

During his tenure on the bench, Judge Mukasey handled some of the most challenging cases in recent history. In 1995, he presided over the terrorism trial of the “blind Sheik” Omar Abdel Rahman and nine other defendants accused of plotting terrorist attacks on various sites in New York City. Rahman was also one of the terrorist masterminds of the 1993 World Trade Center bombing.

While presiding over the case of Jose Padilla—an American citizen who was later convicted of, among other things, conspiring to provide material support to al-Qaida—Mukasey issued key rulings that helped set judicial precedent in the war against terrorists. And in the wake of September 11, 2001, he presided over the difficult litigation of World Trade Center—related insurance claims.

During these cases and throughout his career, Judge Mukasey’s knowledge, integrity, and consummate fairness have won him the respect of his colleagues, the attorneys who appeared before him, and many others. In its opinion upholding the verdicts in the 1995 terrorism case, the U.S. Court of Appeals for the Second Circuit in an unusual public commendation praised Mukasey’s “extraordinary skill and patience, assuring fairness to the prosecution and to each defendant and helpfulness to the jury.” The court added, “[h]is was an outstanding achievement in the face of challenges far beyond those normally endured by a trial judge.”

Judge Mukasey’s career has been characterized by his commitment to upholding the rule of law. He has never served in a political role, and his nomination should be considered above the partisan fray.

According to the Justice Department’s mission statement, the Attorney General’s first allegiance should be to “the fair and impartial administration of justice for all Americans,” not to any individual or political party. Indeed, Judge Mukasey’s reputation for fairness and impartiality is so well-known and respected that the senior Senator from New York, Senator SCHUMER, even recommended him to be a Supreme Court justice.

It is unfortunate, however, that despite the nonpolitical character of Mukasey’s nomination, some Democrats may attempt to hold his nomination hostage in exchange for documents related to the firing of U.S. attorneys. Leaving aside the fact that Congress has no right to these documents, which are covered by executive privilege, Judge Mukasey’s nomination has nothing to do with the firing of these U.S. attorneys.

The President has nominated a distinguished and nonpolitical candidate. The Senate should reciprocate by using the confirmation process not to settle old scores or politicize the nomination, but to examine the qualifications of the nominee fairly.

Since the Carter administration, attorney general nominees have been

confirmed, on average, in approximately 3 weeks, with some being confirmed even more quickly. The Senate should immediately move to consider Judge Mukasey’s nomination and confirm him before Columbus Day.

The Justice Department needs an Attorney General with the foresight, experience, and resolve to lead the Nation’s top law enforcement agency and tackle the difficult challenges presented by the post-9/11 world. I believe the qualities and background of Judge Michael Mukasey, combined with his extensive experience in national security and terrorism cases, commends him to serve as attorney general in these troubled times.

TRAILS ACT TECHNICAL CORRECTION ACT

Mr. BOND. Mr. President, today I rise with my colleague from Missouri, Senator CLAIRE MCCASKILL, to correct a small but important injustice in the National Trails System Act. The Trails Act Technical Correction Act of 2007 is a Senate companion to a bipartisan House bill sponsored by Representatives CARNAHAN, AKIN, CLAY, EMERSON, and GRAVES. Our bipartisan bill will ensure that property owners are compensated for land taken from them as Congress intended.

In 1992, the Federal Government confiscated property owned by 102 St. Louis County residents through the Federal Rails-to-Trails Act. The taking imposed an easement on their property for a public recreational hiking/biking trail. A trail easement was established on their property on December 20, 1992. After 12 years of bureaucratic fighting and delay, the Justice Department admitted the government’s takings liability and agreed to pay the property owners a total of \$2,385,000.85 for their property, interest and legal fees.

However, 2 days before the U.S. Court of Claims was scheduled to approve the agreement, the Federal circuit issued the Caldwell decision regarding a Rails-to-Trails takings case in Georgia. That decision interpreted the statute of limitations for a taking in this program as beginning with a notice of interim trail use, not the commonly understood later date the trail easement was legally imposed on the property. Under the new date, the statute of limitations on the St. Louis County takings claim had expired. The Justice Department accordingly sought dismissal of the claims without payment and the court of claims judge agreed.

Our bill clarifies in statute that the statute of limitations for a takings claim under the Trails Act begins on the date an interest is conveyed and allows for reconsideration of past claims dismissed because of this issue. This technical clarification—the takings statute of limitations starts upon the taking—makes the most sense. It also corrects a past injustice that deprived landowners of their rightful compensation. It makes no change to the sub-

stance of the Rails-to-Trails program and is supported on a bipartisan basis. I urge my colleagues to agree to its passage.

INTERNATIONAL DAY OF PEACE

Mr. HARKIN. Mr. President, I want to take some time to remind our colleagues, and indeed all Americans, that today, September 21, 2007, is the International Day of Peace. The United Nations and its member states unanimously established an International Day of Peace in 1981. However it was not until 2001 that September 21 was agreed to as the permanent date. According to the U.N. resolution, the International Day of Peace should be devoted to commemorating and strengthening the ideals of peace both within and among all nations and peoples. I applaud Governor Chet Culver for his proclamation affirming Iowa’s observance of International Peace Day. And, at this time, I would like to do my own part to mark this day, especially on the behalf of the many Iowans who are committed to the ideals of peace.

Unfortunately, this may be International Peace Day, but this is hardly a day of peace. The United States is in the fifth year of a devastating war in Iraq, a war of choice that was launched preemptively by the current U.S. administration. The Middle East is marked by conflict and bloodshed from Lebanon to Israel to the Palestinian territories to Iraq and Afghanistan. The genocide in Darfur continues to rage. Militias continue to prey on innocent women in Eastern Congo. In Guatemala, there is an increase in violence against women and against those fighting for the rights of the indigenous population as a result of the most recent elections. HIV/AIDS continues to ravage the continent of Africa. Millions of children are forced to work in abusive conditions—in many cases, as outright slaves—and are denied an education.

Historically, the mixture of strength and a preference for peaceful relations with the rest of the world is what has given the United States its moral standing. In the past, it was our willingness to come to the aid of those who could not defend themselves, and a commitment to resolving conflicts peacefully, if at all possible, that made us the beacon of hope for a better world.

But a true commitment to peace is not measured by a proclamation or by high-minded speeches on one day of the year. It takes more than good intentions and high ideals. What it takes is the hard work of diplomacy, people-to-people exchanges, and active, assertive peace movements in each country. It takes a sustained effort to understand our adversaries and, if at all possible, to resolve our differences peacefully.

I have long been committed to finding peaceful solutions to conflicts. That is why I was present at the creation of the U.S. Institute of Peace.