

either findings or recommendations formally adopted by the committee.”

IX. AMENDMENT OF RULES

The rules of the committee may be amended or revised at any time, provided that not less than a majority of the committee present so determine at a committee meeting preceded by at least 3 days notice of the amendments or revisions proposed.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION RULES OF PROCEDURE

Mr. INOUE. Madam President, the Committee on Commerce, Science, and Transportation adopted rules governing its procedures for the 110th Congress on January 24. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator STEVENS, I ask unanimous consent that the accompanying Rules from the Senate Committee on Commerce, Science, and Transportation be printed in the RECORD.

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

RULES OF THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

I. MEETINGS OF THE COMMITTEE

1. The regular meeting dates of the Committee shall be the first and third Tuesdays of each month. Additional meetings may be called by the Chairman as the Chairman may deem necessary, or pursuant to the provisions of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. Meetings of the Committee, or any subcommittee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee, or any subcommittee, on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee, or any subcommittee, when it is determined that the matter to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(C) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of effective law enforcement;

(E) will disclose information relating to the trade secrets of, or financial or commercial information pertaining specifically to, a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

3. Each witness who is to appear before the Committee or any subcommittee shall file with the Committee, at least 24 hours in advance of the hearing, a written statement of the witness's testimony in as many copies as the Chairman of the Committee or subcommittee prescribes.

4. Field hearings of the full Committee, and any subcommittee thereof, shall be scheduled only when authorized by the Chairman and ranking minority member of the full Committee.

II. QUORUMS

1. A majority of the members, which includes at least 1 minority member, shall constitute a quorum for official action of the Committee when reporting a bill, resolution, or nomination. Proxies may not be counted in making a quorum for purposes of this paragraph.

2. Eight members shall constitute a quorum for the transaction of all business as may be considered by the Committee, except for the reporting of a bill, resolution, or nomination. Proxies may not be counted in making a quorum for purposes of this paragraph.

3. For the purpose of taking sworn testimony a quorum of the Committee and each subcommittee thereof, now or hereafter appointed, shall consist of 1 Senator.

III. PROXIES

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, the required quorum being present, a member who is unable to attend the meeting may submit his or her vote by proxy, in writing or by telephone, or through personal instructions.

IV. BROADCASTING OF HEARINGS

Public hearings of the full Committee, or any subcommittee thereof, shall be televised or broadcast only when authorized by the Chairman and the ranking minority member of the full Committee.

V. SUBCOMMITTEES

1. Any member of the Committee may sit with any subcommittee during its hearings.

2. Subcommittees shall be considered *de novo* whenever there is a change in the chairmanship, and seniority on the particular subcommittee shall not necessarily apply.

VI. CONSIDERATION OF BILLS AND RESOLUTIONS

It shall not be in order during a meeting of the Committee to move to proceed to the consideration of any bill or resolution unless the bill or resolution has been filed with the Clerk of the Committee not less than 48 hours in advance of the Committee meeting, in as many copies as the Chairman of the Committee prescribes. This rule may be waived with the concurrence of the Chairman and the ranking minority member of the full Committee.

NOMINATION OF GENERAL DAVID PETRAEUS

Mr. DORGAN. Madam President, I regret that commitments in North Dakota prevented me from voting on the nomination of David H. Petraeus to be promoted to the rank of General in the U.S. Army and to be commander of Multinational Forces Iraq.

If present, I would have voted in favor of General Petraeus's nomination.

I believe General Petraeus is well-qualified to command in Iraq. He was unanimously approved by the Senate Armed Services Committee because of his leadership skills and his operational experience. And he is widely recognized as one of the military's top experts on counterinsurgency operations.

He is an excellent choice to be entrusted with the operational command and welfare of over 130,000 American servicemembers who are in the middle of a bloody sectarian battle over the future of Iraq. He is familiar with the situation in that country from his experiences as an infantry division commander during and immediately after the invasion of Iraq, and from his tenure as the commander of U.S. efforts to train and equip Iraqi security forces. Altogether, he has served 27 months in Iraq since the war began.

I was impressed by the fact that General Petraeus promised to regularly update Congress on whether the President's new plan in Iraq is working and on how much progress the Iraqi Government is making toward assuming responsibility for security.

But my support for General Petraeus's nomination should not be taken as support for the President's decision to send additional soldiers and marines to Iraq and to escalate our military involvement there.

I am very skeptical that the President's plan to send 21,500 additional troops to Iraq is going to work.

I have listened to what President Bush and his advisers have said about the subject, and I listened to what General Petraeus said during his confirmation hearing. But I do not think they have adequately explained away the Senate testimony given less than 2 months ago by General Abizaid, the top commander of American troops in Iraq. In November General Abizaid said:

I met with every divisional commander, General Casey, the corps commander, General Dempsey. We all talked together. And I said, "In your professional opinion, if we were to bring in more American troops now, does that add considerably to our ability to achieve success in Iraq?" And they all said no. The reason is because we want the Iraqis to do more. It is easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.

Has that changed? Has something changed in 2 months? The question for us now is: Should American troops be in the middle of that civil war? Should we send additional troops to that circumstance? If so, for what purpose? And why the change only two months after General Abizaid said the commanders do not believe additional troops will be effective?

That issue is going to be debated here in Congress in the coming weeks. All of us in that debate want to find the right solution for this country to support our

soldiers, make the right choices for them, and make the right judgments for our country's long-term interests. I believe that sending General Petraeus to Iraq will help accomplish that. I wish him well and Godspeed.

ADDITIONAL STATEMENTS

TRIBUTE TO HELEN FENSKE

• Mr. MENENDEZ. Madam President, today I wish to honor Helen Fenske, the grandmother of environmentalism in my great home State of New Jersey. I join with New Jerseyans and environmentalists everywhere in mourning her passing on January 19, 2007.

Helen was truly a pioneer in understanding the importance of preserving our environmental resources for future generations. Her activism began in the late 1950s and early 1960s, when the Port Authority of New York and New Jersey had plans to build a jetport on swampy land in Chatham Township, in Morris County, NJ. But not on Helen Fenske's watch. Self-described as "the little old lady in sneakers," she understood that the swamp was a treasure—an environmentally sensitive area—and that a jetport would be an ecological disaster to the region. With dogged determination, Helen Fenske mobilized a group of likeminded residents in the Green Village vicinity. In a grassroots effort that included raising money, creating awareness, and lobbying to retain this environmental resource, Helen Fenske managed to procure substantial acreage to be donated to the federal government. This acreage became the nucleus of the 7500 acre Great Swamp National Wildlife Refuge—established by Congress in November 1960.

The Great Swamp National Wildlife Refuge is, indeed, a treasure and was the first refuge to receive national wilderness recognition—signed into law by President Johnson in 1968. This was the culmination of Helen Fenske's efforts to save the Great Swamp. Thanks to Helen's perseverance and vision, today, one can walk on a boardwalk through vast portions of the swamp to enjoy the natural wildlife that inhabits it, including 244 species of birds, mammals such as red fox, coyote, beaver, raccoons, fish, reptiles, and amphibians, and many large oak and beech trees, and plants such as mountain laurel, mosses, and ferns.

But Helen Fenske's legend did not stop with the Great Swamp. She went on to become an environmental advocate assuming key leadership positions in State government, as special assistant to the first commissioner of the New Jersey Department of Environmental Protection, Richard Sullivan, and Assistant Commissioner for Natural and Historic Resources. Her leadership became the inspiration for a myriad of conservation efforts, including the battle to save Sunfish Pond along the Appalachian Trail at the Delaware Water Gap. She was addition-

ally the inspiration for the formation of the New Jersey Conservation Foundation and was involved with the Association of New Jersey Environmental Commissions, Patriot's Path, the Hudson River Walkway, the Morris Parks and Land Conservancy, and the preservation of the Highlands along with many other efforts.

For her groundbreaking efforts as a champion of the environment, Helen Fenske was the deserving honoree of numerous awards, including the Marcellus Hartley Dodge Award from the Great Swamp Watershed Association; a Congressional Citation for her work in saving the Great Swamp and the creation of the American Revolution Heritage Corridor; the Achievement Award of the Washington Association; and honorary degrees from Ramapo College and Drew University.

Even after she moved to New Hampshire, she remained in touch with her New Jersey roots, always connected to her fight to preserve the Great Swamp and its environs. She died in New Hampshire, but left a living legacy in New Jersey. She will be greatly missed, but the legacy of the "old lady in sneakers" has been passed on to a new generation of environmentalists who have taken on her very important mission. ●

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 which were referred to the appropriate committees.

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

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-491. A communication from the Administrator, Dairy Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the Northeast and Other Marketing Areas—Interim Final Order" (Docket No. DA-06-01) received on January 25, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC-492. A communication from the Chairman and Chief Executive Officer, Office of Secondary Market Oversight, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Agricultural Mortgage Corporation Funding and Fiscal Affairs; Federal Agricultural Mortgage Corporation Disclosure and Reporting Requirements; Risk-Based Capital Requirements" (RIN3052-AC17) received on

January 25, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC-493. A communication from the Secretary of Labor, transmitting, pursuant to law, the report of two violations of the Antideficiency Act; to the Committee on Appropriations.

EC-494. A communication from the Assistant Director, Executive and Political Personnel, transmitting, pursuant to law, (14) reports relative to vacancy announcements within the Department, received on January 25, 2007; to the Committee on Armed Services.

EC-495. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the Department's purchases from foreign entities for fiscal year 2006; to the Committee on Armed Services.

EC-496. 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 Policy on Organizations that Seek to Represent or Organize Members of the Armed Forces in Negotiation or Collective Bargaining" (RIN0790-AH99) received on January 25, 2007; to the Committee on Armed Services.

EC-497. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Restriction on Carbon, Alloy, and Armor Steel Plate" (DFARS Case 2005-D002) received on January 25, 2007; to the Committee on Armed Services.

EC-498. A communication from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Service by Members of the Armed Forces on State and Local Juries" (RIN0790-AH99) received on January 25, 2007; to the Committee on Armed Services.

EC-499. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Material Inspection and Receiving Report" (DFARS Case 2003-D085) received on January 25, 2007; to the Committee on Armed Services.

EC-500. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of Acquisition-Related Thresholds" (DFARS Case 2004-D022) received on January 25, 2007; to the Committee on Armed Services.

EC-501. A communication from the Deputy Chief, Programs and Legislation Division, Department of the Air Force, transmitting, pursuant to law, a report relative to a competition that was performed to reduce the cost of the Base Operating Support function at Homestead Air Reserve Base; to the Committee on Armed Services.

EC-502. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (72 FR 269) received on January 25, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC-503. 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" (72 FR 272) received on January 25, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC-504. A communication from the Chief Counsel, Federal Emergency Management