



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152

WASHINGTON, WEDNESDAY, JANUARY 18, 2006

No. 2

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, January 31, 2006, at noon.

Senate

WEDNESDAY, JANUARY 18, 2006

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

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

Let us pray.

Eternal and ever blessed God, whose name is love, put Your love in our hearts. Teach us to love so that our primary aim in life will be to please You. Teach us to love so that our passion for You will provide the foundation of our obedience. Teach us to love so that worship will not be a duty but a delight. Teach all of us to love so that our greatest fear will be to disappoint You.

Teach our lawmakers to love so that they will always be quick to help and to forgive. Teach all of us to love so that hatred and bitterness will disappear from our hearts as we seek to be Your true followers.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE ACTING MAJORITY LEADER

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

SCHEDULE

Ms. MURKOWSKI. Mr. President, we will be in session for a very brief period this morning. In a few minutes, the President pro tempore will administer the oath of office to Senator-designate MENENDEZ. Following that swearing in, we will have a couple of housekeeping matters. Then we will adjourn for the day.

On behalf of the leader, I will have more to say on the schedule over the next week in the closing remarks.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

ORDER OF BUSINESS

Mr. REID. Mr. President, we have announced on this side that there will be no morning business, no speeches, other than Senator LAUTENBERG and Senator MENENDEZ to speak about this important day in soon-to-be Senator MENENDEZ's life. That is an agreement I have with Senator FRIST. Members desiring to speak on other issues will not be able to do that today.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER OF PROCEDURE

Ms. MURKOWSKI. Mr. President, we will proceed at 10:30 with the swearing in of Senator-designate MENENDEZ, but we do have housekeeping matters to take up.

I ask unanimous consent when the Senate completes its business today, it adjourn until 10 a.m. on Friday, January 20, for a pro forma session only and that Senators be permitted to introduce bills on that day until the hour of 11 a.m. I further ask consent that the Senate adjourn until Tuesday, January 24, at 10 a.m. for a pro forma session and that committees be permitted to file legislative and executive items until 5 p.m. that day.

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

Ms. MURKOWSKI. Mr. President, I ask consent following the pro forma session on Tuesday, the Senate stand in adjournment until 9:30 a.m. on Wednesday, January 25. 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 then proceed to a period of morning business with Senators permitted to speak for up to 10 minutes.

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

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



Printed on recycled paper.

S3

Ms. MURKOWSKI. Under the order just entered, the Senate will return for regular business on Wednesday, January 25. On Tuesday, the Judiciary Committee should report the nomination of Samuel Alito to be an Associate Justice of the Supreme Court of the United States. The leader has announced we will proceed to consider the nomination when it is available for floor debate and that will be on Wednesday. We will remain on the Alito nomination until we are able to vote on the confirmation. We hope to have an organized debate to allow all Members to speak. We will try to line up an order next week when we begin. The majority leader reiterates that Senators should be ready next week for this historic debate and that everyone should keep a flexible schedule so we can vote at the first available time.

Mr. REID. If the distinguished Senator will yield.

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, I have received calls from a significant number of Senators. Senator FRIST is right, we will have a dignified debate. It will be organized. We will do whatever is appropriate according to who wants to speak. Most all Democratic Senators will want an opportunity to speak in regard to the nomination of Samuel Alito. We look forward to that sometime next week.

I also ask that following the swearing in of Congressman MENENDEZ, the only two speakers allowed in the Senate on this day are Senator MENENDEZ and Senator LAUTENBERG, the two Senators from New Jersey. This is in keeping with the agreement I have with Senator FRIST. I ask consent that be the case.

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

Ms. MURKOWSKI. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDENT pro tempore. Without objection, so ordered.

LETTER OF RESIGNATION

The PRESIDENT pro tempore. The Chair lays before the Senate the letter of resignation of Senator Jon Corzine of New Jersey.

Without objection, the letter is deemed read and spread upon the Journal.

The letter follows.

U.S. SENATE,
Washington, DC, January 13, 2006.
Hon. RICHARD B. CHENEY,
President of the U.S. Senate, U.S. Senate, The Capitol, Washington, DC.

DEAR MR. PRESIDENT: I hereby give notice of my resignation of the office of the United States Senator from the State of New Jersey, effective 11:59 a.m. on January 17, 2006.

Sincerely,

JON S. CORZINE.

CERTIFICATE OF APPOINTMENT

The PRESIDENT pro tempore. The Chair now lays before the Senate the certificate of appointment of Senator-designate ROBERT MENENDEZ of the State of New Jersey.

Without objection, it will be placed on file and the certificate of appointment will be deemed to have been read. The certificate follows.

STATE OF NEW JERSEY,
OFFICE OF THE GOVERNOR,
Trenton, NJ, January 17, 2006.

CERTIFICATE OF APPOINTMENT

To: The President of the Senate of the United States

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of New Jersey, I, Jon S. Corzine, the governor of said State, do hereby appoint Robert Menendez a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by my resignation from the Senate is filled by election as provided by law.

Witness: His excellency our governor, Jon S. Corzine, and our seal hereto affixed at Trenton this 17th day of January, in the year of our Lord 2006.

By the governor:

JON S. CORZINE,
Governor.

ADMINISTRATION OF OATH OF OFFICE

The PRESIDENT pro tempore. The Senator-designate will present himself at the desk and the Chair will administer the oath of office as required by the Constitution and prescribed by law.

The Senator-designate, ROBERT MENENDEZ, escorted by Mr. LAUTENBERG, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the President pro tempore, and he subscribed to the oath in the Official Oath Book.

The PRESIDENT pro tempore. Congratulations.

(Applause, Senators rising.)

MAKING MINORITY PARTY ASSIGNMENTS TO COMMITTEES FOR THE 109TH CONGRESS

Mr. REID. Mr. President, I have a resolution at the desk. I ask for its consideration.

The PRESIDING OFFICER (Mr. COBURN). The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 348) making minority party assignments to certain Senate committees for the 109th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid on the table, and there be no intervening action.

The PRESIDING OFFICER. Without objection, so ordered.

The resolution (S. Res. 348) was agreed to as follows:

S. RES. 348

Resolved, that notwithstanding the provisions of Rule XXV, the following shall con-

stitute the minority party's membership on the following standing committees for the 109th Congress, or until their successors are chosen:

Committee on Banking, Housing and Urban Affairs: Mr. Sarbanes (Ranking Member), Mr. Dodd, Mr. Johnson, Mr. Reed, Mr. Schumer, Mr. Bayh, Mr. Carper, Ms. Stabenow, and Mr. Menendez.

Committee on Energy and Natural Resources: Mr. Bingaman (Ranking Member), Mr. Akaka, Mr. Dorgan, Mr. Wyden, Mr. Johnson, Ms. Landrieu, Mrs. Feinstein, Ms. Cantwell, Mr. Salazar, and Mr. Menendez.

Special Committee on Aging: Mr. Kohl (Ranking Member), Mr. Jeffords, Mr. Wyden, Mrs. Lincoln, Mr. Bayh, Mr. Carper, Mr. Nelson of Florida, Mrs. Clinton, and Mr. Salazar.

Committee on the Budget: Mr. Conrad (Ranking Member), Mr. Sarbanes, Mrs. Murray, Mr. Wyden, Mr. Feingold, Mr. Johnson, Mr. Byrd, Mr. Nelson of Florida, Ms. Stabenow, and Mr. Menendez.

Select Committee on Ethics: Mr. Johnson (Vice Chairman), Mr. Pryor and Mr. Salazar.

Select Committee on Intelligence: Mr. Rockefeller (Vice Chairman), Mr. Levin, Mrs. Feinstein, Mr. Wyden, Mr. Bayh, Ms. Mikulski, and Mr. Feingold.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

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

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

SENATOR ROBERT MENENDEZ

Mr. LAUTENBERG. Mr. President, I thank the leadership for according me an opportunity to present my new colleague. All of us are going to be missing Jon Corzine, a dear friend and former colleague who served this body very well but responded to the call of duty when things in New Jersey needed a leading hand. Jon Corzine responded and took up the assignment.

In Senator Corzine's place, we are fortunate to be able to have a candidate of the skill and knowledge that Senator ROBERT MENENDEZ has.

BOB MENENDEZ is a typical American story. He was born in America of parents who had immigrated from Cuba. He has worked his way through the system very well. As a very young man—high school age—he challenged the mayor and the leadership of the community in which he lived in New Jersey and fought his way to making certain they were going to be cleaning up some of their bad habits in Union City, such that he had to at times wear a bulletproof vest when he was 17 years old. He, thusly, had a place in the political mainstream as a very young man.

He became mayor of Union City, NJ, and then served in our general assembly from 1987 until 1991 and in the New Jersey Senate—he has been through all of the steps to leadership—from 1991 to 1993. He then came to the U.S. Congress

and was soon appointed—he worked hard to get it. I should strike the word “appointed” and say he worked his way so that he became the third most powerful member on the Democratic side in the House of Representatives.

I look forward to working with BOB. BOB comes from Hudson County, one of our most populated counties in the most densely populated State in the country. He worked on the issues of transportation, and education is a particular interest of his. It can be reflected in the fact that his daughter, Alicia Menendez, was the commencement speaker at her graduation from Harvard.

I was very impressed at the leadership provided by her family, by her father's interest in public speaking, and in Government. She had to prepare her address in a competition to see who would be the student commencement speaker. Alicia won that competition with a very lengthy speech. She then, contrary to our habits here, was told to put aside her notes, take a microphone, and make the speech verbally to the graduating class of Harvard. I think it was 2 years ago. And she did it wonderfully—again, a reflection of the leadership that BOB MENENDEZ provided to the family.

His son Robert is at a university in North Carolina and is also a very accomplished young man.

Mr. MENENDEZ and I will be working together on lots of issues that we worked on in the past, I as a Senator and he as a Congressman, particularly, again, focused on transportation, environment, and security.

BOB MENENDEZ's county had the biggest loss of those who perished on 9/11—over 700 people from New Jersey. BOB MENENDEZ was there to help provide some warmth, friendship, and leadership to the problems that followed the loss of those loved ones and the impairment that it brought to those families.

I am so pleased to have someone who understands New Jersey fully, who has lived the traditional dream from very modest working class parents who escaped Cuba in those very dark days and lifted himself up by his bootstraps. We are going to be working together on issues such as transportation, education, security, and some of the problems we now see with Medicare.

My State of New Jersey now has spent \$15 million in the last couple of weeks trying to help people get their prescription drugs as a result of the enormous change that took place starting in 2006. They could not get the product, and the State of New Jersey jumped in, as I would gather almost every State in this country has done, and that is to fill in where Medicare dropped off.

I look forward to working with BOB MENENDEZ on that issue, and I hope it will be high on the list—on an urgent list—of matters to which we have to attend.

Meanwhile, I once again say that BOB MENENDEZ represents not only New

Jersey, but he represents the contribution that Latino Americans make to this country. BOB MENENDEZ will be the third person to join this Senate with a Hispanic background—Senator MARTINEZ, Senator SALAZAR, and now Senator MENENDEZ. It is so appropriate when such a large portion of our population has that cultural background. They are wonderful contributing citizens in our State. We have a very large Latino population, and they are all very proud of Senator MENENDEZ.

It is a historic day for the State of New Jersey and for the country that one of our terrific colleagues is now the Governor of the State of New Jersey. I predict he will be looking in the mirror one of these days and questioning the change he decided to make. He has a tough job. There is a lot of debt. We had some unfortunate mistakes in governance over the past few years. We are desperately in need of support for transportation and other programs. I think Jon Corzine, with his leadership training, having been the chairman and CEO of Goldman Sachs, will make a difference. He left here to take on what he considered a more important, immediate test. We are so pleased that he is replaced by someone such as ROBERT MENENDEZ, Senator MENENDEZ, who just walked in.

I remember the days—my colleague from Virginia is on the floor. We have been around here a long time. So very often the issues of wonderment disappear. We are into the nitty-gritty of issues and we forget sometimes about the excitement of being able to serve in this body. The Presiding Officer knows exactly what I am talking about, having been here only a short time, but also having come from the House of Representatives, and note that change.

When I spoke to BOB MENENDEZ and described to him the seat that he would have, which is the furthest away that one can get, he said to me that he is happy to have a seat anywhere in this Chamber. Sometimes we forget that in our daily toil.

I wound up sitting right near where the Senator from Virginia is, and I was talking to Scoop Jackson. I said: Nice seat. He said: Don't get used to it, you're not going to keep it. In the next couple of days, I wound up over in the freshman seats.

BOB MENENDEZ is a freshman, skilled, able, knowledgeable. We are very excited about him being here. He is going to be a wonderful Member of the Senate.

I thank the Chair and thank the leadership for granting me the opportunity to speak today.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, first I commend my good friend, the good Senator from the State of New Jersey, for his remarks this morning on behalf of his colleague. I was privileged to attend what is known here as a reenactment in the Old Chamber just now and had the chance to wish him well. We do wish him well.

I certainly say to my distinguished colleague, the new Governor of New Jersey, our former colleague whom we all hold in high esteem, we wish him well in his responsibilities. The Senator mentioned that, of course, he departed to take on this authority. You know, there is a precedent in your State for recycling back here. It seems to me the distinguished senior Senator is here on his second term.

I thank my colleague.

CAMBODIA

Mr. FRIST. Mr. President, today, I would like to address a troubling series of events that has recently transpired in Cambodia. In the past year, the government of Prime Minister Hun Sen has engaged in a widespread campaign to silence his critics, stifle dissent, and enfeeble his political opposition.

The result of these actions has been a very disturbing erosion of Cambodia's commitment to democratic principles, the rule of law, and the protection of human rights.

Nearly a year ago, in February 2005, Cambodia's National Assembly voted to revoke the parliamentary immunity from prosecution of opposition leader Mr. Sam Rainsy and two of his colleagues. The alleged offense was defaming the Prime Minister.

Just after this vote, Mr. Rainsy and one of his colleagues, Chea Poch, managed to escape Cambodia to avoid arrest. However, the other opposition parliamentarian and an ally of Mr. Rainsy, Cheam Channy, was arrested.

Several months later, in August 2005, Cheam Channy was sentenced to 7 years in prison for allegedly forming “a secret army to overthrow the government.” And, in December 2005, Sam Rainsy was sentenced in absentia to 18 months in prison for defaming the Prime Minister and the President of the National Assembly.

The Cambodian Government's assault on its political opposition is only the tip of the iceberg. The Prime Minister has also carried out a campaign against human rights activists in Cambodia.

In a period of 5 days, just before and after the new year, three of Cambodia's top human rights activists were arrested. These included Mr. Kern Sokha, president of the Cambodian Center for Human Rights; Mr. Yeng Virak, director of the Community Legal Education Center; and Pa Nguon Teang, a journalist and the acting leader of Mr. Kern Sokha's human rights organization.

Again, these activists and critics of the Government were detained on trumped-up defamation charges.

These arrests and detentions are just the latest in a series of actions aimed at silencing the critics of the Cambodian Government. In addition to members of the political opposition, Cambodia's Government has also targeted prominent individuals in the media, trade unions, and civil society.

The United States has rightly condemned these actions, and I applaud Ambassador Müssomeli and his staff at the U.S. Embassy in Phnom Penh for raising this troubling issue with senior officials in the Cambodian Government.

I am also encouraged that the international community is responding to Cambodia's recent transgressions. In particular, the World Bank has issued a stark warning that Cambodia's actions are jeopardizing the millions of dollars in international financial assistance that it receives each year.

I call upon Prime Minister Hun Sen and the Cambodian Government to end this troubling series of events. Although the Cambodian Government has released Mr. Kern Sokha, Mr. Yeng Virak, Pa Nguon Teang, and other high-profile political prisoners on bail, the charges have not been dropped and other dissidents remain in custody. The Cambodian Government needs to release all political prisoners and drop the spurious charges being levied against them. These actions point to the obvious conclusion that democracy, the rule of law, and the protection of human rights are no longer priorities or principles of the Cambodian Government.

I also urge the international community to increase pressure on Cambodia to reverse its recent actions and to demonstrate to the world its commitment to freedom and to allowing its citizens to express their political opinions without fear and intimidation.

ADDITIONAL STATEMENTS

WELCOMING ROBERT MENENDEZ TO THE SENATE

• Mr. DURBIN. Mr. President, I join my colleagues in welcoming our newest colleague, Senator ROBERT MENENDEZ of New Jersey.

I also want to welcome Senator MENENDEZ's family, who I know are justifiably proud of his great achievements.

And I want to thank our former colleague, New Jersey Governor Jon Corzine, for appointing an outstanding successor to finish his term. The people of New Jersey elected a top-notch Governor in Jon Corzine, and they will have another top-notch Senator in the bargain.

With FRANK LAUTENBERG and BOB MENENDEZ in the Senate, the people of New Jersey can be assured that they have two outstanding Senators in their corner, protecting their interests in Washington.

I have known BOB MENENDEZ for more than a decade. We served together for 4 years in the House of Representatives. It was during those years that Congress passed the historic 1993 budget agreement. That agreement—which passed by the thinnest of margins, just one vote in both the House and the Senate, without a single Re-

publican vote—put the Federal budget back on the course of fiscal responsibility after 12 straight years of ever larger deficits. It also made smart, targeted investments in America's greatest resource: our people—to enable more Americans to realize the American dream.

That dream is no slogan to BOB MENENDEZ; it is the story of his life.

Like my mother, Senator MENENDEZ's parents came to America from a nation that had lost its freedom. In my mother's case, it was Lithuania. In his parents' case, the land was Cuba.

Like so many first-generation Americans throughout our history, Senator MENENDEZ inherited from his parents a deep appreciation for American freedom and opportunity, as well as a deep sense of personal responsibility to help preserve and expand those blessings for all Americans.

Senator MENENDEZ entered public service at the age of 19, when he launched a successful petition drive to reform his local school board, and he has been fighting for education and opportunities for working families ever since. He has been a mayor, State legislator, House Member, and now, U.S. Senator.

He has never backed away from a fight—even to the point of wearing a bullet-proof vest when he challenged the political establishment in his hometown of Union City and led a coalition of reformers in cleaning it up.

He is the highest ranking Hispanic in the history of the House, and a proven leader. And I am proud today to call him "my fellow Senator."

Welcome to the U.S. Senate, Senator MENENDEZ. •

MASS EVACUATION EXERCISE ASSISTANCE ACT

• Mr. DURBIN. Mr. President, I have introduced the Mass Evacuation Exercise Assistance Act, S. 2043. As we witnessed in the wake of recent natural disasters, our cities face special challenges and vulnerabilities when disaster strikes.

Part of disaster preparation at any level of government includes having well prepared and practiced evacuation plans. Otherwise, citizens can easily become trapped without food or water in a devastated area or along an escape route. To help cities prepare for future emergencies and evacuations, this bill will authorize a new 5-year grant program that will endow local governments with the funds to develop comprehensive evacuation plans, stage drills and exercises to perfect evacuation procedures, and stockpile materials to supply evacuation staging areas and evacuation routes. This legislation will serve to supplement existing grant programs rather than compete for already scarce homeland security grant funding.

I hope that my colleagues will join me in this effort that will simply provide cities and States with the proper

planning, preparation, and resources to ensure that their citizens will be evacuated quickly and safely should a natural disaster or terrorist attack occur. Our citizens deserve no less. •

HONORING OUR ARMED FORCES

CORPORAL BRETT LEE LUNDSTROM

• Mr. JOHNSON. Mr. President, today I pay tribute to CPL Brett Lundstrom and his heroic service to our country. As a member of the 2nd Marine Expeditionary Force based in North Carolina, Corporal Lundstrom was killed in action near Fallujah on January 7, 2006 while serving in support of Operation Iraqi Freedom.

Brett was born in Vermillion, SD, and he was a member of the Oglala Sioux Tribe. Brett, who was also the proud son of a marine who served his country for 20 years, chose to follow in his father Ed Lundstrom's footsteps. By enlisting in the Marine Corps following the September 11th terrorist attacks, Brett firmly believed he could make a difference.

Doyla Lundstrom, Brett's mother, remembers her son as someone who "loved people, and people loved Brett." Brett's friendly personality was infectious and "he lit up a room when he walked in." A true soldier, Ed recalled that Brett believed in his mission. Without question, he was an exemplary soldier and an example for all those with whom he served.

Brett's goodwill and service touched the lives of many people. Although his life was cut short, he continues to inspire all those who knew him. Our Nation owes him a debt of gratitude, and the best way to honor his life is to emulate his commitment to our country.

Mr. President, I join with all South Dakotans in expressing my deepest sympathy to the family of CPL Brett Lundstrom. He will be missed, but his service to our Nation will never be forgotten. •

PRIVATE JONATHAN R. PFENDER

• 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 Evansville. Jonathan Pfender, 22 years old, died on December 30 when an improvised explosive device detonated near his vehicle during a patrol in Bayji, Iraq. With his entire life before him, Jonathan risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

A 2001 graduate of North Posey High School, Jonathan decided to leave his job at the Evansville Pizza Hut to pursue a career in the Army. According to his mother, Jonathan was not satisfied with the direction his life was taking and decided to change course by joining the military, an idea he had contemplated since junior high school. Remembered as a likeable, fun-loving and passionate young man who loved serving in the Army, Jonathan was the

pride of his family and headed to Iraq with their full support. His mother recounted to a local newspaper, "[His co-workers] were crazy about him. Everyone was, you couldn't not fall in love with him."

Jonathan was killed while serving his country in Operation Iraqi Freedom. He was a member of the 1st Battalion, 187th Infantry Regiment, 3rd Combat Team of the 101st Airborne Division based at Fort Campbell, KY. This brave young soldier leaves behind his mother and stepfather, Peggy Jo and Jeff Hammond; his father and stepmother, Randy and Jackie Pfender; a 26-year-old brother; a 1-year-old half brother; stepsiblings and other relatives.

Today, I join Jonathan'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 Jonathan, a memory that will burn brightly during these continuing days of conflict and grief.

Jonathan was known for his dedication to his family and his love of country. Today and always, Jonathan 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 Jonathan'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 Jonathan's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Jonathan Pfender in the official record of the United States 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 Jonathan'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 Jonathan.●

THE CONFIRMATION OF GREG VAN TATENHOVE

● Mr. BUNNING. Mr. President, I am so happy the U.S. Senate confirmed

Greg Van Tatenhove to sit on the Federal judicial bench.

By sending his nomination to the U.S. Senate, President Bush has presented the American people with a top-notch candidate for our Federal bench in the Eastern District of Kentucky.

Greg has great experience and strong qualifications. Although he is not originally from Kentucky, he made a smart decision by making a permanent move to our Commonwealth. Greg also received a great education from both Kentucky's Asbury College and the University of Kentucky College of Law. I am proud to call Greg a fellow Kentuckian.

Greg has worked two stints for members of Kentucky's Federal congressional delegation Senator MCCONNELL and Representative RON LEWIS. Greg also served as a judicial law clerk in U.S. District Court, and he served in the U.S. Department of Justice's Civil Division as a trial attorney. Over the last 4 years Greg has served admirably as a U.S. Attorney for the Eastern District of Kentucky.

His time on Capitol Hill, in the Department of Justice, and within our judicial system has given Greg a wealth of knowledge and experience which can only make him a better judge. Clearly, Greg possesses the wisdom, temperament, and character to be a Federal judge. President George W. Bush and the U.S. Senate have done well working together to ensure Greg's nomination and confirmation for service as a Federal judge.

I am proud to support Greg's elevation for this Federal judgeship, and I am thankful to Chairman SPECTER and Ranking Member LEAHY, too, for their leadership on the U.S. Senate's Judiciary Committee to ensure the swift approval of Greg's confirmation. The United States and Kentucky are better off with Greg serving their citizens.●

OREGON'S DEATH WITH DIGNITY ACT

● Mr. WYDEN. Mr. President, consistent with my practice of announcing publicly my intent to object to unanimous consent requests, I am asking to have printed in the RECORD a letter to Senator REID dated January 18, 2006. It explains that I will use every legislative and procedural tool at my disposal as a U.S. Senator to block any attempt to affect in any way Oregon's Death With Dignity Act, which the Supreme Court upheld yesterday.

The letter follows.

U.S. SENATE,

Washington, DC, January 18, 2006.

Hon. HARRY REID,
Minority Leader,
The Capitol, Washington, DC.

DEAR LEADER REID: I am writing to inform you of my intent to object to any unanimous consent request to consider any measure or matter that might affect end of life care generally and Oregon's Death With Dignity Act in particular.

As you know, the U.S. Supreme Court yesterday upheld Oregon's unique Death with

Dignity Act, and I intend to use every legislative and procedural tool at my disposal as a United States Senator to block any attempt to overturn, invalidate or otherwise affect Oregon's law in any way.

Consistent with my practice of publicly announcing my intent to place a "hold" on a measure or matter, I will ask that this letter be printed in the Congressional Record. If your staff has any questions, please feel free to contact my Legislative and Policy Director, Carole Grunberg, or my Senior Health Policy Advisor, Stephanie Kennan at 224-5244.

Sincerely,

RON WYDEN,
U.S. Senator.●

BILL O'NEILL

● Mr. LEAHY. Mr. President, I wish today to acknowledge the good work of Bill O'Neill, a document checker at the Burlington International Airport in Vermont.

I routinely fly between Burlington and Washington, and it is always a pleasure to see Bill at the ID checking stand. He and I have been friends for decades.

I was pleased to see an article about Bill in the December 27, 2005, Burlington Free Press. I ask that a copy of the article be printed in the RECORD. I know that once they read it, my colleagues will look forward to traveling through the Burlington airport as much as I do.

The article follows.

[From the Burlington Free Press, Dec. 27, 2005]

SECURITY WITH A SMILE, AIRPORT SCREENER
BILL O'NEILL HELPS TAKE STRESS OUT OF
FLYING

(By Emily Guziak)

SOUTH BURLINGTON.—Bill O'Neill's job does not require that he fawn over babies.

Nor does it require that he greet everyone he meets by name with a heartfelt good morning, put their various airline receipts in order, hold cups of coffee, or provide tips on how to switch planes at the next destination.

O'Neill, a document checker for PrimeFlight Aviation Services at Burlington International Airport, is simply required to check departing passengers' identification, boarding passes and number and size of carry-on items.

For frequent travelers, the document checker is often the nameless, faceless, overly efficient person hurrying passengers into inevitable security lines. For bleary-eyed, often-harried early morning travelers in Burlington, O'Neill's station at Gate One is an oasis in the rush of processing passengers through ticket check-in and Transportation Security Administration security clearance.

"He's brilliant; he's great," said business traveler J.P. Tardy, of Charlotte, N.C., queuing up in the security line for United Airline's 7:48 a.m. flight to Chicago on a recent weekday morning. "He absolutely makes this airport."

O'Neill, 72, is the document checker for United Airlines and US Airways passengers, from 4:30 a.m. to 12:30 p.m. Thursdays, Fridays and Saturdays. His upbeat, helpful manner never wavers, those working around him say.

"He's very people-oriented; people like him," said Mark Salisbury, supervisor, transportation security officer, for TSA at Burlington International Airport. Salisbury supervises the security checkpoint near

O'Neill's station. "He's worked in the business for a long time, so I'm sure he's seen it all. He's just a very nice guy. And he's very helpful, especially for older folks."

"You feel like you're being greeted, rather than just being moved into the line by a security person," said Deedee O'Brien of Shelburne, en route to Los Angeles on the Chicago flight. "I think he was here when we traveled six months ago. He's such a nice person."

O'Neill's performance should be catching the attention of all those marketing gurus out there trying to sell the quintessential New England hometown atmosphere. At 6:30 a.m., as passengers went through O'Neill's station, the mood of some travelers changed from tense to relaxed.

"He provides the best service I've ever had," said Dan Grant, of Seattle, a weekly business traveler. "If you fly a lot and go through the larger airports, you can get kind of beaten down. You're lucky if you can get a word out of people in his job."

He is in command at his post. "You can put that ID away; you won't need it anymore today and your boarding pass to Philly is right here," O'Neill quietly and calmly told one of the people in the steady stream of departing passengers. "I thank you, and you have a good day."

"He takes the hassle out of what travel has become," said Andy Tomlinson of South Burlington, on her way "to go home and do the Santa thing" with family in California. "He's great."

A United Airlines employee for 32 years, O'Neill retired in 1998 and returned to work in March for extra income. He is employed by PrimeFlight Aviation of Nashville, Tenn. The company has 4,000 employees in 50 airports in the United States providing a variety of services. In Burlington, United Airlines and US Airways contract with PrimeFlight to provide five document checkers.

O'Neill also has the task of informing passengers when they have been randomly selected by the airlines for an additional search, and must proceed to the line to their right, rather than left. "People can resent it, especially if they're in a hurry," O'Neill said.

"I tell them, I fly free because I have a golden pass, and every time I fly the computer randomly selects me because it reads my ticket as cash, one-way and automatically makes me a selectee. I tell them their special search is no different than mine and it often makes them feel better."

"He is just fantastic," said Thane Butt, of Shelburne, flying to Chicago with her husband, Peter. Butt jokingly asked the bushy-eyed O'Neill if he was Andy Rooney.

"I've been asked that a few times," said the unflappable O'Neill.

"He makes you feel like you're not just another person," said Dr. Alan Segal of South Burlington. "And he's got one of those faces; he looks like everyone's grandfather."●

PILOT KNOB ELEMENTARY SCHOOL, EAGAN, MINNESOTA

● Mr. DAYTON. Mr. President, today I wish to honor Pilot Knob Elementary School in Eagan, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Pilot Knob Elementary School, which serves a diverse population of 375 children in kindergarten through grade four, is truly a model of educational success. The school boasts a 96 percent

attendance rate; test scores are well above average for most students; and many of the teachers are leaders in their fields. Pilot Knob Elementary has also devised an innovative approach to address bullying in school. Through its "Take Time To Be Kind" program, nine fourth graders donate their recess time to spread goodwill in the hallways, creating a safe and kind learning environment for all students.

In addition to its students, Pilot Knob Elementary is also committed to its community. Recently, students raised \$1,700 for UNICEF, to help victims of the tsunami in South Asia, and a similarly successful fundraising effort benefited a local shelter for homeless families. The school regularly opens its doors to the citizens of Eagan, welcoming not only staff and students but also parents, siblings, and neighbors to special school activities. Pilot Knob hosts a wide range of community events: from musical concerts to art and book fairs, to science experiment demonstrations, to ice cream socials.

Much of the credit for Pilot Knob's success belongs to its principal, Byron Schwab, who was Minnesota's Principal of the Year in 2001. Principal Schwab and the dedicated faculty at Pilot Knob Elementary understand that, in order to be successful, a school must go beyond achieving academic success; it must also create a nurturing environment, where students learn the importance of respecting one another and the value of their community. All of the faculty, staff, and students at Pilot Knob Elementary should be very proud of their accomplishments.

I congratulate Pilot Knob Elementary School in Eagan for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

AWARD FOR EXCELLENCE IN EDUCATION PRESENTED TO EDINA PUBLIC SCHOOLS, EDINA, MINNESOTA

● Mr. DAYTON. Mr. President, I wish to also honor the Edina Public School District, serving Edina, MN, which recently earned an Award for Excellence in Education for its exceptional achievements in educating children.

The Edina Public School District is committed to instilling in its students not only knowledge, but also a sense of self-worth, creativity, and strong ethical values. To achieve these goals, Edina Public Schools offer a wide array of educational opportunities tailored to the diverse needs of its students. Students with limited English proficiency benefit from an exceptionally fine English as a Second Language program; more advanced learners are given new challenges through the district's Gifted Education Program; and students with special needs receive additional help through an outstanding Special Education program.

Edina Public Schools also challenge students outside of the classroom. The

district's top-notch athletic programs and team sports help students learn the value of both cooperation and competition. Student musicians, actors, and artists benefit from highly acclaimed musical, theatrical, and artistic cocurricular programs. Over 90 percent of Edina Public Schools' student body participate in cocurricular activities.

The Edina Public School District recognizes that it must constantly adapt and improve its curricula to meet the ever-changing needs of its students. The district's superintendent, Dr. Kenneth Dragseth, and the dedicated faculty are always willing to incorporate new techniques and approaches to teaching. As a result, 95 percent of Edina High School's graduates who attend college report being well prepared for their college experience.

All of the faculty, staff, and students at Edina Public Schools should be very proud of their accomplishments. I congratulate the Edina Public School District for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

COMMUNITY LEARNING CENTER OF AUSTIN, MINNESOTA

● Mr. DAYTON. Mr. President, I further wish to honor the Community Learning Center in Austin, MN, which has earned an Award for Excellence in Education, for its outstanding commitment to lifelong learning. The Community Learning Center provides educational opportunities for students of all ages and skill levels—from infants to senior citizens.

The Community Learning Center offers programs tailored to every type of learner, including, early childhood family education for parents and their young children; early childhood special education for students with special needs; adult basic education and family literacy for adults with limited reading and English skills; and community education, which offers ongoing education for all community members.

The Community Learning Center is committed not only to lifelong learning but also to the empowerment and better quality of life that education makes possible. The center's learning programs help students to break the cycle of poverty, imparting skills that expand their opportunities for employment and that illuminate the value of education for children. The center is a model of quality education and community outreach and has enriched the lives of thousands of students. All of the center's faculty, staff, and students should be very proud of their accomplishments.

I congratulate the Community Learning Center in Austin for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

LINTON POLICE DEPARTMENT

• Mr. BAYH. Mr. President, today I wish to pay tribute to the Linton Police Department and their Chief of Police, Keith McDonald. I also want to take a moment to recognize Linton's Drug Task Force Officer Joshua Goodman.

Under the leadership of Chief McDonald, the Linton Police Department has increased its drug arrests by nearly 500 percent over the past 5 years. Most recently, the department executed a drug bust that resulted in the seizure of approximately \$250,000 worth of methamphetamine—one of the largest drug busts in the western part of the State.

Methamphetamine is currently one of the fastest-growing drug threats in the Nation, and the problem is particularly acute in the Midwest and Indiana. In Indiana, the number of meth labs has increased 750 percent over the last 5 years and the meth industry costs the State at least \$100 million a year.

Indiana's epidemic of meth use destroys families, places undue burdens on taxpayers, and exhausts child service resources. Hoosier families depend on local law enforcement officers to protect their children and keep their communities strong. In the face of the growing meth epidemic and despite an increasing number of homeland security responsibilities, the Linton Police Department and other police departments across the State have risen to the challenge. With the help of tougher State meth laws, these local police forces have succeeded in reducing the number of meth labs across Indiana.

But they need more support from the Federal Government. Local police forces, like Linton's, are already stretched thin as they respond to a growing number of homeland security challenges. Nothing short of a national commitment with tough, innovative laws will stop the spread of this terrible drug that is threatening our communities. For this reason, I cosponsored the Combat Meth Act in 2004 to provide a nationwide approach that gives police officers the tools they need to fend off the creation of new meth labs and helps families rebuild their lives. I am hopeful that this legislation will help Linton and other towns continue to succeed in their fight against the meth scourge.

I wanted to take the time to recognize the Linton Police Department today, because as our Nation faces increasingly uncertain times, including the escalation of the meth epidemic, it is our first responders who are our primary line of defense. In all areas, but especially the fight against meth, Linton's Police Department has gone well beyond the call of duty.

On behalf of the State of Indiana, I thank the Linton Police Department for helping keep Greene County's streets safe and its community strong and meth-free. It is my honor to enter this tribute in the official record of the United States Senate in recognition of the Linton Police Department's ex-

traordinary commitment to the citizens of Greene County.●

TOURETTE SYNDROME OUTREACH AND RESEARCH

• Mr. SMITH. Mr. President, I applaud Congress for including \$1.8 million for Tourette Syndrome research in H.R. 3010, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act of 2006.

Tourette Syndrome is an inherited neurobiological disorder that manifests itself in rapid, repeated, and involuntary movements and sounds. The disorder affects approximately 200,000 adults and children across America. While there is no cure for Tourette Syndrome, some individuals benefit from education and other clinical treatment.

To further develop educational outreach and research programs, Congress established the Tourette Syndrome Education and Research Program within the Centers for Disease Control and Prevention in 2000. Today, this program provides education about Tourette Syndrome for the public, physicians, allied healthcare workers and teachers. Additionally, the program's intensive training initiatives aim to increase recognition and diagnosis of Tourette Syndrome and to decrease the associated stigma.

Over the past 2 years, the Tourette Syndrome Association, the only national nonprofit membership organization dedicated to finding the cause, finding a cure, and controlling the effects of Tourette Syndrome, has acted in partnership with the CDC to expand educational outreach. In its first year working with the CDC, the Tourette Syndrome Association offered 25 expert medical education programs, as well as five major education allied professional programs. In 2006, the association plans to expand upon these efforts and to offer training for neurologists in both English and Spanish.

Mr. President, I encourage the CDC to continue its partnership with the Tourette Syndrome Association as the agency plans its research and education strategy for fiscal year 2006. By building and expanding on past collaborative efforts, the CDC and the Tourette Syndrome Association can bring hope to families affected by the disorder.●

COMMEMORATING DR. MARTIN LUTHER KING, JR. DAY

• Mr. PRYOR. Mr. President, Dr. King was a light for America. At times, he was a searching, probing light in the dark, seeking to find the truth and expose it to all humanity. He spoke plainly and eloquently of the great injustices that were occurring during his time. He focused his spotlight on places like Selma, Atlanta, Birmingham, and Little Rock, places that were in such need of healing at that time. And he

was often a stark, blinding light for many in this country who were unwilling to come to terms with the great evil represented in segregation, discrimination, and humiliation, all of which were fueled by hatred and ignorance.

For so many people of his generation, Dr. King was the first light of the morning, awakening them from their naive slumber to confront great moral questions. He and all the champions of the civil rights movement are responsible for forcing America to look inward and recognize the sickness that plagued our Nation's soul. Supreme Court Justice Louis Brandeis once said that "sunlight is the best disinfectant." Dr. King fully recognized the meaning of these words as he exposed our culture's illness to the light of day, eventually helping America begin to heal.

He was also a guiding light, navigating the civil rights movement through largely uncharted waters, and helping a great many minority Americans come to the realization that they were all in the same boat. They were no longer alone in their struggle against oppression. Indeed, there were many at the time who cautioned against "rocking the boat" too much. But King's leadership proved to a weary and discouraged people that there was a great Promised Land at the end of their journey. The path he illuminated required the strongest of wills, and for that guiding light, we are all thankful.

Since Dr. King's time, the American people have made great strides toward racial equality and the elimination of poverty, yet there still remains much to be accomplished. And in the spirit of Dr. King's life, our Nation must continue to turn the light inward and expose injustice. Dr. King's purpose in life did not end in his death, nor did it end in the court cases and legislation that have further expanded freedom and opportunity in America since that time. Dr. Martin Luther King's legacy is an undying light that serves as a constant reminder of the noblest cause to protect and promote liberty that our Nation began with its founding. His undying light also calls on us never to forget our humanity. Even a country founded on the highest moral principles can retreat into oppression and injustice in periods of darkness. For helping lead us out of the darkness, we honor Dr. King on this day, and we pledge to always remember the struggle that marches on.●

REFOCUSING ON GUN SAFETY

• Mr. LEVIN. Mr. President, nearly 100,000 children and teenagers have been killed by firearms since 1979. This figure underscores the inadequacy of Congress' efforts to address the issue of gun violence over this period and the continuing need for common sense gun safety legislation.

An analysis of firearm violence data by the Children's Defense Fund found

that guns kill more children between the ages of 10 and 19 than any other cause except car accidents. In 2002, the most recent data available, guns killed 2,867 children under 19 years old. Tragically, that means an average of nearly 8 children are killed by guns each day. Additionally, the CDF estimates that at least four times as many children are injured in non-fatal shootings.

The number of firearms deaths among American children is greater than any other nation in the world. In fact, the Children's Defense Fund states in its 2005 annual report that the rate of deaths among children under 15 years old is higher in the United States than in 25 other industrialized nations combined. While the gun violence epidemic in this country cannot simply be legislated away, Congress must do more to address the problem.

The Children's Defense Fund makes a number of recommendations to protect children from gun violence. Among other things, the CDF suggests removing guns from homes, providing non-violent conflict resolution courses for all students, and creating positive community activities for children to reduce the influence of gangs and drugs on children and teenagers. Congress can take an active role in these efforts by taking up and passing common sense gun safety legislation, supporting federal funding for law enforcement and community programs, and focusing the media and public attention on the causes and consequences of gun violence.

During recent sessions of Congress, very little has been done to reduce the prevalence of gun violence. In 2004, inaction by President Bush and the Republican leadership in Congress led to the expiration of the 1994 Assault Weapons Ban. In 2005, Congress passed, and the President signed, National Rifle Association-sponsored legislation that provided blanket immunity from liability to reckless and negligent gun dealers and manufacturers. While doing so, Congress repeatedly cut Federal funding for proven local law enforcement programs and failed to close the gun show loophole.

As we begin the second session of the 109th Congress, I am hopeful greater attention will be paid to finding solutions to the gun violence problems that plague our communities. We owe it to the thousands of families who have already been impacted by firearms tragedies to help prevent such things from happening to others.●

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 withdrawal which were referred to the appropriate committees.

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

MESSAGES FROM THE HOUSE DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under authority of the order of the Senate of January 4, 2005, the Secretary of the Senate, on December 28, 2005, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. DAVIS, of Virginia) has signed the following enrolled bills:

S. 2167. An act to amend the USA PATRIOT ACT to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006.

H.R. 2863. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes.

H.R. 3010. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

H.R. 4525. An act to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

H.R. 4579. An act to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to extend by one year provisions requiring parity in the application of certain limits to mental health benefits.

H.R. 4635. An act to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2006, and for other purposes.

Under the authority of the order of December 22, 2005, the enrolled bills were signed by the Acting President pro tempore (Mr. ALLEN) during the adjournment of the Senate, on December 28, 2005.

ENROLLED BILLS SIGNED

Under authority of the order of the Senate of January 4, 2005, the Secretary of the Senate, on December 30, 2005, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. DAVIS, of Virginia) has signed the following enrolled bills:

H.R. 972. An act to authorize appropriations for fiscal years 2006 and 2007 for the Trafficking Victims Protection Act of 2000, and for other purposes.

H.R. 1815. An act to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 2017. An act to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domes-

tic and foreign programs and centers for the treatment of victims of torture, and for other purposes.

H.R. 3179. An act to reauthorize and amend the Junior Duck Stamp Conservation and Design Program Act of 1994.

H.R. 3402. An act to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, and for other purposes.

H.R. 4501. An act to amend the Passport Act of June 4, 1920, to authorize the Secretary of State to establish and collect a surcharge to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004.

H.R. 4637. An act to make certain technical corrections in amendments made by the Energy Policy Act of 2005.

Under the authority of the order of December 22, 2005, the enrolled bills were signed by the Acting President pro tempore (Mr. ALLEN) during the adjournment of the Senate, on December 30, 2005.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, December 22, 2005, she had presented to the President of the United States the following enrolled bills:

S. 205. An act to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers.

S. 652. An act to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin.

S. 1238. An act to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes.

S. 1310. An act to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, to allow certain commercial vehicles to continue to use Route 209 within the Delaware Water Gap National Recreation Area, and to extend the termination date of the National Park System Advisory Board to January 1, 2007.

S. 1481. An act to amend the Indian Land Consolidation Act to provide for probate reform.

S. 1892. An act to amend Public Law 107-153 to modify a certain date.

S. 1988. An act to authorize the transfer of items in the War Reserves Stockpile for Al-
lies, Korea.

The Secretary of the Senate reported that on today, December 23, 2005, she had presented to the President of the United States the following enrolled bill:

S. 1281. An act to authorize the programs of the National Aeronautics and Space Administration.

The Secretary of the Senate reported that on today, December 28, 2005, she had presented to the President of the United States the following enrolled bill:

S. 2167. An act to amend the USA PATRIOT Act to extend the sunset of certain

provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006.

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-5120. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the Annual Report on Civil Works Activities for Fiscal Year 2004; to the Committee on Environment and Public Works.

EC-5121. 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 "Regulation of Fuels and Fuel Additives: Renewable Fuel Standard Requirements for 2006" (FRL No. 8017-1) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5122. 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 "Protection of Stratospheric Ozone: Extension of Global Laboratory and Analytical Use Exemption for Essential Class I Ozone Depleting Substances" (FRL No. 8016-7) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5123. 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 "Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of the Evansville Area to Attainment of the 8-Hour Ozone Standard" (FRL No. 8015-7) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5124. 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 "Protection of Stratospheric Ozone: Adjusting Allowances for Class I Substances for Export to Article 5 Countries" (FRL No. 8017-2) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5125. 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 "Extension of Tolerances for Emergency Exemptions (Multiple Chemicals)" (FRL No. 7749-4) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5126. 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; Montana; Revisions to the Emergency Episode Avoidance Plan; Direct Final Rule" (FRL No. 8012-8) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5127. 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; Virginia; Redesignation of the City of Fredericksburg, Spotsylvania County, and Stafford County Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan" (FRL No. 8012-2) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5128. 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; Virginia; Redesignation of the Shenandoah National Park Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan" (FRL No. 8012-3) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5129. 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; Alabama; Nitrogen Oxide Budget and Allowance Trading Program, Phase II" (FRL No. 8014-9) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5130. 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; Tennessee and Nashville-Davidson County; Approval of Revisions to the State Implementation Plan" (FRL No. 8014-6) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5131. 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; Tennessee; Nitrogen Oxides Budget and Allowance Trading Program, Phase II" (FRL No. 8015-2) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5132. 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 "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion" (FRL No. 8012-4) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5133. 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 "National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters; Reconsideration" (FRL No. 8011-5) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5134. 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 "National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing" (FRL No. 8011-6) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5135. 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 "National Primary Drinking Water Regulations: Long Term 2 Enhanced Surface Water Treatment Rule" (FRL No. 8013-1) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5136. 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 "National Primary Drinking Water Regulations: Stage 2 Disinfectants and Disinfection Byproducts Rule" (FRL No. 8012-1) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5137. 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 "Regulation of Fuel and Fuel Additives: Extension of California Enforcement Exemptions for Reformulated Gasoline to California Phase 3 Gasoline" (FRL No. 8011-4) received on January 3, 2006; to the Committee on Environment and Public Works.

EC-5138. 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 "Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of the Vigo County Nonattainment Area to Attainment of the 8-Hour Ozone Standard" (FRL No. 8019-5) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5139. 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 "Emission Durability Procedures for New Light-Duty Vehicles, Light-Duty Trucks and Heavy-Duty Vehicles" (FRL No. 8019-2) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5140. 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 "National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans" (FRL No. 8018-9) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5141. 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 "Protection of Stratospheric Ozone: Extension of Global Laboratory and Analytical Use Exemption for Essential Class I Ozone Depleting Substances" (FRL No. 8016-7) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5142. 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 "Regulation of Fuels and Fuel Additives: Renewable Fuel Standard Requirements for 2006" (FRL No. 8017-1) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5143. 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 "Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of the Evansville Area to Attainment of the 8-Hour Ozone Standard" (FRL No. 8015-7) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5144. 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 "Protection of Stratospheric Ozone: Adjusting Allowances for Class I Substances for Export to Article 5 Countries" (FRL No. 8017-2) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5145. 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 "Allotment Formula for Clean Water Act (CWA) Section 106 Funds; Amendment" (FRL No. 8017-9) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5146. 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, South Coast Air Quality Management District" (FRL No. 8010-7) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5147. 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, San Diego County Air Pollution Control District" (FRL No. 8007-6) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5148. 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; Tennessee; Redesignation of the Montgomery County, Tennessee Portion of the Clarksville-Hopkinsville 8-Hour Ozone Nonattainment Area to Attainment; Correction" (FRL No. 8014-3) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5149. 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 "Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for States of Arizona, California, Hawaii, and Nevada" (FRL No. 8013-4) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5150. A communication from the Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, the Agency's Buy American Act Report for Fiscal Year 2004; to the Committee on Environment and Public Works.

EC-5151. 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 "Revision to the Privacy Act Regulations"

(FRL No. 8017-7) received on January 4, 2006; to the Committee on Environment and Public Works.

EC-5152. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to improvements to the Inland waterway navigation projects on the Ohio River at John T. Myers Locks and Dam, Indiana and Kentucky, and Greenup Locks and Dam, Ohio and Kentucky; to the Committee on Environment and Public Works.

EC-5153. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the construction of an ecosystem restoration project for the Stillaguamish River Basin, Snohomish County, Washington; to the Committee on Environment and Public Works.

EC-5154. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the construction of the ecosystem restoration project for the Green/Duwamish River Basin, King County, Washington; to the Committee on Environment and Public Works.

EC-5155. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office of Personnel Management's annual report on competitive sourcing; to the Committee on Homeland Security and Governmental Affairs.

EC-5156. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office of Personnel Management's Annual Report to Congress on Veterans' Employment in the Federal Government—Fiscal Year 2004; to the Committee on Homeland Security and Governmental Affairs.

EC-5157. A communication from the Acting Chief Financial Officer, Federal Trade Commission, transmitting, pursuant to law, the Commission's Fiscal Year 2005 Performance and Accountability Report; to the Committee on Homeland Security and Governmental Affairs.

EC-5158. A communication from the Director, U.S. Trade and Development Agency, transmitting, pursuant to law, the Agency's report on competitive sourcing efforts for fiscal year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-5159. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the semi-annual report of the Peace Corps Inspector General covering the period from April 1, 2005, through September 30, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-5160. A communication from the Public Printer, Government Printing Office, transmitting, pursuant to law, the Office's Annual Report for Fiscal Year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-5161. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Inspector General's Semi-Annual Report and the Corporation's Report on Final Action; to the Committee on Homeland Security and Governmental Affairs.

EC-5162. A communication from the Secretary of Education, transmitting, pursuant to law, the Semiannual Report to Congress on Audit Follow-Up, covering the period April 1, 2005 through September 30, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-5163. A communication from the Chairman, National Endowment for the Arts, transmitting, pursuant to law, the Art Endowment's report on competitive sourcing efforts for fiscal years 2003, 2004, 2005 and

plans for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-5164. A communication from the President, James Madison Memorial Fellowship Foundation, transmitting, pursuant to law, the Foundation's 2005 consolidated annual report; to the Committee on Homeland Security and Governmental Affairs.

EC-5165. A communication from the Acting Administrator, General Services Administration, transmitting, the report of a draft bill to amend the Tribble Amendment entitled "The Federal Childcare Enhancement Act of 2005"; to the Committee on Homeland Security and Governmental Affairs.

EC-5166. A communication from the Acting Administrator, General Services Administration, transmitting, pursuant to law, the Administration's fiscal year 2005 report on competitive sourcing efforts; to the Committee on Homeland Security and Governmental Affairs.

EC-5167. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Peace Corps' Performance and Accountability Report for Fiscal Year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-5168. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the semiannual report of the Inspector General for the period April 1, 2005 through September 30, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-5169. A communication from the General Counsel, Office of Government Ethics, transmitting, pursuant to law, the fiscal year 2005 annual report regarding the adequacy and effectiveness of the Office's management control systems; to the Committee on Homeland Security and Governmental Affairs.

EC-5170. A communication from the Deputy Director for Administration and Information Management, Office of Government Ethics, transmitting, pursuant to law, a report relative to competitions completed or initiated in fiscal year 2005 and plans for competitions for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-5171. A communication from the Independent Counsel, Office of Independent Counsel, transmitting, pursuant to law, a report entitled "Annual Report (Year 2005) for the Office of Independent Counsel"; to the Committee on Homeland Security and Governmental Affairs.

EC-5172. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report relative to the Administration's internal accounting and administrative controls for fiscal year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-5173. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Accelerated Filer Definition and Accelerated Deadlines for Filing Periodic Reports" (RIN3235-AJ29) received on January 3, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-5174. A communication from the Director, Insurance Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Suspension of Enrollment in the Federal Employees Health Benefits (FEHB) Program for Peace Corps Volunteers" (RIN3203-AK90) received on January 3, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-5175. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to

adding a class of certain workers of the National Bureau of Standards to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-5176. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to adding a class of certain workers of the Linde Ceramics Plant in Niagara Falls, New York, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-5177. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Second Interim Report on the Informatics for Diabetes Education and Telemedicine (IDEATel) Demonstration: Final Report on Phase I"; to the Committee on Health, Education, Labor, and Pensions.

EC-5178. A communication from the Inspector General, Department of Labor, transmitting, pursuant to law, the Department's fiscal year 2005 competitive sourcing report; to the Committee on Health, Education, Labor, and Pensions.

EC-5179. A communication from the Secretary to the Board, Railroad Retirement Board, transmitting, pursuant to law, the Board's fiscal year 2005 competitive sourcing report; to the Committee on Health, Education, Labor, and Pensions.

EC-5180. A communication from the Secretary of Education, transmitting, pursuant to law, the Annual Report of the National Advisory Committee on Institutional Quality and Integrity for Fiscal Year 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-5181. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Investigational New Drugs: Export Requirements for Unapproved New Drug Products" ((RIN0910-AA61)(Docket No. 2000N-1663)) received on January 3, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-5182. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Biological Products: Bacterial Vaccines and Toxoids; Implementation of Efficacy Review" (Docket No. 1980N-0208) received on January 3, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-5183. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Simplification of the Grant Appeals Process" (RIN0906-AA69) received on January 4, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-5184. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Procedures for Designating Classes of Employees as Members of the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program Act of 2000" received on January 4, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-5185. A communication from the Acting Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled "Roll-Over Protective Structures" (RIN1218-AC15) received on January 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-5186. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, a report entitled "The Commission's Response to the California Electricity Crisis and Timeline for Distribution of Refunds"; to the Committee on Energy and Natural Resources.

EC-5187. A communication from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulphur Operations on the Outer Continental Shelf (OCS)—Suspension of Operations (SOO) for Ultra-deep Drilling" (RIN-1010-AD09) received on January 3, 2006; to the Committee on Energy and Natural Resources.

EC-5188. A communication from Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Virginia Regulatory Program" (VA-122-FOR) received on January 6, 2006; to the Committee on Energy and Natural Resources.

EC-5189. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to the United Kingdom; to the Committee on Foreign Relations.

EC-5190. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Taiwan; to the Committee on Foreign Relations.

EC-5191. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to the Netherlands; to the Committee on Foreign Relations.

EC-5192. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to the United Kingdom; to the Committee on Foreign Relations.

EC-5193. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-5194. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to the Republic of Korea; to the Committee on Foreign Relations.

EC-5195. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Switzerland; to the Committee on Foreign Relations.

EC-5196. A communication from the Assistant Secretary for Legislative Affairs, De-

partment of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-5197. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-5198. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-5199. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services in the amount of \$50,000,000 or more to Russia; to the Committee on Foreign Relations.

EC-5200. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad involving the export to the United Kingdom of technical data, defense services and hardware for the manufacture of the Bowman Communication System for end-use by the Royal Netherlands Navy (Marine Corps); to the Committee on Foreign Relations.

EC-5201. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a certification regarding the proposed transfer of major defense equipment valued at \$14,000,000 or more to L-3 MAS, a Canadian private entity, from the Government of Australia; to the Committee on Foreign Relations.

EC-5202. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the proposed signing by the President of a determination waiving section 620A of the Foreign Assistance Act of 1961, as amended, for two years, and section 507 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005; to the Committee on Foreign Relations.

EC-5203. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the report of Presidential Determination 2006-5 relative to the suspension of limitations under the Jerusalem Embassy Act; to the Committee on Foreign Relations.

EC-5204. A communication from the U.S. Global AIDS Coordinator, Department of State, transmitting, pursuant to law, a report on the President's Emergency Plan for AIDS Relief: Fiscal Year 2005 Report on the Global Fund to Fight AIDS, Tuberculosis and Malaria; to the Committee on Foreign Relations.

EC-5205. A communication from the Secretary General, Inter-Parliamentary Union, transmitting, a report entitled "Revisiting Free and Fair Elections"; to the Committee on Foreign Relations.

EC-5206. A communication from the Assistant Attorney General, Department of Justice, transmitting, pursuant to law, the Report of the Attorney General relative to the Foreign Agents Registration Act for the six-month period ending December 31, 2004; to the Committee on Foreign Relations.

EC-5207. A communication from the Assistant Attorney General, Department of Justice, transmitting, pursuant to law, the Report of the Attorney General relative to the Foreign Agents Registration Act for the six-month period ending June 30, 2004; to the Committee on Foreign Relations.

EC-5208. A communication from the President, Inter-Parliamentary Union, transmitting, a report entitled "Second World Conference of Speakers of Parliaments"; to the Committee on Foreign Relations.

EC-5209. A communication from the Assistant Secretary of Defense (International Security Policy), transmitting, pursuant to law, a report relative to the Cooperative Threat Reduction Program with respect to the Russian Federation and Albania; to the Committee on Armed Services.

EC-5210. A communication from the Under Secretary of Defense, Comptroller, Department of Defense, transmitting, pursuant to law, the quarterly report entitled "Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account (as of September 30, 2005)"; to the Committee on Armed Services.

EC-5211. A communication from the Secretary of the Air Force, transmitting, pursuant to law, the report of a Program Acquisition Unit Cost (PAUC) breach relative to the Global Hawk Program; to the Committee on Armed Services.

EC-5212. A communication from the Director of Defense Research and Engineering, Department of Defense, transmitting, pursuant to law, a report relative to funding the Foreign Comparative Testing (FCT) Program for Fiscal Year 2006; to the Committee on Armed Services.

EC-5213. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, authorization of Major General Gary D. Speer, United States Army, to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5214. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, authorization of Colonel John D. Johnson, United States Army, to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5215. A communication from the Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Exemption of Privacy Act System of Records for the Justice Management Division: 'Federal Bureau of Investigation Whistleblower Case Files, JUSTICE/JMD-023'" (AAG/A Order No. 019-2005) received on January 6, 2006; to the Committee on the Judiciary.

EC-5216. 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 "Dichlormid; Extension of Time-Limited Pesticide Tolerance" (FRL No. 7753-9) received on January 4, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5217. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Revision of Fees for the Fresh Fruit

and Vegetable Terminal Market Inspection Services" ((RIN0581-AC46)(Docket No. FV-04-310)) received on January 4, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5218. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fresh Bartlett Pears Grown in Oregon and Washington; Termination of Marketing Order No. 931" (Docket No. FV05-931-1 FR) received on January 4, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5219. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "USDA Farmers Market Operating Procedures" ((RIN0581-AC39)(Docket No. TM-04-09)) received on January 4, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5220. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Dried Prunes Produced in California; Decreased Assessment Rate" (Docket No. FV05-993-5 FIR) received on January 4, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

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 Mr. DURBIN:

S. 2177. A bill to make the sale or fraudulent transfer of telephone records a criminal offense; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Mr.

SPECTER, Mr. NELSON of Florida, Mr. BURNS, Mr. CORNYN, and Mr. REID):

S. 2178. A bill to make the stealing and selling of telephone records a criminal offense; to the Committee on the Judiciary.

By Mr. OBAMA:

S. 2179. A bill to require openness in conference committee deliberations and full disclosure of the contents of conference reports and all other legislation; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID:

S. Res. 348. A resolution making minority party appointments to certain Senate committees for the 109th Congress; considered and agreed to.

ADDITIONAL COSPONSORS— DECEMBER 22, 2005

S. 2109

At the request of Mrs. CLINTON, her name was added as a cosponsor of S. 2109, a bill to provide national innovation initiative.

ADDITIONAL COSPONSORS

S. 150

At the request of Mr. JEFFORDS, the name of the Senator from Oregon (Mr.

WYDEN) was added as a cosponsor of S. 150, a bill to amend the Clean Air Act to reduce emissions from electric powerplants, and for other purposes.

S. 409

At the request of Mr. COLEMAN, the names of the Senator from Florida (Mr. NELSON) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 409, a bill to establish a Federal Youth Development Council to improve the administration and coordination of Federal programs serving youth, and for other purposes.

S. 440

At the request of Mr. BUNNING, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 440, a bill to amend title XIX of the Social Security Act to include podiatrists as physicians for purposes of covering physicians services under the medicaid program.

S. 445

At the request of Ms. STABENOW, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 445, a resolution to amend part D of title XVIII of the Social Security Act, as added by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, to provide for negotiation of fair prices for Medicare prescription drugs.

S. 484

At the request of Mr. WARNER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 484, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 1085

At the request of Mr. KENNEDY, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1085, a bill to provide for paid sick leave to ensure that Americans can address their own health needs and the health needs of their families.

S. 1112

At the request of Mr. GRASSLEY, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1351

At the request of Mrs. CLINTON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1351, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War era.

S. 1438

At the request of Mr. ALLARD, his name was added as a cosponsor of S. 1438, a bill to provide for immigration reform.

S. 1779

At the request of Mr. AKAKA, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1779, a bill to amend the Humane Methods of Livestock Slaughter Act of 1958 to ensure the humane slaughter of nonambulatory livestock, and for other purposes.

S. 2083

At the request of Mrs. CLINTON, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2083, a bill to prohibit the Assistant Secretary of Homeland Security (Transportation Security Administration) from removing any item from the current list of items prohibited from being carried aboard a passenger aircraft.

S. 2128

At the request of Mr. MCCAIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2128, a bill to provide greater transparency with respect to lobbying activities, and for other purposes.

S. 2154

At the request of Mr. OBAMA, the names of the Senator from Connecticut (Mr. DODD), the Senator from Delaware (Mr. BIDEN), the Senator from Wyoming (Mr. THOMAS) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 2154, a bill to provide for the issuance of a commemorative postage stamp in honor of Rosa Parks.

S. 2155

At the request of Mr. KERRY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2155, a bill to provide meaningful civil remedies for victims of the sexual exploitation of children.

S. CON. RES. 68

At the request of Mr. NELSON of Florida, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. Con. Res. 68, a resolution designating May 20, 2006, as "Negro Leaguers Recognition Day."

S. CON. RES. 73

At the request of Mr. SPECTER, the names of the Senator from Michigan (Mr. LEVIN), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. Con. Res. 73, a concurrent resolution urging the President to issue a proclamation for the observance of an American Jewish History Month.

S. RES. 320

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. Res. 320, a resolution calling the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 2177. A bill to make the sale or fraudulent transfer of telephone records a criminal offense; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, today, I am introducing The Phone Records Protection Act of 2006. This important legislation would prohibit the sale or fraudulent transfer or use of telephone records and provide tough criminal penalties for violating phone users' privacy.

The Chicago Sun Times and other news sources have recently reported that online brokers are illegally obtaining cell phone records and selling them without customers' knowledge. Telephone companies receive many legitimate requests from consumers and law enforcement officials for access to personal records and the requests are handled expeditiously. However, online brokers have taken advantage of the system and begun selling cell phone records to anyone who requests them.

Although current law addresses fraud and identity theft using the Internet, the law does not specifically prohibit the sale of personal information obtained illegally or without the consent of cell phone customers. Consumer and privacy groups have expressed concerns about the access and availability of personal information. Regardless of how a bad actor obtains the telephone records of innocent and unsuspecting customers, the sale of such information should be prohibited.

The Phone Records Protection Act of 2006 would deter online brokers by prohibiting the sale or fraudulent transfer or use of telephone records. The sale of this information is a violation of individual privacy and also creates the possibility of identity theft. Moreover, the sale of telephone records of law enforcement personnel and public officials could endanger public safety, as criminals and terrorists would be eager to have such information.

I encourage my colleagues to support this important legislative effort and cosponsor this legislation.

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. 2177

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 "Phone Records Protection Act of 2006".

SEC. 2. PROHIBITION ON SALE OR TRANSFER OF TELEPHONE RECORDS.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 123 the following new chapter:

"CHAPTER 124—TELEPHONE RECORDS

"Sec

"2801. Prohibition on sale or transfer of telephone records

"§ 2801. Prohibition on sale or transfer of telephone records

"(a) CRIMINAL VIOLATION.—Whoever knowingly and intentionally sells or fraudulently transfers or uses, or attempts to sell or fraudulently transfer or use, the records of a customer of a telephone service provider shall be fined in accordance with this title, imprisoned for not more than 10 years, or both.

"(b) NONAPPLICABILITY TO LAW ENFORCEMENT AGENCIES.—Subsection (a) shall not prevent any action by a law enforcement agency, or any officer, employee, or agent of such agency, to obtain the records of a customer of a telephone service provider in connection with the performance of the official duties of the agency.

"(c) EXCEPTION FOR LAW ENFORCEMENT REQUESTS.—A telephone service provider, or any employee thereof, shall not be in violation of subsection (a) if such provider, upon request, transfers or otherwise provides to a law enforcement agency, or any officer, employee, or agent of such agency the records of a customer of such provider.

"(d) DEFINITIONS.—In this section:

"(1) RECORDS OF A CUSTOMER.—The term 'records of a customer' means any data or information associated with an individual contained in a database, networked or integrated databases, or other data system of a telephone service provider.

"(2) TELEPHONE SERVICE.—The term 'telephone service'—

"(A) has the same meaning given the term 'telecommunications service' in section 3 of the Communications Act of 1934 (47 U.S.C. 153); and

"(B) includes any form of wireless telephone service, including—

"(i) cellular telephone service;

"(ii) broadband Personal Communication Service ('PCS') telephone service;

"(iii) Covered Specialized Mobile Radio ('SMR') service; and

"(iv) any successor service to such service (including so-called next generation or third generation service).

"(3) TELEPHONE SERVICE PROVIDER.—The term 'telephone service provider' has the same meaning given the term 'telecommunications carrier' in section 3 of the Communications Act of 1934 (47 U.S.C. 153)."

(b) AMENDMENT TO PART ANALYSIS.—The table of chapters at the beginning of part I of title 18, United States Code, is amended by inserting after the item relating to chapter 123 the following new item:

"124. Prohibition on sale of telephone records 2801".

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 348—MAKING MINORITY PARTY APPOINTMENTS TO CERTAIN SENATE COMMITTEES FOR THE 109TH CONGRESS

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 348

Resolved, that notwithstanding the provisions of Rule XXV, the following shall constitute the minority party's membership on the following standing committees for the 109th Congress, or until their successors are chosen:

Committee on Banking, Housing and Urban Affairs: Mr. Sarbanes (Ranking Member), Mr. Dodd, Mr. Johnson, Mr. Reed, Mr. Schumer, Mr. Bayh, Mr. Carper, Ms. Stabenow, and Mr. Menendez.

Committee on Energy and Natural Resources: Mr. Bingaman (Ranking Member), Mr. Akaka, Mr. Dorgan, Mr. Wyden, Mr. Johnson, Ms. Landrieu, Mrs. Feinstein, Ms. Cantwell, Mr. Salazar, and Mr. Menendez.

Special Committee on Aging: Mr. Kohl (Ranking Member), Mr. Jeffords, Mr. Wyden, Mrs. Lincoln, Mr. Bayh, Mr. Carper, Mr. Nelson of Florida, Mrs. Clinton and Mr. Salazar.

Committee on the Budget: Mr. Conrad (Ranking Member), Mr. Sarbanes, Mrs. Murray, Mr. Wyden, Mr. Feingold, Mr. Johnson, Mr. Byrd, Mr. Nelson of Florida, Ms. Stabenow, and Mr. Menendez.

Stabenow, and Mr. Menendez.

Select Committee on Ethics: Mr. Johnson (Vice Chairman), Mr. Pryor and Mr. Salazar. Select Committee on Intelligence: Mr. Rockefeller (Vice Chairman), Mr. Levin, Mrs. Feinstein, Mr. Wyden, Mr. Bayh, Ms. Mikulski, and Mr. Feingold.

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for 2005 fourth quarter mass mailings is Wednesday, January 25, 2006. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116.

The Public Records office will be open from 9 a.m. to 5:30 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224-0322.

RECORD TO REMAIN OPEN

Mr. WARNER. Mr. President, I ask unanimous consent that Senators be permitted to introduce bills and submit statements for the RECORD until 12 noon today.

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

INAUGURATION OF GOVERNOR TIMOTHY KAINE

Mr. WARNER. Mr. President, we had a historic moment in the Commonwealth of Virginia this past weekend. I was privileged, along with Senator ALLEN, to attend the inauguration of our new Governor. We have an unusual situation in the Commonwealth of Virginia where our Governors are elected in what we call the off year for elections in America, but it was a very significant occasion for the people of the Commonwealth of Virginia.

An interesting footnote in history: our capitol building in Richmond is under renovation at this time. Consequently, very wisely, Governor Kaine selected Williamsburg, VA, for the purposes of his inauguration. As I said, it was a rainy day, but we all enjoyed it.

On behalf of the Congressional delegation and the people of Virginia, I am privileged to place into the CONGRESSIONAL RECORD the inaugural address given by Governor Timothy Kaine, Virginia's 70th Governor on January 14, 2006. Due to the extensive renovation of Virginia's Capitol in Richmond, Satur-

day's inauguration was held at the Colonial Capital of Williamsburg for only the third time in the Commonwealth's history and the first since that of Thomas Jefferson in 1779.

Williamsburg, Virginia was home to the first Capitol building in America and served as the home of the House of Burgesses. It is fitting that this inauguration took place in Williamsburg as Virginia and Nation prepares to celebrate the 400th anniversary of the founding of the Jamestown settlement in 2007.

We in Virginia are proud of our long-standing spirit of cooperation and bipartisanship among the various branches of government in the Commonwealth and with the members of our congressional delegation serving in Washington. I look forward to working with Governor Kaine as he is the eighth Governor to serve Virginia during my service in the United States Senate. It is in this spirit of bipartisanship that I ask unanimous consent that Governor Kaine's inaugural address to the Commonwealth of Virginia be printed in the RECORD.

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

[From Colonial Capitol, Williamsburg, Virginia, Jan. 14, 2006]

INAUGURAL ADDRESS OF TIM KAINE—70TH GOVERNOR OF THE COMMONWEALTH OF VIRGINIA

Mr. Speaker, Mr. President, Mr. President Pro Tem, Members of the General Assembly, Mr. Chief Justice, Members of the Supreme Court, Mr. Attorney General, ladies and gentlemen:

I am humbled by the trust you have placed in me. With the support of God and my family, I pledge my energy and enthusiasm to the mission of serving this Commonwealth.

I salute with great respect our dear friend Governor Mark Warner, and I ask that all Virginians join me in showing their public appreciation for his outstanding leadership.

I congratulate Lieutenant Governor Bolling, Attorney General McDonnell and all the members of the General Assembly who have stepped forward to offer their talents to advance our common good.

This is a glorious day—the weather is to remind us not to take ourselves too seriously. And how far Virginia has come since we last gathered for an inauguration in Williamsburg!

Patrick Henry was sworn in here as the newly-formed Commonwealth's first Governor in 1776 and, three years later, Thomas Jefferson followed in his footsteps. Henry and Jefferson stood here in the midst of a war raging on our country's soil, a war that threatened the very existence of Virginia and our young nation.

They stood here at a time, just as today, when Virginians serving freedom's cause sacrificed their lives so that democracy could prevail over tyranny. They stood here proclaiming the Promise of Virginia, when the world around them doubted that the land of their vision would survive.

Could Henry or Jefferson have imagined the powerful success of their democratic experiment, their beloved Virginia, as it appears today? As a people, we have come through storm after storm, working out the meaning of our own destiny and coming closer and closer to the Virginia ideal of equality that Jefferson articulated in America's Declaration of Independence.

As we stand here now, our hearts should be filled with the magnitude of the debt we owe to the generations of leaders—the celebrated and the unknown—who fought and worked to create our Commonwealth. The Promise of Virginia is bright today because of their efforts, and it is up to us to carry the work forward for future generations.

Today's ceremony honors and renews that experiment, and continues the promise that Virginia—which has so often led our nation through the past four centuries—will continue to lead our nation in the 21st century. And we will lead, we will keep the Promise of Virginia bright, if we stay true to the best values that have guided our first 400 years.

First, we reaffirm the necessity of courage. This is the defining trait of those who came to Virginia aboard the Discovery, Godspeed and Susan Constant, landing just a few miles from this place at Jamestown Island in 1607. They knew that earlier efforts, by the Spanish and English, to establish settlements in this region had ended in disaster. But they crossed treacherous seas to arrive at a new world because they understood the need to do and to dare. Their survival and success depended upon bold leadership. We must be equally bold to tackle the challenges of our day.

Second, we acknowledge that individual opportunity is the most powerful engine of progress. The first English settlers came as part of a commercial venture, the Virginia Company, seeking economic riches in the New World. Others came seeking the opportunity to worship as they pleased or to trade away an aristocracy of birth for an aristocracy of merit. When individuals have the opportunity to set their own purpose, and determine the bar for their own achievements, they are able to harness their God-given talents and ensure our economic and social success.

And third, we recognize that our destiny is a shared destiny and that our commitment to community is a condition of our advancement. Our Virginia might not exist today were it not for the generosity extended to those first settlers by the native Virginia tribes living in this region. Without the hospitality of Chief Powhatan or the compassion of Pocahontas, those in Jamestown would have perished. Throughout Virginia's history, we have succeeded only when we have welcomed all to the table of Thanksgiving.

That same sense of community is required of us today. We must include all Virginians in our efforts. We should continue to welcome newcomers to this Commonwealth and nation, just as Chief Powhatan did 400 years ago.

Hemos venido hoy día, a este lugar para recordar la promesa de nuestros antepasados. Como gobernador, seré justo e incluyente de todas las comunidades, con la certeza que juntos lograremos construir un mejor futuro para Virginia. [We have come here today to remember the promise made by our forefathers. As Governor, I will be fair and inclusive of all communities with the certainty that together we can achieve a better future in Virginia.]

And, we should use this historic time to help those who first helped us by working with the federal government to see that Virginia's native Indian tribes are finally recognized.

Our challenges today are different than those faced by the Jamestown settlers, or the first Virginia governors. But they require fidelity to the same values. We may not have new geographic worlds to discover, but there are still worlds of research and knowledge, of information and creativity, of commerce and service, of reconciliation and brotherhood, that await our exploration.

To keep the Promise of Virginia, to succeed, we will embrace our best, historic values and we will work together. Ours will be a non-partisan, Virginia agenda that includes all. At the heart of what I pledge to you today is the desire to keep Virginia moving forward.

To the people of Virginia: I pledge an administration that will keep the Promise of Virginia strong. An administration guided by the Virginia values of courage, opportunity and community. We will lead boldly and manage wisely; we will protect the liberties endowed by our Creator; we will affirm that family and faith is our bedrock, hard work our way and education our path to progress. When we are true to that promise, we will succeed and truly honor the legacy we inherit.

To the parents of Virginia: I pledge that our top priority will be raising the focus of our public education system from competence to excellence.

Thomas Jefferson wrote that progress depends on the broadest possible diffusion of knowledge among the entire population. More than ever, we are now in a position to provide all children with the opportunity to learn and fulfill their God-given potential. And we acknowledge that lifelong learning—from the expansion of early childhood education to world-class higher education, and beyond—is our Commonwealth's top priority.

To the taxpayers of Virginia: I pledge that we will always remember that what government spends is not its money. It's your money. We will place a premium on accountability; ensuring that your dollars are used responsibly in meeting the priorities that we share.

To those who commute and travel in Virginia: I pledge that my administration will begin immediately and work urgently to address the transportation dilemma that complicates our lives and threatens our prosperity. Together, let us find answers through a dialogue that is shaped not simply in terms of dollars and cents, but also by new solutions and common sense. A lack of coordination and planning has us stuck where we are today. Let it not be fear and politics that leaves us stranded here.

To the working families of Virginia and those that employ them: I pledge an administration focused on fostering opportunity and encouraging the entrepreneurial spirit; an administration focused on ensuring that every hard-working Virginian—no matter where they live—has access to a good paying job to provide for their family.

We will also work with you to find solutions to the problem of accessible, affordable health care; a burden that is overwhelming working families, small businesses and government budgets.

To those who protect us, our guardsmen, law enforcement officers, firefighters and EMTs: I pledge an administration that will work to ensure you have the resources and the support you need to keep our families and neighborhoods safe. The work you do is dangerous and essential. And we salute your dedication.

To those who serve in local governments: I pledge an administration that is a good partner with a focus on cooperation and collaboration. The people we serve are the same people you serve. When we work together, we serve them better.

To those who love Virginia's natural beauty: I pledge an administration that will be a good steward of Virginia's blessings of natural beauty. Our natural resources are essential to both our way of life and our ability to make a living. The streams we fish, the trails we hike, the fields that we harvest and the hills that we hunt with our children today must be protected for them and their children tomorrow.

And to the children of Virginia: I pledge an administration that will do its all to leave you with a Commonwealth greater than the one we found; filled with opportunities, greater than those of our dreams; a Commonwealth where the Promise of Virginia rings true for every son and daughter.

I seek the help of all Virginians—regardless of party or region, race or religion—in keeping the promise of Virginia.

Let us rise to the leadership example of Virginia's first four hundred years. Let us affirm and carry forward our values of courage, opportunity and community.

Let us remember that civility is not a sign of weakness—that cooperation and compromise are necessary for progress and for the sensible solutions we can all embrace to keep the promise of Virginia strong. Under God's hand, we have thrived. If we stay faithful to our history, we will succeed.

Let us work together.

Let us begin.

ADJOURNMENT UNTIL FRIDAY, JANUARY 20, 2006, AT 10 A.M.

Mr. WARNER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 10:52 a.m., adjourned until Friday, January 20, 2006, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate January 18, 2006:

DEPARTMENT OF AGRICULTURE

GALE A. BUCHANAN, OF GEORGIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR RESEARCH, EDUCATION, AND ECONOMICS, VICE JOSEPH J. JEN, RESIGNED.

DEPARTMENT OF DEFENSE

PRESTON M. GEREN, OF TEXAS, TO BE UNDER SECRETARY OF THE ARMY, VICE R. L. BROWNLEE, RESIGNED.

DEPARTMENT OF TRANSPORTATION

JAMES S. SIMPSON, OF NEW YORK, TO BE FEDERAL TRANSIT ADMINISTRATOR, VICE JENNIFER L. DORN.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ROBERT M. COUCH, OF ALABAMA, TO BE PRESIDENT, GOVERNMENT NATIONAL MORTGAGE ASSOCIATION, VICE RONALD ROSENFELD.

DEPARTMENT OF TRANSPORTATION

ROGER SHANE KARR, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE NICOLE R. NASON.

TYLER D. DUVALL, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE EMIL H. FRANKEL.

DAVID C. SANBORN, OF VIRGINIA, TO BE ADMINISTRATOR OF THE MARITIME ADMINISTRATION, VICE WILLIAM SCHUBERT.

NICOLE R. NASON, OF VIRGINIA, TO BE ADMINISTRATOR OF THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, VICE JEFFREY WILLIAM RUNGE.

ENVIRONMENTAL PROTECTION AGENCY

JAMES B. GULLIFORD, OF MISSOURI, TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE STEPHEN L. JOHNSON, RESIGNED.

DEPARTMENT OF STATE

RICHARD A. BOUCHER, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS, VICE CHRISTINA B. ROCCA.

MARK D. WALLACE, OF FLORIDA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM, WITH THE RANK OF AMBASSADOR, VICE PATRICK FRANCIS KENNEDY.

MARK D. WALLACE, OF FLORIDA, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM.

JACKIE WOLCOTT SANDERS, OF VIRGINIA, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

JACKIE WOLCOTT SANDERS, OF VIRGINIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HER TENURE OF SERVICE AS ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS.

PATRICIA A. BUTENIS, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF BANGLADESH.

DONALD T. BLISS, OF MARYLAND, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE COUNCIL OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

INTERNATIONAL MONETARY FUND

BEN S. BERNANKE, OF NEW JERSEY, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF FIVE YEARS, VICE ALAN GREENSPAN.

OVERSEAS PRIVATE INVESTMENT CORPORATION

JOHN A. SIMON, OF MARYLAND, TO BE EXECUTIVE VICE PRESIDENT OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION, VICE ROSS J. CONNELLY, RESIGNED.

DEPARTMENT OF HOMELAND SECURITY

DAVID L. NORQUIST, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOMELAND SECURITY, VICE ANDREW B. MANER.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on January 18, 2006 withdrawing from further Senate consideration the following nomination:

EUGENE HICKOK, OF PENNSYLVANIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 26, 2008, WHICH WAS SENT TO THE SENATE ON OCTOBER 17, 2005.