

of the personnel action involved or, if later, one year from the date on which the applicant or covered employee is notified of the personnel action. Where a claim has been brought under section 401 of the CAA against an employing office under the VEOA, the respondent employing office shall preserve all personnel records relevant to the claim until final disposition of the claim. The term "personnel records relevant to the claim", for example, would include records relating to the veterans' preference determination regarding the person bringing the claim and records relating to any veterans' preference determinations regarding other applicants for the covered position the person sought, or records relating to the veterans' preference determinations regarding other covered employees in the person's position or job classification. The date of final disposition of the charge or the action means the latest of the date of expiration of the statutory period within which the aggrieved person may file a complaint with the Office or in a U.S. District Court or, where an action is brought against an employing office by the aggrieved person, the date on which such litigation is terminated.

SEC. 1.118. DISSEMINATION OF VETERANS' PREFERENCE POLICIES TO APPLICANTS FOR COVERED POSITIONS.

(a) An employing office shall state in any announcements and advertisements it makes concerning vacancies in covered positions that the staffing action is governed by the VEOA.

(b) An employing office shall invite applicants for a covered position to identify themselves as veterans' preference eligible applicants, provided that in doing so:

(1) the employing office shall state clearly on any written application or questionnaire used for this purpose or make clear orally, if a written application or questionnaire is not used, that the requested information is intended for use solely in connection with the employing office's obligations and efforts to provide veterans' preference to preference eligible applicants in accordance with the VEOA; and

(2) the employing office shall state clearly that disabled veteran status is requested on a voluntary basis, that it will be kept confidential in accordance with the Americans with Disabilities Act (42 U.S.C. §12101 et seq.) as applied by section 102(a)(3) of the CAA, 2 U.S.C. §1302(a)(3), that refusal to provide it will not subject the individual to any adverse treatment except the possibility of an adverse determination regarding the individual's status as a preference eligible applicant as a disabled veteran under the VEOA, and that any information obtained in accordance with this section concerning the medical condition or history of an individual will be collected, maintained and used only in accordance with the Americans with Disabilities Act (42 U.S.C. §12101 et seq.) as applied by section 102(a)(3) of the CAA, 2 U.S.C. §1302(a)(3).

(3) the employing office shall state clearly that applicants may request information about the employing office's veterans' preference policies as they relate to appointments to covered positions, and shall describe the employing office's procedures for making such requests.

(c) Upon written request by an applicant for a covered position, an employing office shall provide the following information in writing:

(1) the VEOA definition of veterans' "preference eligible" as set forth in 5 U.S.C. §2108 or any superseding legislation, providing the actual, current definition in a manner designed to be understood by applicants, along with the statutory citation;

(2) the employing office's veterans' preference policy or a summary description of

the employing office's veterans' preference policy as it relates to appointments to covered positions, including any procedures the employing office shall use to identify preference eligible employees;

(3) the employing office may provide other information to applicants regarding its veterans' preference policies and practices, but is not required to do so by these regulations.

(d) Employing offices are also expected to answer questions from applicants for covered positions that are relevant and non-confidential concerning the employing office's veterans' preference policies and practices.

SEC. 1.119. INFORMATION REGARDING VETERANS' PREFERENCE DETERMINATIONS IN APPOINTMENTS.

Upon written request by an applicant for a covered position, the employing office shall promptly provide a written explanation of the manner in which veterans' preference was applied in the employing office's appointment decision regarding that applicant. Such explanation shall include at a minimum:

(a) the employing office's veterans' preference policy or a summary description of the employing office's veterans' preference policy as it relates to appointments to covered positions; and

(b) a statement as to whether the applicant is preference eligible and, if not, a brief statement of the reasons for the employing office's determination that the applicant is not preference eligible.

SEC. 1.120. DISSEMINATION OF VETERANS' PREFERENCE POLICIES TO COVERED EMPLOYEES.

(a) If an employing office that employs one or more covered employees provides any written guidance to such employees concerning employee rights generally or reductions in force more specifically, such as in a written employee policy, manual or handbook, such guidance must include information concerning veterans' preference under the VEOA, as set forth in subsection (b) of this regulation.

(b) Written guidances described in subsection (a) above shall include, at a minimum:

(1) the VEOA definition of veterans' "preference eligible" as set forth in 5 U.S.C. §2108 or any superseding legislation, providing the actual, current definition along with the statutory citation;

(2) the employing office's veterans' preference policy or a summary description of the employing office's veterans' preference policy as it relates to reductions in force, including the procedures the employing office shall take to identify preference eligible employees.

(3) the employing office may provide other information in its guidances regarding its veterans' preference policies and practices, but is not required to do so by these regulations.

(c) Employing offices are also expected to answer questions from covered employees that are relevant and non-confidential concerning the employing office's veterans' preference policies and practices.

SEC. 1.121. WRITTEN NOTICE PRIOR TO A REDUCTION IN FORCE.

(a) Except as provided under subsection (c), a covered employee may not be released due to a reduction in force, unless the covered employee and the covered employee's exclusive representative for collective-bargaining purposes (if any) are given written notice, in conformance with the requirements of paragraph (b), at least 60 days before the covered employee is so released.

(b) Any notice under paragraph (a) shall include—

(1) the personnel action to be taken with respect to the covered employee involved;

(2) the effective date of the action;

(3) a description of the procedures applicable in identifying employees for release;

(4) the covered employee's competitive area;

(5) the covered employee's eligibility for veterans' preference in retention and how that preference eligibility was determined;

(6) the retention status and preference eligibility of the other employees in the affected position classifications or job classifications within the covered employee's competitive area, by providing:

(A) a list of all covered employee(s) in the covered employee's position classification or job classification and competitive area who will be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible, and

(B) a list of all covered employee(s) in the covered employee's position classification or job classification and competitive area who will not be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible.

(7) a description of any appeal or other rights which may be available.

(c) The director of the employing office may, in writing, shorten the period of advance notice required under subsection (a), with respect to a particular reduction in force, if necessary because of circumstances not reasonably foreseeable.

(d) No notice period may be shortened to less than 30 days under this subsection.

REMEMBERING SENATOR HOWARD METZENBAUM

Mr. VOINOVICH. Mr. President, I rise to pay tribute to one of the giants in Ohio history, Senator Howard Metzenbaum. On March 12, Ohio and our Nation lost a public servant who dedicated 19 years of his life to this institution and to defending and advocating the principles and ideals he held so passionately.

Though our political views differed, I admired and respected Howard's tenacious work for those things he felt would make a difference for Ohio and our country. One always knew where he stood.

Much has been said about how Howard was a self-made man. He epitomized the nose-to-the-grindstone, Midwestern work ethic. As a fellow Clevelander, he grew up poor. But that did not prevent Howard from seizing opportunities as they presented themselves. And he seized those opportunities even as a young boy. Howard graduated from the Ohio State University College of Law, working the entire time to put himself through school.

As public servants for Ohio, Howard and I were brought together on many issues and occasions. Many times we did not see eye to eye. However, there were also times when we worked together. While I was Governor of Ohio, then-Senator Metzenbaum, Representative MARCY KAPTUR and I worked together in a bipartisan fashion to plant the seed for the Veteran's Glass City Skyway bridge in Toledo, Ohio. Through his leadership, we were able to dedicate the bridge this past summer.

Some of my colleagues today were here for parts of Howard's 19 years in

the Senate. Those who were here and were on the opposite side of an issue quickly found out what a formidable challenge and powerhouse he could be. Howard did not go along to get along. Howard did what he thought was right and what he thought was in the best interests for the people he represented.

It was with respect for his service and convictions that Howard was honored in 2005 by renaming the renovated United States Courthouse in Cleveland the Howard M. Metzenbaum Courthouse—a fitting tribute to a man who, when he perceived an injustice, fought so hard to make a wrong right. Howard Metzenbaum made a difference.

Howard will be missed. His family, including his wife Shirley and his four daughters, Shelly, Amy, Susan and Barbara, are in our prayers.

• Mr. BROWN. Mr. President, a great son of Ohio, Senator Howard Metzenbaum passed away March 12, in Florida. He was personally inspirational to so many. He changed the lives of Ohioans. He changed the lives of so many Americans through his lifetime commitment to public service. I am honored to hold his seat in the Senate and I am honored to follow in his footsteps. Senate tradition dictates that many Members of the Senate carve their names in the desk drawers of the desks that have been lining the rows of the Senate. Whoever has Senator Metzenbaum's desk can, with all of us, share in the legacy of his greatness.

Senator Metzenbaum and Senator John Glenn, who served together for almost two decades, made an unparalleled team for Ohio. In the Senate, as Senator REID mentioned, Metzenbaum was a child of poverty. He was a child of prejudice growing up in the east side as a Jew and suffered both from his family's poverty and anti-Semitism, in all too many cases. He worked his way at a job, as a 10-year-old. He worked his way through Ohio State.

In the Senate, Senator Metzenbaum was a master of a constant presence in an often empty Chamber. Once, when a 2-week filibuster was cut off, Metzenbaum was still determined to block action on lifting natural gas price controls. He and a partner sent the Senate into round-the-clock sessions by demanding rollcall votes on 500 amendments. He didn't care if he angered his colleagues. He didn't care if he was liked every day by his colleagues. What he cared about is fighting for economic justice and social justice for the 10 million citizens whom he represented and for the 250 million Americans or so when he served in the Senate.

According to the Washington Post, in 1982, the Senator saved \$10 million by blocking special interest tax breaks and porkbarrel programs. I remember watching him. I served in the House, the beginning of my House career and the end of his Senate career, and I watched him as a younger elected official in State politics. He stood in front of an audience; the energy just burst from him, and the fiery passion for eco-

nomics justice and social justice poured forth from him. He would start on the podium, the first politician I saw do this, and as he worked his way into the speech, he would come from the podium and he would walk into the audience. People would always respond with the same kind of passion and be inspired by him. That is my clearest, favorite memory of him.

His legislative record, of course, was so important too. One of the most important things he did was the plant closing legislation, giving a 60-day notice to workers who, too often, have seen their jobs disappear with nothing to show—pensions and more. He fought for people who had less privilege than he did, and he always fought for opportunity for people of both genders. That is what he will be remembered for.

I particularly admire his family. Howard was a great family man, a man who cared very much about Shirley, his wife, and four daughters, Shelly, Amy, Susan, and Barbara. He will be greatly missed. He later became head of the Consumer Federation of America, never giving up his passion for fighting for ordinary people and being a warrior for social and economic justice.●

ADDITIONAL STATEMENTS

RECOGNIZING THE CREATION OF THE 310TH SPACE WING

• Mr. ALLARD. Mr. President, I rise today to honor the 310th Space Wing, which was officially activated on Friday, March 7, 2008. This newly created wing is comprised of 16 subordinate units located at Colorado's Schriever AFB, Peterson AFB, and Buckley AFB, as well as Vandenberg AFB, CA. This wing is an expansion of the 310th Space Group, currently based at Schriever AFB in Colorado Springs, CO.

Over the last 15 years the outstanding members of the 310th Space Group have played a critical role in space operations, providing unrivaled support in operating and defending our space systems. This expansion is a testament to both their performance and mission, while also reinforcing my belief that space is a vital component to fighting and winning our nation's wars.

The 310th's history dates back to World War II when it began as the 310th Bombardment Group on March 15, 1942. The unit flew B-25 "Mitchell" bombers in support of operations in Tunisia, Sicily, Italy, Sardinia, France, Austria, and Yugoslavia. During those campaigns, the 310th perfected "skip bombing" techniques against bridges, airborne, and rail yard targets. Developed to allow aviators to come into the target area low and fast to avoid deadly anti-aircraft fire, the bombs actually "skipped" over the surface of the water in a manner similar to skipping a stone and either bounced into the side of, or exploded over the target, proving extremely effective.

The 310th was reactivated 1997, as the 310th Space Group, and rapidly grew to meet the Air Force Reserve's expanding role in space operations. As the co-chairman of the Congressional Space Power Caucus and a Coloradoan, I am extremely proud of the 310th and all who serve in it and congratulate them on their success in becoming a wing.●

TRIBUTE TO THE NORTHERN KENTUCKY UNIVERSITY WOMEN'S BASKETBALL TEAM

• Mr. BUNNING. Mr. President, I pay tribute to the Northern Kentucky University women's basketball team. The Norse defeated the University of South Dakota 63 to 58 to capture the NCAA Division II Championship on March 29, 2008.

This is the second time the Northern Kentucky University women's basketball team has won the NCAA Division II Championship. The last time the Norse reached the pinnacle of their sport was in the 1999 to 2000 season.

The citizens of Kentucky are proud to have these national champs living and learning in the Northern Kentucky community. Their example of hard work and determination should be followed by all in the Commonwealth.

I congratulate the players for their success in bringing another championship trophy to the campus of Northern Kentucky University. I also want to congratulate their coaches, along with their peers, faculty, administrators, and parents for their support and sacrifices they have made to help them meet their achievements and dreams. They all represent Kentucky honorably.●

20TH ANNIVERSARY OF THE MEYERHOFF SCHOLARSHIP PROGRAM

• Mr. CARDIN. Mr. President, I wish to recognize the 20th anniversary of the Robert and Jane Meyerhoff Scholarship Program at the University of Maryland Baltimore County, UMBC.

The Meyerhoff Scholarship Program is among the most successful undergraduate diversity programs in our Nation, helping thousands of minority students reach their full potential in mathematics, the sciences, and engineering fields. Since its inception, Meyerhoff scholars number more than 800, with 557 graduates across the Nation and 267 undergraduates and graduate fellows enrolled at UMBC.

More than two decades ago, UMBC president Dr. Freeman A. Hrabowski, a mathematician, author, and education innovator, lamented that there were few minorities in the sciences and that the education pipeline did not suggest that that situation would change.

Through the generosity and vision of Robert and Jane Meyerhoff, Dr. Hrabowski was able to establish the Robert and Jane Meyerhoff Scholarship Program at UMBC. The program seeks and attracts top-notch minority high school students and is able to provide