opportunity to commend his life and send our condolences to his family and friends.

From his humble beginnings in Malad, Ralph made the most of his opportunities, graduating from college, eventually with a master's degree from ISU. He maintained a strong connection with that university, serving as a special advisor to the president for nearly a decade. He also served our country in the military as a U.S. Army lieutenant and was a life member of the American Legion and the Air Force Association.

He was first elected to public office as a member of the Idaho House of Representatives and was then elected to the U.S. House of Representatives, the youngest Member of Congress serving during the Kennedy administration. As a Member of Congress, Ralph worked to ensure women received equal pay, supported civil rights legislation and authored a bill to establish the Peace Corps. But his service didn't end when he completed two terms in Congress.

Ralph continued his community involvement in many ways. He was the cofounder of the Danny Thomas Memorial Golf Tournament, which has helped raise millions of dollars for cancer research and is still raising funds each year. He looked for ways to improve every community and venture he encountered. He was one of the friendliest people you could ever meet and remained in contact with friends from all over the world through his life. He was active in his church, spending time at the local LDS temple and teaching Sunday School each week. Retirement was not a word that meant much to Ralph—he had too much energy with his activities with family, friends, and other interests to take it easy. At 77, he remained active and full of life up to nearly his final day.

Ralph was devoted to his family and his Nation, and he will be deeply missed by all those who knew him. Idaho is honored to have counted him as one of her native sons. During this time, our thoughts and prayers go out to his wife Willa and his children, grandchildren, and great-grandchildren.●

## TRIBUTE TO ENOLIA P. McMILLAN

• Ms. MIKULSKI. Mr. President, today I pay tribute to the life and legacy of Enolia P. McMillan. She was a revered and beloved civil rights leader, community leader, and educator.

Mrs. McMillan was an amazing woman with a fantastic story. She had both grace and grit, as well as a personality that would not accept the word “no” for an answer.

When they said: “You can’t,” she said: “I can!”

When they said: “You won’t,” she said: “I will!”

When they said: “Wait,” she said: “Now!”

Enolia P. McMillan was born to a loving family of modest means. She fought hard for her education, while attending schools that were separate and far from equal.

She wanted to be a doctor—a pediatrician. Although she would never attend medical school, she was certainly a healer. In fact, her thesis was entitled: “The Factors Affecting Secondary Education for Negroes in Maryland Counties,” which laid the groundwork for changes in education and the Supreme Court.

She cared not only about her own education but the education of others. That is why Mrs. McMillan was so at home at the NAACP. The NAACP is about empowerment and it is about equality. Mrs. McMillan understood this and focused on the grassroots, which turned the Baltimore branch into a powerhouse.

As national president, she strengthened the NAACP and brought it here to Baltimore. She didn’t throw bricks—she sold bricks—to build the NAACP headquarters in Baltimore, and she always supported young leaders, like Kweisi Mfume. Always, she fought for equality and fairness, whether it was for equal pay for teachers in Maryland or for the freedom of the South African people living under apartheid.

On a personal note, I met Mrs. McMillan when I was on the Baltimore City Council. She was the president of the Baltimore Branch of the NAACP and attended every critical meeting and hearing. She also came to my office on occasion. We didn’t know each other well, having come from different sides of Baltimore, but I so admired her. She took a keen interest in this spunky, chunky, feisty Baltimorean.

Her greatest passions were schools. We were ending segregation in our schools—not only tearing down old ways but building new ones. To her, the word “public” meant a lot: public schools, public libraries, and the public interest.

Mrs. McMillan was always so supportive and encouraging toward me. I would win some and I would lose some; but she always said: Keep speaking up—keep speaking out. If you were doing well, she told you. If she thought you could do better, she told you; and we did.

She had a passion for young people and spotting new leaders. She thought

all young people had value and always believed in the freedom to achieve—to follow the American dream.

She would say: Barbara, fight for more books and less bombs. Fight for more libraries and fewer jails. Make sure people have drugs to fight cancer, while at the same time fighting the cancer of drugs. Fight for more jobs and make sure people turn the corner. Don’t leave them standing at the corner. Most of all, she would say, Barbara, fight for the freedom to achieve.

I marvel at how mysteriously God works. I marvel that he should call Enolia McMillan in the same year as he has called four other great mothers of the civil rights movement: Rosa Parks, Coretta Scott King, Victorine Adams, and Roberta March. I so admired Mrs. McMillan’s passion and her activism. I am so grateful for her friendship. I will miss her leadership, her vision, and her political savvy.

The best of her lives on in all of us, as we seek to live up to her courage, conviction, and tenacity.●

## 25TH ANNIVERSARY OF THE HERREID LIVESTOCK MARKET

• Mr. JOHNSON. Mr. President, today I honor the owners and operators of the Herreid Livestock Market on its 25th anniversary. Each year, hundreds of thousands of animals are moved through the sale barn to be purchased by farmers or by packers, and eventually find their way to supermarket shelves. The Herreid Livestock Market is one of the largest sale barns in the region, and has proven to be a pillar of the local community both by facilitating business and through advocacy and philanthropy.

The Herreid Livestock Market began operating in 1981. A previous sale barn in Herreid had burned down in 1978. Herman Schumacher, the late Gordie Ulmer, and the late Andy Heisler were primarily responsible for the building of the current structure. Joe Vetter quickly joined in the enterprise as an auctioneer and soon purchased a third of the business. Since then, Schumacher and Vetter have remained partners, along with various other individuals, most recently J.R. Scott. Finally, though, last summer the business was sold to Joe Varner. Scott still manages the sale barn, however, and Schumacher and Vetter remain involved as well.

In addition to operating a premier sale barn, Schumacher, Vetter, and Scott have been active in a variety of issues of vital importance to their industry. They have been active in pushing for country-of-origin labeling, helping to close the Canadian border for food safety reasons, and perhaps most notably, Schumacher was a founder of the Ranchers-Cattlemen Action Legal Fund, R-CALF. R-CALF has advocated for producers by opposing market manipulation on the part of meatpackers, working to restrict the importation of foreign cattle into the U.S., and food

safety, among other areas of concern. R-CALF has now merged with the United Stockgrowers of America and has over 18,000 members. The owners of the Herreid Livestock Market have also supported access to local health care by giving large donations to the Linton Hospital Foundation and the Campbell County Clinics.

While drought conditions have caused a spike in short-term sales, the sale barn may be facing some challenging years as producers work to build their herds back up. However, I am confident that the same work ethic that has caused the Herreid Livestock Market to flourish for 25 years will allow the business to continue prospering.

On October 6, 2006, the community celebrated the Herreid Livestock Market with a free BBQ Beef Lunch before the 25th anniversary sale. I wish to congratulate the current and past owners and employees of the Herreid Livestock Market on reaching this milestone for their business, and for their years of service to the community. Once again, I commend the individuals involved in this enterprise and am pleased to see them publicly honored.●

## TRIBUTE TO DENNIS COCHRANE

• Mr. KOHL. Mr. President, today I pay tribute to Mr. Dennis Cochrane, a Wisconsin resident who last Thursday concluded his term on the board of directors of the Northeast-Midwest Institute. The Northeast-Midwest Institute is a Washington-based, private, non-profit, and nonpartisan research organization dedicated to economic vitality, environmental quality, and regional equity for Northeast and Midwest States.

During his tenure on the institute’s board, Dennis has provided exceptional counsel and guidance, and in the process has helped to improve the economic development and environmental quality of the Northeast-Midwest region.

Dennis is a partner in the law firm of Marcovich, Cochrane, Milliken and Swanson in Superior, WI. Prior to his law practice, he served as assistant district attorney for Douglas County, WI, and city Attorney for the city of Superior. He has served as a member of the city of Superior Harbor Commission and was active in the founding of the Head of the Lakes Council of Governments, which evolved into the Metropolitan Interstate Committee of the Duluth-Superior Region.

I thank Dennis Cochrane for his leadership on the Northeast-Midwest Institute’s Board. His valued service and council will not easily be replaced.●

## CENTENNIAL OF THE ORDER OF THE THEATINE FATHERS

• Mr. SALAZAR. Mr. President, last Friday, November 10, we celebrated the centennial of the Order of the Theatine Fathers in Colorado. I want the date of this milestone, so important to my

State's history and culture, to be noted in the RECORD.

The Theatine Order serves parishes across Colorado, from the Sacred Heart Parish in Durango and St. Cajetan's Church in Denver to the Sangre de Cristo Parish in my native San Luis Valley. The Order has a noble history in my State and around the world, where its parishioners and pastors have worked to spread virtue and to improve the lives of our citizens.

Saint Cajetan, Paolo Consiglieri, Bonifacio da Colle, and Pope Paul IV founded the Theatine order nearly 5 centuries ago in Italy, partly in response to the upheavals of the Reformation. In the generations that followed, the Theatines established missions in foreign lands, building churches and spreading their teachings to places like Peru, Borneo, Sumatra, Georgia, and Armenia.

The Theatines arrived in Colorado at the end of the 19th century to a young State undergoing rapid changes. Thousands of new immigrants from Ireland, Italy, Mexico, and elsewhere rushed to Colorado's mines, farms, and ranches. These immigrants arrived in places like Durango, San Luis, and Antonito, and found a centuries-old Hispano culture and a deeply rooted Catholic faith.

As these towns and settlements grew, so too did the demands on the parishes of Colorado. In 1906, the Bishop of Colorado, Nicolas Matz, seeing a need for more priests in southwestern Colorado, asked the Theatine Order to serve Sacred Heart Parish in Durango. The Reverend John Licciotti and the Reverend Francisco Maria Blasquez Gomez held their first masses in a former schoolhouse, but the structure, and the missions in the region, grew quickly. In 1920, the order established St. Cajetan's Church in Denver and began staffing the church in Antonito. Three years later, the order expanded to San Luis and its missions, and later to churches in Fort Collins and Colorado Springs. Today, the Theatine Order has 19 priests in Colorado, serving thousands of parishioners.

In honoring the centennial of the Theatine Fathers, we recognize the contributions of the order to the parishes and parishioners of Colorado, but we also celebrate the contributions of the fathers to the culture, faith, and history of our great State. Their work has helped bind communities, build schools, and instill virtue, compassion and character in our citizenry. The Theatines are pillars in their communities, giants who serve the greater good.

I am proud to honor the Order of the Theatine Fathers and to have this opportunity to thank them for their century of service. May the virtues that they teach in the towns and churches across the great State of Colorado continue to fill our hearts and guide our service for generations to come.●

#### THE RED MASS

● Mr. SANTORUM. Mr. President, today I wish to share with this body the recent remarks of the new Archbishop of Washington, Donald W. Wuerl, at this year's 53rd Annual Red Mass in Washington, DC. I have had the pleasure of working with Archbishop Wuerl in his previous service as the 11th bishop of Pittsburgh, PA. For 18 years, he ministered to 800,000 Catholics throughout southwestern Pennsylvania with generosity and compassion.

The Red Mass is celebrated each year in Washington, DC., at the start of the Supreme Court session and traditionally is held in the Cathedral of St. Matthew the Apostle. Supreme Court Justices, judges, Government officials, lawyers, and people of all faiths regularly attend the Mass to offer prayers for those who administer justice. This Mass is sponsored by the John Carroll Society. The Red Mass enjoys a rich history, originating many centuries ago in European capitols. Red Mass derives its name from the traditional color of vestments worn by the celebrants of the Mass, signifying the scarlet robes worn by royal judges who attended the Mass centuries ago. The tradition in the United States began in 1928 in New York City and spread to cities across the country.

I hope that in sharing his comments with my colleagues, we will continue the ongoing conversations among people of faith about the roles of faith, law, and values in our system of democracy.

Mr. President, I ask that the remarks of Archbishop Wuerl to which I referred be printed in the RECORD.

The material follows.

#### RED MASS HOMILY

##### FAITH, LAW AND HUMAN VALUES

Archbishop Donald W. Wuerl, Archbishop of Washington

Cathedral of Matthew the Apostle, Washington, DC, Sunday, October 1, 2006

Brothers and Sisters in the Lord, It is a privilege for me to join each of you at this 53rd annual Red Mass sponsored by the John Carroll Society as part of a noble tradition in our nation's capital of invoking the blessing of God's Holy Spirit on all who are engaged in the service of the law, especially the members of the judiciary.

Recently I received a beautiful plant rooted in a very attractive container with gorgeous flowers mixed throughout the arrangement. Within a few short days, however, even though I took great care of it, some of the flowers began to fade. It was only after I removed one of the withered flowers that I made the startling discovery that not all of the flowers were attached to the plant and rooted in the soil, but instead simply were placed in little plastic containers. As the flowers were not part of the plant and not rooted in the soil, they had no source of nourishment and died.

A beautiful flower in an isolated container is much like the branch that Jesus speaks about in today's Gospel text from St. John, the branch that gets cut off, detached from, isolated from the vine. Such a branch cannot bear much fruit—certainly not for long.

Whatever image we use, the lesson is the same. We cannot be cut off from our

rootedness. We cannot become isolated from our connectedness and expect to flourish. As a people, we have a need to be part of a living unity with roots and a lived experience, with a history and, therefore, a future. Our lives as individuals and as a society are diminished to the extent that we allow ourselves to be cut off or disconnected from that which identifies and nurtures us. Branches live and bear fruit only insofar as they are attached to the vine.

No one person; no part of our society, no people can become isolated, cut off from its history, from its defining experiences of life, from its highest aspirations, from the lessons of faith and the inspiration of religion—from the very "soil" that sustains life and still expect to grow and flourish. Faith convictions, moral values and defining religious experiences of life sustain the vitality of the whole society. We never stand alone, disconnected, uprooted, at least not for long without withering.

A profound part of the human experience is the search for truth and connectedness, and the development of human wisdom that includes the recognition of God, an appreciation of religious experience in human history and life, and the special truth that is divinely revealed religious truth.

Science linked to religiously grounded ethics, art expressive of spirituality, technology reflective of human values, positive civil law rooted in the natural moral order are all branches connected to the vine.

A healthy and vital society respects the wisdom of God made known to us through the gift of creation and the blessing of revelation. We not only need God's guidance, but we are created in such a way that we yearn for its light and direction. Pope John Paul II in his encyclical *Fides et Ratio* reminds us: ". . . God has placed in the human heart a desire to know the truth—in a word, to know himself—so that, by knowing and loving God, men and women may also come to the fullness of truth about themselves." (Intro., *Fides et Ratio*)

One reason we gather today in prayer for the outpouring of the gifts of the Holy Spirit is our realization that it is the wisdom of God that fills up what is lacking in our own limited knowledge and understanding. Connected to the vine, we access the richness of God's word directing our human experience under the guidance of the Holy Spirit. Cut off from the vine, we have only ourselves.

At times our society, like many contemporary cultures heavily nurtured in a secular vision that draws its inspiration elsewhere, can be tempted to think that we are sufficient unto ourselves in grappling with and answering the great human questions of every generation in every age: how shall I live; what is the meaning and, therefore, the value of life; how should we relate to each other; what are our obligations to one another?

The assertion by some that the secular voice alone should speak to the ordering of society and its public policy, that it alone can speak to the needs of the human condition, is being increasingly challenged. Looking around, I see many young men and women who, in such increasing numbers, are looking for spiritual values, a sense of rootedness and hope for the future. In spite of all the options and challenges from the secular world competing for the allegiance of human hearts, the quiet, soft and gentle voice of the Spirit has not been stilled.

Just as we are told in the first reading today that the Spirit of God was shared with some of the elders so, too, today we have a sense that that Spirit continues to be shared. The resurgence of spiritual renewal in its many forms bears testimony to the atavistic need to be connected to the vine and rooted in the soil of our faith experience.

As Jesus assures us in today's Gospel: "Just as a branch cannot bear fruit on its own unless it remains on the vine, so neither can you unless you remain in me." The revelation of the mystery of God-with-us is not incidental to that human experience. It gives light and direction to the struggle we call the human condition. Religious faith and faith-based values are not peripheral to the human enterprise. Our history, the history of mankind, is told in part in terms of our search for and response to the wisdom of God.

Religious faith has long been a cornerstone of the American experience. From the Mayflower Compact, which begins "In the name of God, Amen," to our Declaration of Independence, we hear loud echoes of our faith in God. It finds expression in our deep-seated conviction that we have unalienable rights from "Nature and Nature's God."

Thomas Jefferson stated that the ideals and ideas that he set forth in the Declaration of Independence were not original with him, but were the common opinion of his day. In a letter dated May 8, 1825, to Henry Lee, former governor of Virginia, Jefferson writes that the Declaration of Independence is "intended to be an expression of the American mind and to give to that expression the proper tone and spirit."

George Washington, after whom this city is named, was not the first, but perhaps was the most prominent, American political figure to highlight the vital part religion must play in the well-being of the nation. His often-quoted Farewell Address reminds us that we cannot expect national prosperity without morality, and morality cannot be sustained without religious principles.

Morality and ethical considerations cannot be divorced from their religious antecedents. What we do and how we act, our morals and ethics, follow on what we believe. The religious convictions of a people sustain their moral decisions.

What is religion's place in public life? As our Holy Father, Pope Benedict XVI, tells us in his first encyclical letter, "Deus Caritas Est" (God Is Love): "[f]or her part, the Church, as the social expression of Christian faith, has a proper independence and is structured on the basis of her faith as a community which the State must recognize. The two spheres are distinct, yet always inter-related" (DCE 28). Politics, law and faith are mingled because believers are also citizens. Church and state are home to the very same people.

The place of religion and religious conviction in public life is precisely to sustain those values that make possible a common good that is more than just temporary political expediency. Without a value system rooted in morality and ethical integrity, there is the very real danger that human choices will be motivated solely by personal convenience and gain.

To speak out against racial discrimination, social injustice or threats to the dignity of life is not to force values upon society, but rather to call our society to its own, long-accepted, moral principles and commitment to defend basic human rights, which is the function of law.

Not only did Thomas Jefferson subscribe to the proposition that all are created equal, but his writings indicate that he extended the logic of that statement. All people are obliged to a code of morality that rests on the very human nature which is the foundation for our human dignity and equality. Jefferson recognizes no distinction between public and private morality. In a letter dated August 28, 1789, to James Madison, who later became the fourth president of our country, Jefferson wrote: "I know but one code of mo-

rality for all, whether acting singly or collectively."

Perhaps nowhere is the relationship of values, religious faith, public policy and the application of the law more deeply rooted in its historic expression than here in our nation's capital. Here is the place where our first president, George Washington, and the first Catholic bishop in our country, John Carroll, recognized so very early on in the life of our country the need to respect, honor and support the understanding that the goals of governance and the expression of faith-based morality mingle and overlap. At the same time, each was respectful of the prerogatives of the other, and both were mindful that all the voices needed to be heard.

In the end, the goal of public policy, and its application and interpretation, must be not what we can do but what we ought to do; not what we have the ability to achieve, but what in our hearts, in our conscience and in our souls we know we must do.

As believers, our hope for a better world is rooted in our faith that God will help us make this happen. Faith is the source of our perennial optimism and our social activism and involvement. If we work and work hard enough, God will be with us to bring about that world of peace, justice, understanding, wisdom, kindness, respect and love that we call His kingdom coming to be on earth.

Our prayer today is that our American democratic society will continue to be a flowering plant connected to the vine with roots sunk deep into the rich soil of our national identity, spiritual experience and faith convictions. May our religious faith, as a foundational part of our national experience, continue to nurture and sustain each branch of our society so that by its very connectedness to the vine it can blossom and flourish.

Thank you.●

#### REMEMBERING LARRY TICE

● Mr. ROCKEFELLER. Mr. President, I rise today to share with my colleagues in the Senate the story of an awful tragedy that took place in Weirton, WV. Larry Tice, a steelworker at the former Weirton Steel now called Mittal Steel's Weirton Plant took his own life earlier this year after being overwhelmed with a misplaced feeling of failure.

Larry spent decades in Weirton Steel's hot mill before he was transitioned to the tin mill in Mittal's reorganization and shrinking of its operations in Weirton. At its height, Weirton Steel employed 14,000—nearly everyone in a town of roughly 25,000. Twenty years ago employment was approximately 7,000, and today the company employs less than 2,000 people in a town that has shrunk to fewer than 20,000 people. Weirton is a town that had been built around the plant, and the plant served as the town's economic engine for nearly 100 years. Weirton was and is known for its world-class steelmaking.

Mr. Tice was a hard-working veteran at Weirton Steel. There had never been a doubt as to where Larry would work when he was growing up. He, like so many others, had been raised to believe if they worked hard, there would always be a job that included a living wage, competitive benefits, and a guaranteed pension. Larry's father, uncles,

and cousins had all worked at the mill. Larry worked there his whole life after signing up after high school graduation in 1973. Just before his death, his job was in jeopardy, many of his benefits diminished, and his pension had all but disappeared.

Mr. Tice worked at the heart of the mill, in the pit, where glowing molten steel drifted overhead in 340-ton ladles, then roared out of 3½-inch holes. He excelled in his area of work and was crew chief to six employees. Everyone says Mr. Tice enjoyed his work and took pride in what he did. It was not an easy job. The intense heat and the physical nature of the job tax workers physically and mentally, but Mr. Tice was a true steelworker, never complaining and always doing what he was asked.

After many layoffs at Weirton Steel and the closure of the hot end, Mr. Tice was relocated to the tin mill, but he happily accepted this assignment because he was one of those who would still have a job after another massive layoff. With the new job came many new stresses and worries. Mr. Tice had only 2 weeks to master the new machinery and technology; the tin mill was more technologically advanced and was a place that required new skills and processes. At age 51, this new, high-tech job posed a real challenge for Mr. Tice. The stress continued to mount and Mr. Tice began to feel inferior, as his friends report, looking back on his last few months of life.

Mr. Tice worried that the new management of Weirton would not tolerate a slow learning curve. He worried that if he didn't pick up his new craft quickly enough that he would be fired. In the end, friend and family pointed to some negative reinforcement and a general feeling of inadequacy on Mr. Tice's part. This steelworker of two-plus decades worried that if he didn't catch on quickly enough he wouldn't be able to provide for his family or allow them the opportunities they deserved—worries that anyone who cares for a family can understand. Larry Tice was a family man to his last days.

This hardship and uncertainty, along with his constant pressure and concern for his family's welfare, ultimately led to him taking his own life. Mr. Tice's widow, Mary, is now only left to wonder what was so inescapable. Mary spoke with Larry over the phone moments before his death and he told her he had 'screwed up,' though he did not elaborate further. At home, Larry hung up the telephone. When Mary tried calling back, there was no answer. She then drove home, though it was too late.

I stand before you today to ask that Larry Tice's story be remembered, along with the ongoing struggle of all steelworkers. Many ask why we in steel States fight so hard for our steel jobs, and it is because of stories like Larry Tice's that touch our hearts. It is so that no more steelworkers will suffer the agony Mr. Tice endured and

which conquered him. We work to ensure that fair trade conditions exist so no more families find themselves agonizing as a loved one worries about their livelihood and ability to provide for their family. The steel industry is very important to the prosperity of our State and is something that touches many West Virginians' lives and our country. My deepest sympathy goes out to the Tice family. ●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 383. To designate the Ice Age Floods National Geologic Route, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 971. An act to extend the deadline for commencement of construction of certain hydroelectric projects in Connecticut, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1215. An act to provide for the implementation of a Green Chemistry Research and Development Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1344. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1472. An act to designate the facility of the United States Postal Service located at 167 East 124th Street in New York, New York, as the "Tito Puente Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1711. An act to provide assistance to the State of New Mexico for the development of comprehensive State water plans, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1796. An act to amend the National Trails System Act to designate the route of the Mississippi River from its headwaters in the State of Minnesota to the Gulf of Mexico for study for potential addition to the National Trails System as a national scenic trail, national historic trail, or both, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2069. An act to authorize the exchange of certain land in Grand and Uintah Counties, Utah, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2110. An act to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2679. To amend the Revised Statutes of the United States to prevent the use of the legal system in a manner that extorts money from State and local governments, and the Federal Government, and inhibits such governments' constitutional actions under the first, tenth, and fourteenth amendments; to the Committee on the Judiciary.

H.R. 3534. An act to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3606. An act to modify a land grant patent issued by the Secretary of the Interior; to the Committee on Energy and Natural Resources.

H.R. 3626. An act to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized; to the Committee on Energy and Natural Resources.

H.R. 3871. An act to authorize the Secretary of Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc., certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail; to the Committee on Energy and Natural Resources.

H.R. 3961. An act to authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park; to the Committee on Energy and Natural Resources.

H.R. 4275. An act to amend Public Law 106-348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States; to the Committee on Energy and Natural Resources.

H.R. 4382. An act to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard; to the Committee on Energy and Natural Resources.

H.R. 4545. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4720. An act to designate the facility of the United States Postal Service located at 200 Gateway Drive in Lincoln, California, as the "Beverly J. Wilson Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4750. An act to authorize the Secretary of the Interior to conduct a study to determine the feasibility of implementing a water supply and conservation project to improve water supply reliability, increase the capacity of water storage, and improve water management efficiency in the Republican River Basin between Harlan County Lake in Nebraska and Milford Lake in Kansas; to the Committee on Energy and Natural Resources.

H.R. 4766. To amend the Native American Programs Act of 1974 to provide for the revitalization of Native American languages through Native American language immersion programs; and for other purposes; to the Committee on Indian Affairs.

H.R. 4772. An act to simplify and expedite access to the Federal courts for injured parties whose rights and privileges under the United States Constitution have been deprived by final actions of Federal agencies or other government officials or entities acting under color of State law, and for other purposes; to the Committee on the Judiciary.

H.R. 4789. An act to require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district; to the Committee on Energy and Natural Resources.

H.R. 4844. To amend the Help America Vote Act of 2002 to require each individual who desires to vote in an election for Federal office to provide the appropriate election official with a government-issued photo identification, and for other purposes; to the Committee on Rules and Administration.

H.R. 4846. To authorize grants for contributions toward the establishment of the Woodrow Wilson Presidential Library; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4876. An act to ratify a conveyance of a portion of the Jicarilla Apache Reservation to Rio Arriba County, State of New Mexico, pursuant to the settlement of litigation between the Jicarilla Apache Nation and Rio Arriba County, State of New Mexico, to authorize issuance of a patent for said lands, and to change the exterior boundary of the Jicarilla Apache Reservation accordingly, and for other purposes; to the Committee on Indian Affairs.

H.R. 4942. An act to establish a capability and office to promote cooperation between entities of the United States and its allies in the global war on terrorism for the purpose of engaging in cooperative endeavors focused on the research, development, and commercialization of high-priority technologies intended to detect, prevent, respond to, recover from, and mitigate against acts of terrorism and other high consequence events and to address the homeland security needs of Federal, State, and local governments; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4981. An act to amend the National Dam Safety Program Act; to the Committee on Environment and Public Works.

H.R. 5016. An act to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5079. To update the management of Oregon water resources, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5108. An act to designate the facility of the United States Postal Service located at 1213 East Houston Street in Cleveland, Texas, as the "Lance Corporal Robert A. Martinez Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5136. An act to establish a National Integrated Drought Information System within the National Oceanic and Atmospheric Administration to improve drought monitoring and forecasting capabilities; to the Committee on Commerce, Science, and Transportation.

H.R. 5313. An act to reserve a small percentage of the amounts made available to the Secretary of Agriculture for the farm-land protection program to fund challenge

grants to encourage the purchase of conservation easements and other interests in land to be held by a State agency, county, or other eligible entity, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 5323. An act to require the Secretary of Homeland Security to provide for ceremonies on or near Independence Day for administering oaths of allegiance to legal immigrants whose applications for naturalization have been approved; to the Committee on the Judiciary.

H.R. 5340. An act to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5347. An act to reauthorize the HOPE VI program for revitalization of public housing projects; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5418. An act to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges; to the Committee on the Judiciary.

H.R. 5454. An act to authorize salary adjustments for Justices and judges of the United States for fiscal year 2007; to the Committee on the Judiciary.

H.R. 5483. An act to increase the disability earning limitation under the Railroad Retirement Act and to index the amount of allowable earnings consistent with increases in the substantial gainful activity dollar amount under the Social Security Act; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5503. An act to amend the National Housing Act to increase the mortgage amount limits applicable to FHA mortgage insurance for multifamily housing located in high-cost areas; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5516. An act to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5533. An act to prepare and strengthen the biodefenses of the United States against deliberate, accidental, and natural outbreaks of illness, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5637. An act to streamline the regulation of nonadmitted insurance and reinsurance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5681. An act to authorize appropriations for the Coast Guard for fiscal year 2007, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5692. To direct the Secretary of the Interior to conduct a special resource study to determine the feasibility and suitability of establishing a memorial to the Space Shuttle Columbia in the State of Texas and for its inclusion as a unit of the National Park System; to the Committee on Energy and Natural Resources.

H.R. 5736. An act to designate the facility of the United States Postal Service located at 101 Palafox Place in Pensacola, Florida, as the "Vincent J. Whibbs, Sr. Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5825. An act to update the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

H.R. 5835. An act to amend title 38, United States Code, to improve information management within the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5857. An act to designate the facility of the United States Postal Service located at 1501 South Cherrybell Avenue in Tucson, Arizona, as the "Morris K. 'Mo' Udall Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5861. An act to amend the National Historic Preservation Act, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5923. An act to designate the facility of the United States Postal Service located at 29-50 Union Street in Flushing, New York, as the "Dr. Leonard Price Stavisky Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5989. An act to designate the facility of the United States Postal Service located at 10240 Roosevelt Road in Westchester, Illinois, as the "John J. Sinde Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5990. An act to designate the facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, as the "Wallace W. Sykes Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6014. An act to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to improve California's Sacramento-San Joaquin Delta and water supply; to the Committee on Energy and Natural Resources.

H.R. 6062. An act to enhance community development investments by financial institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6072. An act to amend the Federal Deposit Insurance Act to provide further regulatory relief for depository institutions and clarify certain provisions of law applicable to such institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6078. An act to designate the facility of the United States Postal Service located at 307 West Wheat Street in Woodville, Texas, as the "Chuck Fortenberry Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6079. An act to require the President's Working Group on Financial Markets to conduct a study on the hedge fund industry; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6102. An act to designate the facility of the United States Postal Service located at 200 Lawyers Road, NW in Vienna, Virginia, as the "Captain Christopher Petty Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6115. An act to extend the authority of the Secretary of Housing and Urban Development to restructure mortgages and rental assistance for certain assisted multifamily housing; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6131. An act to permit certain expenditures from the Leaking Underground Storage Tank Trust Fund; to the Committee on Finance.

H.R. 6143. An act to amend title XXVI of the Public Health Service Act to revise and extend the program for providing life-saving care for those with HIV AIDS; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6151. An act to designate the facility of the United States Postal Service located at 216 Oak Street in Farmington, Minnesota, as the "Hamilton H. Judson Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6160. An act to recruit and retain Border Patrol agents; to the Committee on

Homeland Security and Governmental Affairs.

H.R. 6162. An act to require financial accountability with respect to certain contract actions related to the Secure Border Initiative of the Department of Homeland Security; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6164. An act to amend title IV of the Public Health Service Act to revise and extend the authorities of the National Institutes of Health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6166. An act to amend title 10, United States Code, to authorize trial by military commission for violations of the law of war, and for other purposes; to the Committee on Armed Services.

H.R. 6203. An act to provide for Federal energy research, development, demonstration, and commercial application activities, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 6233. An act to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; to the Committee on Environment and Public Works.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 222. Concurrent resolution supporting the goals and ideals of National Pregnancy and Infant Loss Remembrance Day; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res. 317. Concurrent resolution requesting the President to issue a proclamation annually calling upon the people of the United States to observe Global Family Day, One Day of Peace and Sharing, and for other purposes; to the Committee on Foreign Relations.

H. Con. Res. 430. Concurrent resolution recognizing the accomplishments of the American Council of Young Political Leaders for providing 40 years of international exchange programs, increasing international dialogue, and enhancing global understanding, and commemorating its 40th anniversary; to the Committee on Foreign Relations.

H. Con. Res. 471. Concurrent resolution congratulating The Professional Golfers' Association of America on its 90th anniversary and commending the members of The Professional Golfers' Association of America and The PGA Foundation for the charitable contributions they provide to the United States; to the Committee on Commerce, Science, and Transportation.

H. Con. Res. 473. Concurrent resolution supporting the goals and ideals of Gynecologic Cancer Awareness Month; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res. 478. Concurrent resolution supporting the goals and ideals of "Lights On Afterschool!", a national celebration of after-school programs; to the Committee on Health, Education, Labor, and Pensions.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 3994. A bill to extend the Iran and Libya Sanctions Act of 1996.

S. 4041. A bill to protect children and their parents from being coerced into administering a controlled substance in order to attend school, and for other purposes.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 4047. A bill to prohibit the issuance of transportation security cards to individuals who have been convicted of certain crimes.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that he had presented to the President of the United States the following enrolled bills:

On October 3, 2006:

S. 2430. An act to amend the Great Lakes Fish and Wildlife Restoration Act of 1990 to provide for implementation of recommendations of the United States Fish and Wildlife Service contained in the Great Lakes Fishery Resources Restoration Study.

S. 2856. An act to provide regulatory relief and improve productivity for insured depository institutions, and for other purposes.

S. 3661. An act to amend section 29 of the International Air Transportation Competition Act of 1979 relating to air transportation to and from Love Field, Texas.

On October 5, 2006:

S. 2562. An act to increase, effective as of December 1, 2006, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

S. 3728. An act to promote nuclear non-proliferation in North Korea.

On October 10, 2006:

S. 3930. An act to authorize trial by military commission or violations of the law of war, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-8928. A communication from the Administrator, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "For-Profit Center Participation in the Child and Adult Care Food Program" (RIN0584-AD66) received on November 6, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8929. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Removal of Obsolete Regulations" (RIN0560-AH65) received on November 6, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8930. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Imported Fire Ant; Addition of Counties in Arkansas and Tennessee to the List of Quarantined Areas" (Docket No. APHIS-2006-0080) received on November 6, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8931. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved retirement of Vice Admiral Walter B. Massenburg, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-8932. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved

retirement of General James L. Jones, Jr., United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-8933. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved retirement of Lieutenant General Jan C. Huly, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-8934. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report on the Department's decision to convert functions currently performed by Navy personnel to contractors; to the Committee on Armed Services.

EC-8935. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to a streamlined competition of military personnel; to the Committee on Armed Services.

EC-8936. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Acquisition of Major Weapon Systems as Commercial Items" (RIN0750-AF38) (DFARS Case 2006-D012) received on November 6, 2006; to the Committee on Armed Services.

EC-8937. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Free Trade Agreements—Guatemala and Bahrain" ((RIN0750-AF49) (DFARS Case 2006-D028)) received on November 6, 2006; to the Committee on Armed Services.

EC-8938. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Berry Amendment Notification Requirement" ((RIN0750-AF33) (DFARS Case 2006-D006)) received on November 6, 2006; to the Committee on Armed Services.

EC-8939. A communication from the Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Extension of Minimum Funding Under the Indian Housing Block Grant Program" (RIN2577-AC69) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8940. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the report of (2) officers authorized to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-8941. A communication from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Department of Defense Personnel Security Program Regulation" (DoD-2006-OS-0038) received on November 6, 2006; to the Committee on Armed Services.

EC-8942. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Buy American Act Exemption for Commercial Information Technology" ((RIN0750-AF23) (DFARS Case 2005-D011)) received on November 6, 2006; to the Committee on Armed Services.

EC-8943. A communication from the General Counsel, National Credit Union Admin-

istration, transmitting, pursuant to law, the report of a rule entitled "General Lending Maturity Limit and Other Financial Services" (RIN3133-AD30) received on November 7, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8944. A communication from the Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Demolition or Disposition of Public Housing Projects" (RIN2577-AC20) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8945. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Rules 13e-4 and 14d-10" (RIN3235-AJ50) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8946. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "National Flood Insurance Program; Appeal of Decisions Relating to Flood Insurance Claims" (RIN1660-AA41) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8947. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (71 FR 59398) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8948. A communication from the White House Liaison, Department of the Treasury, transmitting, pursuant to law, (12) reports relative to vacancy announcements within the Department, received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8949. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report relative to the national emergency that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-8950. A communication from the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Federal Home Loan Bank Elective Directors" (RIN3069-AB31) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8951. A communication from the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Privacy Act and Freedom of Information Act; Implementation" (RIN3069-AB32) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8952. A communication from the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Affordable Housing Program Amendments" (RIN3069-AB26) received on November 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8953. A communication from the Under Secretary and Director, United States Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Eliminate the Disclosure Document Program" (RIN0651-AC01) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8954. A communication from the Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Temporary Rule; Inseason Retention Limit Adjustment" (ID No. 092506B) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8955. A communication from the Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Pot Gear in the Bering Sea and Aleutian Islands Management Area" (ID No. 101206F) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8956. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Specifications and Management Measures; End of the Pacific Whiting Primary Season for the Mothership Sector (ID No. 100206A) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8957. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (ID No. 100306E) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8958. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands" (ID No. 100306D) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8959. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area" (ID No. 100506B) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8960. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper/Grouper Resources of the South Atlantic; Closure" (ID No. 092606D) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8961. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Economic Exclusive Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area" (ID No. 100506C) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8962. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Economic Exclusive Zone

Off Alaska; Trawl Gear in the Gulf of Alaska" (ID No. 100606A) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8963. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Offshore Component in the Western Regulatory Area of the Gulf of Alaska" (ID No. 101106A) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8964. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Implement Measures Approved in Framework Adjustment 42 to the Northeast Multispecies Fishery Management Plan" (RIN0648-AT24) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8965. A communication from the White House Liaison, Economics and Statistics Administration, Department of Commerce, transmitting, pursuant to law, the report of a change in previously submitted reported information and action on a nomination for the position of Under Secretary for Economic Affairs, received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8966. A communication from the White House Liaison, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a change in previously submitted reported information and action on a nomination for the position of Assistant Secretary for Export Administration, received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8967. A communication from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report relative to aviation operations in the airspace serving Love Field and the Dallas-Fort Worth area; to the Committee on Commerce, Science, and Transportation.

EC-8968. A communication from the Acting Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Innovation Research and Small Business Technology Transfer Contractor Recertification of Program Compliance" (RIN2700-AD17) received on November 6, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8969. A communication from the Acting Secretary of Transportation, transmitting, pursuant to law, a report relative to the disability-related complaints that U.S. and foreign passenger air carriers operating to and from the U.S. received during the 2005 calendar year; to the Committee on Commerce, Science, and Transportation.

EC-8970. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Annual Report to Congress on Federal Government Energy Management and Conservation Programs, Fiscal Year 2005"; to the Committee on Energy and Natural Resources.

EC-8971. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Procedures for the Acquisition of Petroleum for the Strategic Petroleum Reserve" (RIN1901-

AB16) received on November 6, 2006; to the Committee on Energy and Natural Resources.

EC-8972. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Nitrogen Oxides Allowance Allocations for 2008" (FRL No. 8238-9) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8973. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; North Carolina; Redesignation of the Rocky Mount 8-Hour Ozone Nonattainment Area to Attainment" (FRL No. 8239-5) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8974. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Ohio Particulate Matter" (FRL No. 8228-2) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8975. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri; Nitrogen Oxides Allowance Allocations for 2008" (FRL No. 8239-3) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8976. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Louisiana; 2006 Low Enhanced Vehicle Inspection/Maintenance Program" (FRL No. 8241-2) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8977. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Iowa" (FRL No. 8240-6) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8978. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Export Notification; Change to Reporting Requirements" (FRL No. 8101-3) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8979. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Louisiana: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 8241-3) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8980. A communication from the Principal Deputy Associate Administrator, Office

of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Lake County Air Quality Management District, Monterey Bay Unified Air Pollution Control District, San Joaquin Valley Unified Air Pollution Control District, and Ventura County Air Pollution Control District" (FRL No. 8234-9) received on November 6, 2006; to the Committee on Environment and Public Works.

EC-8981. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report entitled "FY 2005 Superfund Five-Year Review Report to Congress"; to the Committee on Environment and Public Works.

EC-8982. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Department's possible need to operate the Mississippi River headwaters reservoirs; to the Committee on Environment and Public Works.

EC-8983. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Collaborative Demonstration-Based Review of Physician Practice Expense Geographic Adjustment Data"; to the Committee on Finance.

EC-8984. A communication from the Acting Social Security Regulations Officer, Office of Disability and Income Security Programs, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Representative Payment Policies and Administrative Procedure for Imposing Penalties for False or Misleading Statements or Withholding of Information" (RIN0960-AG09) received on November 6, 2006; to the Committee on Finance.

EC-8985. A communication from the Acting Social Security Regulations Officer, Office of Disability and Income Security Programs, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Continuing Disability Review Failure to Cooperate Process" (RIN0960-AG19) received on November 6, 2006; to the Committee on Finance.

EC-8986. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Concerning Use of 2001 CSO Tables Under Section 7702" (Notice 2006-95) received on November 6, 2006; to the Committee on Finance.

EC-8987. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Taxation and Reporting of Excess Inclusion Income" (Notice 2006-97) received on November 6, 2006; to the Committee on Finance.

EC-8988. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "AJCA Modifications to the Section 6011, 6111, and 6112 Regulations" (RIN1545-BF98) received on November 6, 2006; to the Committee on Finance.

EC-8989. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "United States Treaties That Meet the Requirements of Section 1(h)(1)(C)(i)(II)" (Notice 2006-101) received on November 6, 2006; to the Committee on Finance.

EC-8990. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled

"Impact of Increased Financial Assistance to Medicare Advantage Plans"; to the Committee on Finance.

EC-8991. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Standards for Calculating Energy Savings for the New Energy Efficient Home Credit" (Announcement 2006-88) received on November 6, 2006; to the Committee on Finance.

EC-8992. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Excess Inclusion Income and Charitable Remainder Trusts" (Rev. Rul. 2006-58) received on November 6, 2006; to the Committee on Finance.

EC-8993. A communication from the Special Assistant, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report on the United States Participation in the United Nations for the year 2005; to the Committee on Foreign Relations.

EC-8994. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to methods employed by the Government of Cuba to comply with an agreement it made with the United States; to the Committee on Foreign Relations.

EC-8995. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report relative to the international agreements other than treaties that have been entered into in the past sixty days; to the Committee on Foreign Relations.

EC-8996. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from April 1, 2005 through September 30, 2006; ordered to lie on the table.

EC-8997. A communication from the Administrator, Office of Foreign Labor Certification, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Labor Condition Applications and Requirements for Employers Using Nonimmigrants on H1B Visas in Specialty Occupations and as Fashion Models; Labor Attestations Regarding H-1B1 Visas" (RIN1205-AB38) received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8998. A communication from the Administrator, Office of Workforce Security, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Federal-State Unemployment Compensation (UC) Program; Confidentiality and Disclosure of State UC Information" (RIN1205-AB18) received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8999. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the 2005 report relative to the Food and Drug Administration's methods for meeting the necessary conditions specified in the Prescription Drug User Fee Act of 1992; to the Committee on Health, Education, Labor, and Pensions.

EC-9000. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report detailing the means by which the conditions specified in the Animal Drug User Fee Act of 2003 were met; to the Committee on Health, Education, Labor, and Pensions.

EC-9001. A communication from the White House Liaison, Office of Communications and Outreach, Department of Education, transmitting, pursuant to law, the report of

action on a nomination for the position of Assistant Secretary for Communications and Outreach, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9002. A communication from the White House Liaison, Office of Communications and Outreach, Department of Education, transmitting, pursuant to law, the report of the discontinuation of service in the acting role for the position of Assistant Secretary for Communications and Outreach, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9003. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, (2) reports relative to vacancy announcements in the Department, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9004. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of change in previously submitted reported information and the designation of an acting officer for the position of Assistant Secretary for Planning and Evaluation, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9005. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of change in previously submitted reported information and discontinuation of service in an acting role for the position of Assistant Secretary for Planning and Evaluation, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9006. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Surgeon General, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9007. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Administrator, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9008. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of discontinuation of service in an acting role and action on a nomination for the position of General Counsel, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9009. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Administrator of the Centers for Medicare and Medicaid Services, received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-9010. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Recordkeeping Requirements for Human Food and Cosmetics Manufactured From, Processed With, or Otherwise Containing, Material from Cattle" ((RIN 0910-AF48) (Docket No. 2004N-0257)) received on November 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 3591. A bill to improve efficiency in the Federal Government through the use of high-performance green buildings, and for other purposes (Rept. No. 109-358).

By Ms. COLLINS, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 1838, a bill to provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, and for other purposes (Rept. No. 109-359).

## EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. ENZI for the Committee on Health, Education, Labor, and Pensions,

\*John Peyton, of Florida, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2011.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. LIEBERMAN, Mr. LEAHY, Ms. CANTWELL, Mr. COLEMAN, Mr. COBURN, Mr. KERRY, Mr. SALAZAR, Mr. SUNUNU, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. WYDEN, Mr. BIDEN, Mr. LEVIN, Mr. BYRD, Mr. SCHUMER, Mr. WARNER, Ms. SNOWE, and Mr. BENNETT):

S. 4046. A bill to extend oversight and accountability related to United States reconstruction funds and efforts in Iraq by extending the termination date of the Office of the Special Inspector General for Iraq Reconstruction; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DEMINT (for himself and Mr. ENSIGN):

S. 4047. A bill to prohibit the issuance of transportation security cards to individuals who have been convicted of certain crimes; read the first time.

## ADDITIONAL COSPONSORS

S. 724

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 724, a bill to improve the No Child Left Behind Act of 2001, and for other purposes.

S. 1002

At the request of Mr. GRASSLEY, the name of the Senator from Pennsyl-

vania (Mr. SPECTER) was added as a cosponsor of S. 1002, a bill to amend title XVIII of the Social Security Act to make improvements in payments to hospitals under the medicare program, and for other purposes.

S. 1147

At the request of Mr. ROCKEFELLER, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1147, a bill to amend the Internal Revenue Code of 1986 to provide for the expensing of broadband Internet access expenditures, and for other purposes.

S. 1353

At the request of Mr. REID, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1353, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1915

At the request of Mr. ENSIGN, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from New York (Mrs. CLINTON), the Senator from Delaware (Mr. BIDEN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1915, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 2010

At the request of Mr. HATCH, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2010, a bill to amend the Social Security Act to enhance the Social Security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 2342

At the request of Ms. STABENOW, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2342, a bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program.

S. 2487

At the request of Mr. CRAIG, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2487, a bill to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops.

S. 2545

At the request of Mr. OBAMA, his name was added as a cosponsor of S. 2545, a bill to establish a collaborative program to protect the Great Lakes, and for other purposes.

S. 2635

At the request of Mr. WYDEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2635, a bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters.

S. 2702

At the request of Mr. JOHNSON, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 2702, a bill to require the Secretary of Defense to carry out a program on the provision of assistance to certain military families.

S. 3128

At the request of Mr. BURR, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 3128, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 3608

At the request of Mr. ALLARD, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 3608, a bill to modify the boundary of Mesa Verde National Park, and for other purposes.

S. 3651

At the request of Mr. DURBIN, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 3651, a bill to reduce child marriage, and for other purposes.

S. 3705

At the request of Mr. KENNEDY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 3705, a bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes.

S. 3768

At the request of Mr. LEAHY, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Oregon (Mr. WYDEN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 3768, a bill to prohibit the procurement of victim-activated landmines and other weapons that are designed to be victim-activated.

S. 3771

At the request of Mr. HATCH, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 3771, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 3795

At the request of Mr. SMITH, the name of the Senator from Texas (Mr.

CORNYN) was added as a cosponsor of S. 3795, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

S. 3814

At the request of Mr. ROBERTS, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 3814, a bill to amend part B of title XVIII of the Social Security Act to restore the Medicare treatment of ownership of oxygen equipment to that in effect before enactment of the Deficit Reduction Act of 2005.

S. 3910

At the request of Mrs. CLINTON, the names of the Senator from California (Mrs. BOXER), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 3910, a bill to direct the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the Capitol.

S. 3920

At the request of Mr. HATCH, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 3920, a bill to amend part B of title XVIII of the Social Security Act to assure access to durable medical equipment under the Medicare Program.

S. 3936

At the request of Mr. FRIST, the names of the Senator from Utah (Mr. BENNETT) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 3936, a bill to invest in innovation and education to improve the competitiveness of the United States in the global economy.

S. 3962

At the request of Mr. DOMENICI, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 3962, a bill to enhance the management and disposal of spent nuclear fuel and high-level radioactive waste, to assure protection of public health and safety, to ensure the territorial integrity and security of the repository at Yucca Mountain, and for other purposes.

S. 3972

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 3972, a bill to amend title XXI of the Social Security Act to reduce funding shortfalls for the State Children's Health Insurance Program (SCHIP) for fiscal year 2007.

S. 3980

At the request of Mr. DODD, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 3980, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Edu-

cation, to develop a policy for managing the risk of food allergy and anaphylaxis in schools, to establish school-based food allergy management grants, and for other purposes.

S. 4014

At the request of Mr. LUGAR, the names of the Senator from Ohio (Mr. VOINOVICH), the Senator from Ohio (Mr. DEWINE), the Senator from Minnesota (Mr. COLEMAN), the Senator from Florida (Mr. MARTINEZ), the Senator from Connecticut (Mr. DODD), the Senator from New Hampshire (Mr. SUNUNU) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 4014, a bill to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of Albania, Croatia, Georgia, and Macedonia to NATO, and for other purposes.

S. 4015

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 4015, a bill to amend the Internal Revenue Code of 1986 to increase the amount of gain excluded from the sale of a principal residence.

S. 4043

At the request of Mrs. HUTCHISON, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 4043, a bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate a portion of Interstate Route 14 as a high priority corridor, and for other purposes.

S. CON. RES. 84

At the request of Mr. KYL, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. Con. Res. 84, a concurrent resolution expressing the sense of Congress regarding a free trade agreement between the United States and Taiwan.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. LEIBERMAN, Mr. LEAHY, Ms. CANTWELL, Mr. COLEMAN, Mr. COBURN, Mr. KERRY, Mr. SALAZAR, Mr. SUNUNU, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. WYDEN, Mr. BIDEN, Mr. LEVIN, Mr. BYRD, Mr. SCHUMER, Mr. WARNER, Ms. SNOWE, and Mr. BENNETT):

S. 4046. A bill to extend oversight and accountability related to United States reconstruction funds and efforts in Iraq by extending the termination date of the Office of the Special Inspector General for Iraq Reconstruction; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, today Senator FEINGOLD and I are introducing the Iraq Reconstruction Accountability Act of 2006. This bipartisan legislation, is co-sponsored by Senators LIEBERMAN, LEAHY, COLEMAN,

CANTWELL, SALAZAR, KERRY and COBURN, has a single purpose: to ensure continuing, vigorous oversight of American tax dollars in Iraq by repealing the premature termination date for the Office of the Special Inspector General for Iraq Reconstruction (SIGIR).

This legislation would restore SIGIR's termination date to its previous schedule of 10 months after 80 percent of Iraq reconstruction funds have been expended. It would repeal conference language in the 2007 Defense Authorization Bill that would close SIGIR on October 1, 2007, and transfer oversight to the Inspectors General of the Departments of State, Defense, and the U.S. Agency for International Development.

Departmental and agency Inspectors General perform an important service with dedication and expertise. However, those offices are configured to provide audits, inspections, and investigations of continuing government operations. The traditional approach of IG oversight—extensive inquiries, lengthy preparation and delivery of reports, recommendations for corrective action—is thorough. But it also is time-consuming and can allow wasteful or fraudulent practices to continue for some time.

Iraq reconstruction is a unique situation, with enormous amounts of money being spent in a relatively short period of time on a specific range of programs and operations. A number of agencies across the federal government are active in Iraq reconstruction, including the Department of Defense, the Department of State, the U.S. Agency for International Development, the Department of Justice and others. Reconstruction managers, and ultimately the taxpayers, do not have the luxury of waiting months to receive recommendations to correct wasteful or fraudulent practices. Oversight of Iraq reconstruction requires that the Inspector General be able to cross departmental boundaries and deliver the results of his work quickly and efficiently.

Effective oversight of Iraq reconstruction requires the unique approach provided by the SIGIR. Special Inspector General Stuart Bowen described this approach in testimony before the Homeland Security and Governmental Affairs Committee in a hearing on August 2. SIGIR's auditors and inspectors provide on-the-spot guidance to managers as soon as problems are discovered, so corrective action can begin immediately. This "real time" method allows most of his reports to document not only how problems were detected, but also how they were corrected.

This method works. It should continue as long as American funds are being used for Iraq reconstruction, not terminate on some arbitrary and premature date. As of October 30, 2006, SIGIR estimates that the financial impact of its audit operations is \$441 billion, its investigative operations is \$20 million and its inspection operations is

\$1.44 billion. It has achieved these results while costing the taxpayer \$72 million. This means that for every dollar SIGIR has spent there has been a financial impact of \$25 dollars, a very impressive ratio. SIGIR has also opened 256 cases thus far, and has either referred for prosecution or cleared 164. SIGIR has an impressive record. The Office has 92 open cases, with 25 of them at the Department of Justice. SIGIR has issued 73 audit reports and 65 project assessments. Its work has led to the arrests of five people, and the convictions of four, with more than \$17 million in assets seized. During the current quarter, SIGIR investigators opened 20 new cases and closed 10.

There is no question that SIGIR has proven itself to be a much-needed watchdog, auditing reconstruction contracts in Iraq and spotlighting numerous cases of waste, fraud and abuse. We must keep this watchdog on the job.

In addition, SIGIR has taken on a mission that will benefit our nation long after the Iraq reconstruction efforts conclude. Through its Lessons Learned Initiative, the experience gained in Iraq—and the methods developed to track, evaluate, and correct programs—will provide critical guidance to managers and policymakers in the future. The efficient and speedy SIGIR approach would have helped the initial urgent stages of Katrina recovery immeasurably, and it will be invaluable in the aftermath of new disasters to come.

SIGIR has performed admirably in the most difficult of circumstances. Mr. Bowen and his exemplary staff have put themselves in harm's way numerous times. This incredible dedication is reflected in their work, which provides a high degree of oversight and accountability that is essential for Iraq reconstruction to succeed, and it is creating a template for success in the challenges that lie ahead. I urge my colleagues to support the Iraq Reconstruction Accountability Act. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 4046

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Iraq Reconstruction Accountability Act of 2006".

#### SEC. 2. MODIFICATION OF THE TERMINATION DATE FOR THE OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR IRAQ RECONSTRUCTION.

Section 3001(o) of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of Public Law 95-452), as amended by section 1054(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), is amended to read as follows:

"(o) TERMINATION.—(1)(A) The Office of the Inspector General shall terminate 10 months after 80 percent of the funds appropriated or

otherwise made available to the Iraq Relief and Reconstruction Fund have been expended.

"(B) For purposes of calculating the termination of the Office of the Inspector General under this subsection, any United States funds appropriated or otherwise made available for fiscal year 2006 for the reconstruction of Iraq, irrespective of the designation of such funds, shall be deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund.

"(2) The Special Inspector General for Iraq Reconstruction shall, prior to the termination of the Office of the Special Inspector General under paragraph (1), prepare a final forensic audit report on all funds deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund."

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 5122. Mr. STEVENS submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table.

SA 5123. Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. LIEBERMAN, Mr. LEAHY, Ms. CANTWELL, Mr. COLEMAN, Mr. COBURN, Mr. WARNER, Mr. KERRY, Mr. SALAZAR, Mr. SUNUNU, Mr. KENNEDY, Ms. SNOWE, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. WYDEN, Mr. BIDEN, Mr. LEVIN, Mr. BYRD, Mr. SCHUMER, and Mr. BENNETT) submitted an amendment intended to be proposed by her to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5124. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5125. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5126. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5127. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5128. Mr. AKAKA (for himself and Mr. OBAMA) proposed an amendment to the bill H.R. 5385, supra.

SA 5129. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5130. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5131. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5132. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5133. Mr. FRIST (for Mr. MCCAIN) proposed an amendment to the bill S. 3501, to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program.

SA 5134. Mr. BAUCUS submitted an amendment intended to be proposed by him to the

bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table.

SA 5135. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5136. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 5385, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 5122. Mr. STEVENS submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) Of the amount appropriated or otherwise made available by this title under the heading "FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY", \$7,500,000 may be available for the lease of not more than 300 additional housing units in the vicinity of Fairbanks, Alaska. Such funds may not be available for the construction or purchase of such units.

(b)(1) The total cost of a unit leased under subsection (a), including the cost of utilities, maintenance, and operation, may not exceed \$25,000 per year.

(2) A lease entered into under subsection (a) may not exceed 5 years in duration or include an option to extend the lease beyond the 5-year period beginning on the date the lease commences.

SA 5123. Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. LIEBERMAN, Mr. LEAHY, Ms. CANTWELL, Mr. COLEMAN, Mr. COBURN, Mr. WARNER, Mr. KERRY, Mr. SALAZAR, Mr. SUNUNU, Mr. KENNEDY, Ms. SNOWE, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. WYDEN, Mr. BIDEN, Mr. LEVIN, Mr. BYRD, Mr. SCHUMER, and Mr. BENNETT) submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Section 3001(o) of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of Public Law 95-452), as amended by section 1054(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), is amended to read as follows:

"(o) TERMINATION.—(1)(A) The Office of the Inspector General shall terminate 10 months

after 80 percent of the funds appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund have been expended.

“(B) For purposes of calculating the termination of the Office of the Inspector General under this subsection, any United States funds appropriated or otherwise made available for fiscal year 2006 for the reconstruction of Iraq, irrespective of the designation of such funds, shall be deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund.

“(2) The Special Inspector General for Iraq Reconstruction shall, prior to the termination of the Office of the Special Inspector General under paragraph (1), prepare a final forensic audit report on all funds deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund.”

**SA 5124.** Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following:

SEC. 229. (a) REPORTS ON RULEMAKING FOR PROCEDURES TO ADD EMBLEMS OF BELIEF TO GOVERNMENT-PROVIDED HEADSTONES AND MARKERS.—As soon as practicable after the date of the enactment of this Act, and every 90 days thereafter until such rulemaking is complete, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report on the status of the rulemaking of the Secretary to establish procedures for adding new emblems of belief to the list, maintained by the National Cemetery Administration, of emblems of belief that are approved for inscription on headstones and markers provided by the Government for the graves of veterans.

(b) EVALUATION OF PENDING REQUESTS FOR NEW EMBLEMS OF BELIEF.—Not later than 30 days after the completion of the rulemaking described in subsection (a), the Secretary shall make a final decision on each request for the inclusion on the list described in that subsection of a new emblem of belief for headstones and markers for the graves of veterans that is submitted to the Department of Veterans Affairs before the completion of such rulemaking but on which no final decision has been made by the Secretary as of the completion of such rulemaking.

**SA 5125.** Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) Of the amount appropriated or otherwise made available by this title under the heading “MILITARY CONSTRUCTION, NAVY AND MARINE CORPS”, \$3,410,000 may be avail-

able for the replacement of a vehicle bridge at Naval Station, Newport, Rhode Island.

(b) The amount appropriated or otherwise made available by this title under the heading “MILITARY CONSTRUCTION, NAVY AND MARINE CORPS” and available for the Hazardous Material Storage Facility at Naval Station, Newport, Rhode Island, is hereby reduced by \$3,410,000.

**SA 5126.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Subsection (c) of section 1077 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) is hereby repealed.

**SA 5127.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following new section:

SEC. 229. Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report on the actions taken by the Secretary to test veterans for vestibular damage.

**SA 5128.** Mr. AKAKA (for himself and Mr. OBAMA) proposed an amendment to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the end of title II, add the following:

SEC. \_\_\_\_ (a) ADDITIONAL AMOUNT FOR OFFICE OF INSPECTOR GENERAL OF DEPARTMENT OF VETERANS AFFAIRS.—The amount appropriated by this title under the heading “OFFICE OF INSPECTOR GENERAL” is hereby increased by \$2,500,000.

(b) OFFSET.—The amount appropriated by this title under the heading “CONSTRUCTION, MAJOR PROJECTS” is hereby reduced by \$2,500,000.

**SA 5129.** Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other

purposes; which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following new section:

SEC. 229. (a) INCREASE IN THRESHOLD FOR MAJOR MEDICAL FACILITY PROJECTS.—Section 8104(a)(3)(A) of title 38, United States Code, is amended by striking “\$7,000,000” and inserting “\$10,000,000”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2006, and shall apply with respect to fiscal years beginning on or after that date.

**SA 5130.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following:

SEC. 229. (a) COLOCATION OF COMMUNITY BASED OUTPATIENT CLINIC WITH WAGNER INDIAN HEALTH SERVICE UNIT, WAGNER, SOUTH DAKOTA.—No amount appropriated or otherwise made available for the Department of Veterans Affairs by this title may be obligated or expended to implement a business plan of Veterans Integrated Service Network 23 (VISN 23) for the implementation a Community Based Outpatient Clinic (CBOC) in Wagner, South Dakota, unless such business plan contains an evaluation and an analysis of the prospect of collocating such Community Based Outpatient Clinic with the Wagner Indian Health Service unit in Wagner, South Dakota.

(b) AVAILABILITY OF AMOUNTS FOR EMERGENCY ROOM SERVICES AT WAGNER INDIAN HEALTH SERVICE UNIT.—Of the amount appropriated or otherwise made available to the Department of Veterans Affairs by this title under the heading “MEDICAL FACILITIES”, up to \$500,000 may be available for emergency room services at the Wagner Indian Health Service unit pending implementation of a business plan meeting the requirements in subsection (a).

**SA 5131.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) The amount appropriated or otherwise made available by this title under the heading “MILITARY CONSTRUCTION, AIR FORCE” is hereby increased by \$750,000.

(b) Of the amount appropriated or otherwise made available by this title under the heading “MILITARY CONSTRUCTION, AIR FORCE”, as increased by subsection (a), \$750,000 shall be available for the Air Force Financial Management Center.

(c) The amount appropriated or otherwise made available by this title under the heading “NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM” is hereby reduced by \$750,000.

**SA 5132.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) The amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, AIR FORCE" is hereby increased by \$1,500,000.

(b) Of the amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, AIR FORCE", as increased by subsection (a), \$1,500,000 shall be available for making base security improvements at Ellsworth Air Force Base, South Dakota.

(c) The amount appropriated or otherwise made available by this title under the heading "NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM" is hereby reduced by \$1,500,000.

**SA 5133.** Mr. FRIST (for Mr. MCCAIN) proposed an amendment to the bill S. 3501, to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program; as follows:

On page 2, strike lines 19 through 22 and insert the following:

"(2) TRANSFERS TO ACQUISITION FUND.—There are transferred to the Acquisition Fund any funds made available, but not expended, under subsection (f).

**SA 5130.** Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following:

SEC. 229. Of the amount appropriated by this title under the heading "NATIONAL CEMETERY ADMINISTRATION" up to \$1,000,000 may be available for the construction of the first phase of the Yellowstone County National Veterans Cemetery, Montana, for roads, irrigation, and site improvements. The amount so available shall supplement funds raised by the local community for purposes of the cemetery.

**SA 5135.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. 229. Notwithstanding any other provision of law, the Secretary is authorized to carry out major medical facility projects and leases for which any funds have been appropriated under this Act or any other Act. Further, for major medical facility projects authorized under Public Law 108-170, the Secretary may carry out contracts through September 30, 2007, including land purchase on projects for which Phase I design has been authorized.

**SA 5136.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

"SEC. 126. (a) The amount available for "Military Construction, Air Force" is hereby reduced by \$25,400,000 for "Basic Expeditionary Airmen Training Facility, Lackland AFB, Texas".

(b) The amount available for "Military Construction, Defense-wide" is hereby increased by \$651,600 for "Planning and Design: Special Operations Command".

(c) The amount available for "Family Housing Operation and Maintenance, Navy and Marine Corps" is hereby increased by \$10,601,000 for "Leasing".

(d) The amount available for "United States Court of Appeals for Veterans Claims" is hereby increased by \$311,400 for "Salaries and Expenses".

SEC. 127. On page 65, line 5, strike "\$72,065,000" and insert "\$58,229,000"."

#### NOTICE OF HEARING

##### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. COLEMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled "Failure to Identify Company Owners Impedes Law Enforcement."

The Permanent Subcommittee on Investigations' hearing will examine the issue of States routinely incorporating hundreds of thousands of new, non-publicly traded companies in the United States each year without obtaining the identity of the corporate owners, thereby impeding law enforcement investigations into persons misusing U.S. shell corporations for money laundering, tax evasion, terrorist financing, or other crimes. The hearing will feature the April 2006 Government Accountability Office (GAO) report prepared at the Subcommittee's request, "Company Formations: Minimal Ownership Information Is Collected and Available." Witnesses for the upcoming hearing will include representatives of GAO, the Department of Justice, the Financial Crimes Enforcement Network, and the Internal Revenue Service, as well as representatives of several states. A final witness list will be

available on Thursday, November 9, 2006.

The Subcommittee hearing is scheduled for Tuesday, November 14, 2006, at 2:30 p.m. in Room 342 of the Dirksen Senate Office Building. For further information, please contact Raymond V. Shepherd III or Elise J. Bean, of the Permanent Subcommittee on Investigations at 224-3721.

##### SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the Subcommittee on National Parks hearing for Wednesday, November 15, 2006 at 4 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC, has been postponed until further notice.

For further information, please contact Tom Lillie at (202) 224-5161, David Szymanski at (202) 224-6293, or Sara Zecher 202-224-8276.

##### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. COLEMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled "The Defense Travel System: Boon Or Boondoggle (Part 2)."

The Permanent Subcommittee on Investigations plans to hold this second hearing on the Department of Defense's (DOD) Defense Travel System (DTS) as part of its ongoing investigation of DOD's travel policies and practices. The DTS was intended to be a seamless integrated computer-based travel system that would facilitate travel for DOD employees and lead to increased efficiency and substantial cost savings. Instead, DTS has cost more than was anticipated, is not fully deployed, does not appear to be widely used and may end up costing more than it has saved. The Subcommittee's first hearing on DTS on September 29, 2005, established that DOD proceeded with the implementation of DTS despite warnings from the DOD Inspector General (IG) and the Secretary of Defense's Program Analysis and Evaluation section that DTS might not be the most cost effective solution to DOD's travel needs. Following the hearing, the Chairman asked the Government Accountability Office (GAO) and the DOD IG to respectively determine if the projected cost savings were justified and to perform a cost benefit analysis of DTS. The upcoming hearing will present the results of those reviews and provide DOD an opportunity to respond. Witnesses for the upcoming hearing will be representatives of GAO and DOD.

The Subcommittee hearing is scheduled for Thursday, November 16, 2006, at 10 a.m. in Room 342 of the Dirksen Senate Office Building. For further information, please contact Raymond V. Shepherd, III, Staff Director and Chief Counsel to the Permanent Subcommittee on Investigations, at 224-3721.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Monday, November 13, 2006, at 2:30 p.m. to consider the nomination of Susan E. Dudley to be Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

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

**PRIVILEGES OF THE FLOOR**

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that Rose Fabia, a detailee to the Appropriations Committee from the Department of Veterans Affairs and a staff member on our committee, be granted floor privileges for the duration of debate on H.R. 5385.

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

**MEASURES PLACED ON THE CALENDAR—S. 3994 AND S. 4041**

Mr. FRIST. Mr. President, I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report the bills by title for a second time.

The legislative clerk read as follows:

A bill (S. 3994) to extend the Iran and Libya Sanctions Act of 1996.

A bill (S. 4041) to protect children and their parents from being coerced into administering a controlled substance in order to attend school, and for other purposes.

Mr. FRIST. Mr. President, in order to place the bills on the calendar under the provisions of rule XIV, I object to further proceeding en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be placed on the calendar.

**MEASURE READ THE FIRST TIME—S. 4047**

Mr. FRIST. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

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

The legislative clerk read as follows:

A bill (S. 4047) to prohibit the issuance of transportation security cards to individuals who have been convicted of certain crimes.

Mr. FRIST. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

**PUEBLO OF ISLETA SETTLEMENT AND NATURAL RESOURCES RESTORATION ACT OF 2006**

Mr. FRIST. Mr. President, I ask unanimous consent to proceed to the

immediate consideration of H.R. 5842, which is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 5842) to compromise and settle all claims in the case of Pueblo of Isleta v. United States, to restore, improve, and develop the valuable on-reservation land and natural resources of the Pueblo, and for other purposes.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and that any statements relating to this measure be printed in the RECORD.

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

The bill (H.R. 5842) was ordered to a third reading, was read the third time, and passed.

**TO PROVIDE FOR THE CONVEYANCE OF THE REVERSIONARY INTEREST OF THE UNITED STATES IN CERTAIN LANDS TO THE CLINT INDEPENDENT SCHOOL DISTRICT, EL PASO COUNTY, TEXAS**

Mr. FRIST. I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 860 and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (H.R. 860) to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clint Independent School District, El Paso County, Texas.

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

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The bill (H.R. 860) was ordered to a third reading, was read the third time, and passed.

**AMENDING THE SHIVWITS BAND OF THE PAIUTE INDIAN TRIBE OF UTAH WATER RIGHTS SETTLEMENT ACT**

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 531, S. 3501.

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

The legislative clerk read as follows:

A bill (S. 3501) to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acqui-

sition fund for the water rights and habitat acquisition program.

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

Mr. MCCAIN. Mr. President, I am pleased that today the Senate has agreed to pass S. 3501, a bill to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program, with an amendment that I have also offered. This bill amends the Shivwits Band of Paiute Indian Tribe of Utah Water Rights Settlement Act, enacted in 2000, which ratified a negotiated settlement of the Shivwits Band of Paiute Indian Tribe's water entitlement to flow from the Santa Clara River in UT.

S. 3501 was introduced to address a deficiency in the original statutory language of the Shivwits Water Rights Settlement Act. Section 10 of that Act authorized a water rights and habitat acquisition program. Congress appropriated \$3 million that was authorized by Section 10. When the Department of the Interior attempted to implement the law, the Treasury Department advised that the language in Section 10 was insufficient for this purpose. The Treasury Department and Department of the Interior developed technical correction language to address this deficiency in the original statutory language. S. 3501 facilitates this correction in the Shivwits Water Rights Settlement Act.

However, subsequent to approval of this measure by the Indian Affairs Committee, the Congressional Budget Office determined that the language developed by Treasury and Interior, as reflected in S. 3501, could be interpreted to authorize an additional \$3 million to the Acquisition Fund and thereby increase direct spending.

Therefore, I have offered an amendment with the bill in an effort to avoid any ambiguity in S. 3501 concerning prior appropriations for the Acquisition Fund. The amendment strikes the potentially ambiguous language in the bill, and inserts new language, to the effect, that funds transferred to the Acquisition Fund are funds made available but not expended. The technical amendment therefore avoids the possibility of any redundant appropriations, keeping S. 3501 budget neutral, as was originally intended, and fully implements Section 10 of the Shivwits Band of Paiute Indian Tribe of Utah Water Rights Settlement Act of 2000.

Mr. FRIST. I ask unanimous consent the amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The amendment (No. 5133) was agreed to, as follows:

(Purpose: To modify a provision relating to transfers to the Acquisition Fund)

On page 2, strike lines 19 through 22 and insert the following:

“(2) TRANSFERS TO ACQUISITION FUND.—There are transferred to the Acquisition Fund any funds made available, but not expended, under subsection (f).

The bill (S. 3501), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3501

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

**SECTION 1. ACQUISITION FUND.**

Section 10 of the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act (Public Law 106-263; 114 Stat. 743) is amended—

(1) in subsection (f), by striking the second sentence; and

(2) by adding at the end the following:

“(g) ACQUISITION FUND.—

“(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the ‘Santa Clara Water Rights and Habitat Acquisition Fund’ (referred to in this section as the ‘Acquisition Fund’), consisting of—

“(A) such amounts as are appropriated to the Acquisition Fund under paragraph (2); and

“(B) any income earned on investment of amounts in the Acquisition Fund under paragraph (4).

“(2) TRANSFERS TO ACQUISITION FUND.—There are transferred to the Acquisition Fund any funds made available, but not expended, under subsection (f).

“(3) EXPENDITURES FROM ACQUISITION FUND.—On request by the Secretary, the Secretary of the Treasury shall transfer from the Acquisition Fund to the Secretary such amounts as the Secretary determines to be necessary to carry out this section.

“(4) INVESTMENT OF AMOUNTS.—

“(A) IN GENERAL.—On request by the Secretary, the Secretary of the Treasury shall invest such portion of the Acquisition Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

“(B) OBLIGATIONS.—Investments may be made only in public debt securities with maturities suitable to the needs of the Acquisition Fund, as determined by the Secretary, that bear interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

“(C) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under subparagraph (A), obligations may be acquired—

“(i) on original issue at the issue price; or

“(ii) by purchase of outstanding obligations at the market price.

“(D) SALE OF OBLIGATIONS.—Any obligation acquired by the Acquisition Fund may be sold by the Secretary of the Treasury at the market price.

“(E) CREDITS TO ACQUISITION FUND.—The income on, and the proceeds from the sale or redemption of, any obligations held in the Acquisition Fund shall be credited to, and form a part of, the Acquisition Fund.

“(5) TRANSFERS OF AMOUNTS.—

“(A) IN GENERAL.—The amounts required to be transferred to the Acquisition Fund under this subsection shall be transferred at least monthly from the general fund of the Treasury to the Acquisition Fund on the basis of estimates made by the Secretary of the Treasury.

“(B) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

“(6) MANAGEMENT.—The Acquisition Fund (including the principal of the Acquisition Fund and any interest generated on that principal) shall be managed in accordance with this section.”

**WAIVING APPLICATION OF THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT**

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 642, S. 3687.

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

The legislative clerk read as follows:

A bill (S. 3687) to waive application of the Indian Self-Determination and Education Assistance Act to a specific parcel of real property transferred by the United States to 2 Indian tribes in the State of Oregon, and for other purposes.

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

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid on the table with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (S. 3687) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3687

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

**SECTION 1. FINDINGS.**

With respect to the parcel of real property in Marion County, Oregon, deeded by the United States to the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon by quitclaim deed dated June 18, 2002, and recorded in the public records of Marion County on June 19, 2002, Congress finds that—

(1) the parcel of land described in the quitclaim deed, comprising approximately 19.86 acres of land originally used as part of the Chemawa Indian School, was transferred by the United States in 1973 and 1974 to the State of Oregon for use for highway and associated road projects;

(2) Interstate Route 5 and the Salem Parkway were completed, and in 1988 the Oregon Department of Transportation deeded the remaining acreage of the parcel back to the United States;

(3) the United States could no longer use the returned acreage for the administration of Indian affairs, and determined it would be most appropriate to transfer the property to the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon;

(4) on request of the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon, the United States transferred the parcel jointly to the Tribes for economic development and other purposes under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.);

(5) the transfer of the parcel was memorialized by the United States in 2 documents, including—

(A) an agreement titled “Agreement for Transfer of Federally Owned Buildings, Improvements, Facilities and/or Land from the

United States of America the [sic] Confederated Tribes of the Grand Ronde Community of Oregon and the Confederated Tribes of Siletz Tribe [sic] of Oregon”, dated June 21, 2001; and

(B) a quitclaim deed dated June 18, 2002, and recorded in the public records of Marion County, Oregon, on June 19, 2002 (reel 1959, page 84);

(6) use of the parcel by Tribes for economic development purposes is consistent with the intent and language of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) and other Federal Indian law—

(A) to encourage tribal economic development; and

(B) to promote economic self-sufficiency for Indian tribes;

(7) the United States does not desire the return of the parcel and does not intend under any circumstances to take action under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or any other legal authority to seek the return of the parcel; and

(8) in reliance on this intent, the Tribes have committed over \$2,500,000 to infrastructure improvements to the parcel, including roads and sewer and water systems, and have approved plans to further develop the parcel for economic purposes, the realization of which is dependent on the ability of the Tribes to secure conventional financing.

**SEC. 2. WAIVER OF APPLICATION OF INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.**

(a) NONAPPLICATION OF LAW.—Notwithstanding any other provision of law, the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) shall not apply to the transfer of the parcel of real property in Marion County, Oregon, deeded by the United States to the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon by quitclaim deed dated June 18, 2002, and recorded in the public records of Marion County on June 19, 2002.

(b) NEW DEED.—The Secretary of the Interior shall issue a new deed to the Tribes to the parcel described in subsection (a) that shall not include—

(1) any restriction on the right to alienate the parcel; or

(2) any reference to any provision of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(c) PROHIBITION ON GAMING.—Class II gaming and class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall not be conducted on the parcel described in subsection (a).

**REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 109-21**

Mr. FRIST. As in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on November 13, 2006, by the President of the United States:

Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs, Treaty Document No. 109-21.

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President’s message be printed in the RECORD.

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

The message of the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Geneva At of the Hague Agreement Concerning the International Registration of Industrial Designs (the "Agreement"), adopted in Geneva on July 2, 1999, and signed by the United States on July 6, 1999. I also transmit, for the information of the Senate, a report of the Department of State with respect to the Agreement.

This Agreement promotes the ability of U.S. design owners to protect their industrial designs by allowing them to obtain multinational design protection through a single deposit procedure. Under the Agreement, U.S. design owners would be able to file for design registration in any number of the Contracting Parties with a single standardized application in English at either the U.S. Patent and Trademark Office or at the International Bureau of the World Intellectual Property Organization (WIPO). Similarly, renewal of a design registration in each Contracting Party may be made by filing a single request along with payment of the appropriate fees at the International Bureau of WIPO. This Agreement should make access to international protection of industrial designs more readily available to U.S. businesses.

In the event that the Senate provides its consent to ratify the Agreement, the United States would not deposit its instrument of ratification until the necessary implementing legal structure has been established domestically.

I recommend that the Senate give early and favorable consideration to this Agreement and give its advice and consent to its ratification, subject to the declarations described in the accompanying report of the Department of State.

GEORGE W. BUSH.

THE WHITE HOUSE, November 13, 2006.

#### ORDERS FOR TUESDAY, NOVEMBER 14, 2006

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2:15 p.m. on Tuesday, November 14. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate resume consideration of H.R. 5385, the Military Construction and Veterans Affairs appropriations bill.

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

#### PROGRAM

Mr. FRIST. Mr. President, tomorrow we will continue to work on the bill we

began today, the Military Construction and Veterans Affairs appropriations bill. The bill's managers, Senators HUTCHISON and FEINSTEIN, were here today and will be here on the floor tomorrow. Senators should consult with them at the earliest time possible if they want to have an amendment considered to this important funding bill.

We do expect to complete this legislation tomorrow afternoon. Senators are reminded we will be voting tomorrow late afternoon, and we will alert everyone once a vote is scheduled.

As I mentioned earlier this morning, we plan this week to do a continuing resolution, to do a Vietnam trade agreement, and to do the U.S./India nuclear agreement, as well as other appropriations bills as they come to the floor.

#### ADJOURNMENT UNTIL 2:15 P.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:02 p.m., adjourned until Tuesday, November 14, 2006, at 2:15 p.m.

#### NOMINATIONS

Executive nominations received by the Senate November 13, 2006:

##### DEPARTMENT OF AGRICULTURE

MARK EVERETT KEENUM, OF MISSISSIPPI, TO BE UNDER SECRETARY OF AGRICULTURE FOR FARM AND FOREIGN AGRICULTURAL SERVICES, VICE J. B. PENN.

##### COMMODITY CREDIT CORPORATION

MARK EVERETT KEENUM, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE J. B. PENN.

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SCOTT A. KELLER, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE STEVEN B. NESMITH, RESIGNED.

##### SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

CHARLES E. DORKEY III, OF NEW YORK, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION, VICE JAMES S. SIMPSON.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

DAINE HUMETWEA, OF ARIZONA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION FOR A TERM EXPIRING AUGUST 25, 2012, VICE RICHARD NARCIA, TERM EXPIRED.

##### DEPARTMENT OF THE TREASURY

ANTHONY W. RYAN, OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE TIMOTHY S. BITSBERGER.

##### SOCIAL SECURITY ADMINISTRATION

ANDREW G. BIGGS, OF NEW YORK, TO BE DEPUTY COMMISSIONER OF SOCIAL SECURITY FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 19, 2007, VICE JAMES B. LOCKHART III.

ANDREW G. BIGGS, OF NEW YORK, TO BE DEPUTY COMMISSIONER OF SOCIAL SECURITY FOR A TERM EXPIRING JANUARY 19, 2013. (REAPPOINTMENT)

##### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

KATHERINE ALMQUIST, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE LLOYD O. PIERSON, RESIGNED.

##### DEPARTMENT OF LABOR

LEON R. SEQUEIRA, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE VERONICA VARGAS STIDVENT.

##### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

WILLIAM FRANCIS PRICE, JR., OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE EVELYN DEE POTTER ROSE, TERM EXPIRED.

ROBERT BRETLEY LOTT, OF LOUISIANA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE TERESA LOZANO LONG, TERM EXPIRED.

CHARLOTTE P. KESSLER, OF OHIO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE KATHARINE DEWITT, TERM EXPIRED.

JOAN ISRAELITE, OF MISSOURI, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE DON V. COGMAN, TERM EXPIRED.

BENJAMIN DONENBERG, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE MARIBETH MCGINLEY, TERM EXPIRED.

FORESTORY HAMILTON, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2012, VICE MARY COSTA, TERM EXPIRED.

##### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

RICHARD ALLAN HILL, OF MONTANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING JUNE 10, 2009, VICE JUANITA SIMS DOTY, TERM EXPIRED.

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

TERRY L. CLINE, OF OKLAHOMA, TO BE ADMINISTRATOR OF THE SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE CHARLES CURIE, RESIGNED.

##### DEPARTMENT OF HOMELAND SECURITY

PAUL A. SCHNEIDER, OF MARYLAND, TO BE UNDER SECRETARY FOR MANAGEMENT, DEPARTMENT OF HOMELAND SECURITY, VICE JANET HALE, RESIGNED.

##### POSTAL RATE COMMISSION

DAN GREGORY BLAIR, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE POSTAL RATE COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2012, VICE GEORGE A. OMAS, TERM EXPIRED.

##### UNITED STATES POSTAL SERVICE

ELLEN C. WILLIAMS, OF KENTUCKY, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2016. (REAPPOINTMENT)

##### FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

##### DEPARTMENT OF STATE

LAURIE JEANNE MEININGER, OF CALIFORNIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

##### DEPARTMENT OF STATE

MARSHALL C. DERKS, OF VIRGINIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

##### DEPARTMENT OF COMMERCE

HEATHER BYRNES, OF ALASKA

##### DEPARTMENT OF STATE

PATRICK M. AGENTS, OF VIRGINIA  
JAMES D. APPLGATE, OF MICHIGAN  
MAHA ANGELINA ARMUSE, OF TEXAS  
CHUKA NNONSO ASIKE, OF MARYLAND  
JAYSHREE BALASUBRAMANIAN, OF NORTH CAROLINA  
JASON J. BECK, OF UTAH  
RICHARD CLEVELAND BLACKWOOD, OF VIRGINIA  
PATRICK A. BOGUE, OF VIRGINIA  
STEPHANIE ELIZABETH BOSCAINO, OF VIRGINIA  
JEFFREY D. BOWAN, OF WASHINGTON  
THOMAS SCOTT BROWN, OF WASHINGTON  
CHRISTIANNE CARROLL, OF CALIFORNIA  
JEFFREY JOHN CARY, OF THE DISTRICT OF COLUMBIA  
MICHAEL G. CATHEY, OF CALIFORNIA  
JAMES A. CATTO, OF SOUTH CAROLINA  
PERRY YANG CHEN, OF VIRGINIA  
GABRIELLE ANN COLLINS, OF THE DISTRICT OF COLUMBIA

WILLIAM EVAN COUCH, OF ALABAMA  
CORNELIUS C. CREMIN, OF CALIFORNIA  
CHRIS CURRAN, OF NORTH CAROLINA  
ROBERTO CUSTODIO, OF FLORIDA  
T.A. DADISMAN III, OF VIRGINIA

AMY ELIZABETH DAHM, OF TEXAS  
 GREGORY D'ALESSANDRO, OF MARYLAND  
 MARK S. DAVIES, OF NEW MEXICO  
 JOYE L. DAVIS-KIRCHNER, OF MISSOURI  
 ANNE B. DEBEVOISE, OF CALIFORNIA  
 JAFFAR A. DIAB, OF MASSACHUSETTS  
 CHRISTOPHER R. DILWORTH, OF VIRGINIA  
 DIANA P. DRAGON, OF VIRGINIA  
 THERESA L. DUNN, OF VIRGINIA  
 JASON D. EVANS, OF HAWAII  
 DAVID FABRYCKY, OF VIRGINIA  
 RICHARD P. FELDMAN, OF THE DISTRICT OF COLUMBIA  
 RICHARD A. FISHER, OF VIRGINIA  
 KATHLEEN FOX, OF CALIFORNIA  
 ELAINE C. GLASENAPP, OF VIRGINIA  
 COREY M. GONZALEZ, OF THE DISTRICT OF COLUMBIA  
 VERONIKA GRAYLESS, OF VIRGINIA  
 GEORGE H. GREEN, OF VIRGINIA  
 PAULA GREENLEE, OF VIRGINIA  
 GRANT S. GUTHRIE, OF CALIFORNIA  
 ANDREW S. HAMRICK, OF GEORGIA  
 CAROLYN F. HANDY, OF VIRGINIA  
 ALISON C. HANNAH, OF MASSACHUSETTS  
 ADAM J. HANTMAN, OF MARYLAND  
 SARA RUTH HARRIGER, OF ALASKA  
 NATALIE A. HENRY, OF VIRGINIA  
 RALAN LUCAS HILL, OF CALIFORNIA  
 ALICE LADENE HOLDER, OF CALIFORNIA  
 BARBARA A. HOLSTON, OF VIRGINIA  
 JAMES W. HOLTSNIDER, OF COLORADO  
 AARON D. HONN, OF TEXAS  
 LUDOVIC HOOD, OF THE DISTRICT OF COLUMBIA  
 ERIKA LOREL HOSKING, OF VIRGINIA  
 ELIZABETH J. HOWARD, OF MARYLAND  
 WILLIAM P. HUMNICKY, OF CALIFORNIA  
 BRETT T. HUNT, OF ARIZONA  
 STEPHANIE J. HUTCHISON, OF MASSACHUSETTS  
 SAMUEL HYON, OF MARYLAND  
 LARRY M. JACKSON, OF VIRGINIA  
 JOHN CLARK JACOBS, OF TEXAS  
 AMANDA SCHRADER JACOBSEN, OF WASHINGTON  
 CHARLES L. JARRETT III, OF TENNESSEE  
 KIM H. JORDAN, OF CALIFORNIA  
 HORMAZD J. KANGA, OF KENTUCKY  
 AUDRA A. KEAGLE, OF VIRGINIA  
 TAMMY CRITTENDEN KENYATTA, OF VIRGINIA  
 AMY D. KUEHL, OF VIRGINIA  
 D. KRISTIAN KVOLS, OF FLORIDA  
 DENISE D. LAMOUREUX, OF VIRGINIA  
 LAWRENCE PAUL LANE, OF CALIFORNIA  
 LOLA A. LECERF, OF VIRGINIA  
 IRMA M. LOPEZ, OF VIRGINIA  
 DIANA LYNCH, OF MARYLAND  
 FELICIA D. LYNCH, OF FLORIDA  
 DARRIN WILLIAM STUART MACKINNON, OF VIRGINIA  
 BRENT AARON MAIER, OF TEXAS  
 MEREDITH MANERI, OF NEW JERSEY  
 MIKA MCBRIDE, OF TEXAS  
 MARGARET M. MC LAUGHLIN, OF THE DISTRICT OF COLUMBIA  
 MATTHEW C. MCNEIL, OF OHIO  
 JOEL MENDEZ, OF ALABAMA  
 JOSHUA J. MILLER, OF VIRGINIA  
 KAREN N. MIMS, OF PENNSYLVANIA  
 JUDITH H. MONSON, OF NEW YORK  
 KELLY E. MURNANE, OF VIRGINIA  
 ROSHNI MONA NIRODY, OF NEW JERSEY  
 LESLIE SILVIA NUNEZ, OF FLORIDA  
 DANIEL ONSTAD, OF THE DISTRICT OF COLUMBIA  
 JUAN CARLOS OSPINA, OF FLORIDA  
 RONALD D. OWLES, OF FLORIDA  
 NICK PARIKH, OF WASHINGTON  
 REBECCA SUZANNE PHELPS, OF MICHIGAN  
 LAURA ELOISE PYEATT, OF TENNESSEE  
 NEVEEN N. RAMIREZ, OF NEW JERSEY  
 BENJAMIN NELSON REAMES, OF TEXAS  
 JUSTIN ELBERT REYNOLDS, OF IOWA  
 DAVID J. ROEHN, OF VIRGINIA  
 GEORGE G. SARMIENTO, OF TEXAS  
 JULIA REID SCHIFF, OF OHIO  
 ASHLEY M. SCHOLL, OF OHIO  
 MELISSA SCHUBERT, OF MISSOURI  
 VERA B. SEARLES, OF MARYLAND  
 ANNIE M. SIMPKINS, OF FLORIDA  
 ADAM L. SMITH, OF UTAH  
 HEIDI E. SMITH, OF MICHIGAN  
 MARC ALAN SNIDER, OF ILLINOIS  
 PETER RICARDO SOLANO, OF MINNESOTA  
 ADRIENNE BECK TAYLOR, OF VIRGINIA  
 ERIC L. THORNTON, OF THE DISTRICT OF COLUMBIA  
 HUNTER TRESSEDER, OF CALIFORNIA  
 WILLIAM FAY VON ZAGORSKI, OF VIRGINIA  
 LILLIAN CATHERINE WAHL-TUCO, OF NEW HAMPSHIRE  
 CHANIN T. WEBB, OF VIRGINIA  
 WILLIAM STEPHEN WELLS, OF THE DISTRICT OF COLUMBIA  
 GARY W. WESTFALL, OF FLORIDA  
 MATTHEW WRIGHT, OF TEXAS  
 CHADWICK JACKSON WYKLE, OF WEST VIRGINIA  
 HANSANG YI, OF CALIFORNIA  
 SOVANDARA YIN, OF OREGON  
 MADELINA M. YOUNG, OF NEW YORK  
 MELISSA S. ZADNIK, OF PENNSYLVANIA

## IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

*To be lieutenant*

GREG E. VERSAW, 0000

## IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE

RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIGADIER GENERAL ROBERT T. BRAY, 0000  
 BRIGADIER GENERAL RAYMOND W. CARPENTER, 0000  
 BRIGADIER GENERAL HUNTINGTON B. DOWNER, JR., 0000  
 BRIGADIER GENERAL JAMES W. NUTTALL, 0000  
 BRIGADIER GENERAL DARREN C. OWENS, 0000  
 BRIGADIER GENERAL JAMES I. PYLANT, 0000  
 BRIGADIER GENERAL STEVEN D. SAUNDERS, 0000  
 BRIGADIER GENERAL RANDAL E. THOMAS, 0000  
 BRIGADIER GENERAL PATRICK D. WILSON, 0000

*To be brigadier general*

COLONEL ROMA J. AMUNDSON, 0000  
 COLONEL VIRGINIA G. BARHAM, 0000  
 COLONEL ROLAND L. CANDEE, 0000  
 COLONEL ALLEN M. HARRELL, 0000  
 COLONEL JAMES A. HOYER, 0000  
 COLONEL STEVEN P. HUBER, 0000  
 COLONEL RONALD W. HUFF, 0000  
 COLONEL DAVID F. IRWIN, 0000  
 COLONEL SCOTT W. JOHNSON, 0000  
 COLONEL THEODORE D. JOHNSON, 0000  
 COLONEL JEFFERY D. KINARD, 0000  
 COLONEL SCOTT D. LEGWOLD, 0000  
 COLONEL WALTER E. LIPPINCOTT, 0000  
 COLONEL WILLIAM M. MALOAN, 0000  
 COLONEL RANDALL R. MARCHI, 0000  
 COLONEL CRUZ M. MEDINA, 0000  
 COLONEL RICHARD S. MILLER, 0000  
 COLONEL STUART C. PIKE, 0000  
 COLONEL DANNY K. SPEIGNER, 0000  
 COLONEL STANLEY M. STRICKLEN, 0000  
 COLONEL MARGARET S. WASHBURN, 0000  
 COLONEL TONY N. WINGO, 0000

## IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

JEFFREY C. CARSTENS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624, 1552, AND 531:

*To be lieutenant colonel*

STEPHEN R. GERINGER, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

PAUL M. ROBERTS, 0000

## IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

WILLIE G. BARNES, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

LESLIE N. SWARTZ, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

DANIEL P. MC LEMORE, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

JOSEF R. SMITH, 0000  
 MICHAEL D. TAYLOR, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

ROBERT M. BLACKMON, 0000  
 BRADLEY M. VOORHEES, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

*To be lieutenant colonel*

NICHOLAS C. BAKRIS, 0000

*To be major*

ANDREW D. MAGNET, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE

UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be colonel*

DAVID E. GREEN, 0000

*To be lieutenant colonel*

MICHAEL J. WILSON, 0000

*To be major*

MARTIN L. LADWIG, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

MOON H. LEE, 0000

*To be major*

RAPHAEL SEMIDIE, 0000  
 PHILLIP C. ZINNI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

TERRELL W. BLANCHARD, 0000

JAMES W. BOLES, 0000  
 JAMES M. FUDGE, 0000  
 KEITH E. STEELE, 0000  
 DEBBIE J. VASUT, 0000  
 KEITH R. VESELY, 0000  
 ROBERT L. VOGELSANG III, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

VICTORIA L. SMITH, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

IRA S. DERRICK, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

JOSEPH W. BROWN, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

REBECCA L. BLANKENSHIP, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be colonel*

MARK M. KUBA, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

CRAIG H. RHYNE, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

LORRAINE T. BREEN, 0000  
 ANDREA E. CRUNKHORN, 0000  
 MICHAEL A. ROBERTSON, 0000  
 BARBARA A. SPRINGER, 0000  
 THOMAS G. SUTLIVE, 0000

## IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be commander*

KIMBERLY S. EVANS, 0000

*To be lieutenant commander*

JOSEPH W. CURTIN, 0000  
 DARRYL J. FLASPHALER, 0000  
 STEVEN F. FRILLOUX, 0000  
 JEFFREY J. GUZIAK, 0000  
 JOHN E. LEE III, 0000

THE FOLLOWING NAMED INDIVIDUAL TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

DAVID J. ALLEN, 0000