



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 109<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 152

WASHINGTON, TUESDAY, NOVEMBER 14, 2006

No. 128

## Senate

The Senate met at 2:15 p.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.

Our Creator and God, You provide us with strength. Lead us in life's battles. Keep us from retreating when we confront overwhelming challenges and painful losses. With Your powerful arm, chase away the forces that seek to confuse and discourage us. Let Your shining glory illuminate the road ahead. In Your kindness and mercy, rescue us from ourselves.

Guide the Members of this body in the path they should walk today. May their thoughts, words, and actions bring You pleasure. Teach them how to make concessions without coercion and to find conciliation without compromise.

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, the leadership time is reserved.

### RECOGNITION OF THE ACTING MAJORITY LEADER

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

### SCHEDULE

Mr. SUNUNU. Mr. President, this afternoon we will resume consideration

of the Military Construction-Veterans Affairs appropriations bill. We will be voting later this afternoon. Once a vote is scheduled, we will notify Senators as to the exact timing of that vote. As it stands now, we are looking at a late afternoon vote as the first vote of the day. If we can expedite floor consideration with a handful of relevant amendments, it is our hope we should be able to finish this important spending bill 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.

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

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 5385, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3585) making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 11, 2007, and for other purposes.

Pending:

Akaka/Obama amendment No. 5128, to provide, with an offset, an additional \$2,500,000 for the Department of Veterans Affairs for the Office of Inspector General.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

### AMENDMENT NO. 5144

Mr. CONRAD. Mr. President, let me thank Senators HUTCHISON and FEINSTEIN, the managers of this bill, for the opportunity to offer and discuss my amendment to provide emergency agri-

cultural disaster assistance for our farmers and ranchers. Normally, most of my colleagues know I would not offer this amendment on an unrelated measure. Our hand is forced. We are told it is highly unlikely there will be an Agriculture appropriations bill considered separately. We have no alternative but to offer this measure to this legislation.

This amendment will determine whether thousands of farm families will be able to continue next year. We have had 2 years of unusual natural disasters that have affected agriculture across this country. These people need to know whether they can continue in the business of farming and ranching. Their bankers need to know. This legislation is critical to that determination.

For over a year, I, along with many of my Senate colleagues—let me indicate that it is already nearly 20 of my colleagues—have come on a bipartisan basis to cosponsor this bill, including Senator COLEMAN of Minnesota; Senator BEN NELSON of Nebraska; my own colleague, Senator DORGAN of North Dakota; Senator SALAZAR of Colorado; Senator HAGEL of Nebraska; Senator JOHNSON of South Dakota; Senator THUNE of South Dakota; Senator ENZI of Wyoming; Senator BAUCUS of Montana; Senator REID of Nevada; Senator CLINTON; Senator OBAMA; Senator DURBIN; Senator LEAHY; Senator HARKIN; Senator CANTWELL; Senator BURNS of Montana; Senator SCHUMER; and Senator ROBERTS of Kansas. Repeatedly, we have come to the Senate to try to get disaster assistance considered.

Last spring, as part of the hurricane supplemental, the Senate approved an agricultural disaster package for the 2005 crop-year. That measure was dropped in conference due to opposition from the administration and the House leadership. I have taken out the provisions that drew the opposition of the administration. Those direct payments that were an offset to the dramatic runup in energy prices are not in this bill.

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



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The legislation I am offering today is nearly identical to the bipartisan relief provision I introduced on September 20, 2006. My amendment is bipartisan and has 19 cosponsors.

The need for this amendment is compelling. In North Dakota last year, as this picture shows, we faced extraordinary flooding. Over a million acres were prevented from being planted. Hundreds of thousands of acres that were planted were drowned out because of excessive rainfall. There was no disaster assistance for those farmers.

This year, in the irony of ironies, we now have experienced an extraordinary drought. This is a picture from my home county, Burleigh County, where the capital of North Dakota is located. This is a corn crop, but nothing was produced. It is only one of thousands of fields that were not worth harvesting.

This drought has been determined by the USDA meteorologist to be the third worst drought in our Nation's history. Only the Dust Bowl of the 1930s and the prolonged drought of the 1950s compared to what many parts of the country have been facing.

This chart shows the U.S. Drought Monitor. It shows how severe the drought was all across the Midwest and Southeast. Its darkest colors represent exceptional drought. North Dakota and South Dakota were the epicenter of this drought in late July. It has been totally devastating to my part of the country. If assistance is not granted, literally thousands of farm families will be forced off the land. That is a fact.

The independent bankers of my State said to a White House representative who was in my office that if assistance does not come, 5 to 10 percent of their customers in North Dakota will be forced out of business. Mr. President, 34 farm organizations have told Congress that assistance is needed and it is needed now. In addition, we have a letter from the State commissioners of agriculture from all across the country saying that emergency agricultural disaster assistance is a high priority requiring action by Congress this year. It could not be more clear. Assistance is needed. It is needed now.

As I noted last May, the Senate approved disaster assistance, only to be thwarted by the threat of a veto. In June, the Senate Committee on Appropriations once again approved emergency disaster assistance as part of the Agriculture appropriations bill for 2007. Thus far, that bill has failed to come to the Senate.

On numerous occasions, including the last day we were in session before we recessed for the elections, I tried to get the Senate to adopt disaster relief legislation. Again, the effort was stymied.

Today, we have another chance to do what is necessary and what is right. My amendment incorporates many of the provisions already approved by the Senate, but I have made a few modifications to address the objections

raised by the administration. The economic assistance provisions help producers offset rising energy costs, and the direct grants to States to assist specialty crop and livestock sectors have been removed. Those provisions, at the insistence of the White House, have been removed.

Also, the administration has stated that we need to wait until harvest is concluded. The harvest is now over for 2006; the losses are real and significant throughout many parts of the country.

The crop and livestock production loss provisions contained in the original legislation were retained and will apply for both the 2005 and 2006 production years. Crop producers will still need to demonstrate a 35-percent loss before they get any assistance. The Livestock Compensation Program will only be made to producers whose operations are in counties designated as disaster areas by the Secretary and who can demonstrate they have suffered a material loss. The legislation also contains additional funding for conservation operations to help restore and rehabilitate drought and livestock losses on grazing land. Scientists have told us this is imperative. Because of the modifications, the cost of providing disaster assistance for 2005 and 2006 has been reduced from \$6.7 billion to \$4.9 billion—a reduction of nearly \$2 billion.

Farmers and ranchers need assistance for the 2005 and 2006 fall disaster losses, and they need it now. If these emergencies are not addressed, literally tens of thousands of farm families and Main Street businesses will suffer, many irreparably. It is time to act and allow the Senate to vote on this amendment.

Mr. President, I conclude by saying I regret having to offer this amendment to this legislation. I have no choice. We have no choice. The over 20 Members of the Senate who have come forward to sponsor this legislation in various variations of the legislation have no choice. If we do not act now, tens of thousands of farm families will not be able to continue. The stakes are high. I urge my colleagues to give favorable consideration to this legislation.

I yield the floor.

The PRESIDENT pro tempore. The Senator from South Dakota.

Mr. JOHNSON. Mr. President, I rise today in support of Senator CONRAD's agriculture disaster assistance amendment and am pleased to be a cosponsor of this important legislative package. The package would provide comprehensive, critical relief dollars for agriculture disaster. It would provide assistance for a drought that has plagued our Nation's family farms, including those in my home State of South Dakota.

Producers in South Dakota have suffered from drought conditions that have rivaled the Dust Bowl of the 1930s. These chronic conditions have already ruined the wheat and corn crop for many producers in the State and re-

sulted in thousands of cattle being sold off prematurely in auction barns. Those who have already sold the factory are left with only a mortgage to pay and no relief in sight.

Senator JOHN THUNE and I jointly traveled across South Dakota this summer to some of the areas hit hardest by this drought. We consistently heard about the astronomically high price for hay and fuel costs for transportation, if a producer could even find forage to purchase. We saw the effects of the drought on corn and soybeans, many of which barely got out of the ground and were stunted by desert-like conditions. Some producers saw yields that measured out to the tenth of the bushel, after being socked with severe fuel and fertilizer costs.

At a stop at the Ft. Pierre Livestock Sale Barn, we met with ranchers who finally had to sell out because of extreme conditions. The Herreid Livestock Sale Barn saw an estimated 2,500 to 3,500 head per week over the summer instead of the usual 200 to 300 cattle per week for that time of year.

I invited USDA Secretary Mike Johanns to travel to South Dakota and see this extensive damage firsthand. The Secretary of Agriculture came to my home State, but, unfortunately, rolled out a grossly inadequate agriculture disaster assistance program. This empty shell game is a glaring example of the "too little, too late" approach that this administration has too often employed with agriculture disaster assistance.

The Agriculture Department released only \$2 million in Grasslands Reserve Program money and less than \$7 million in Emergency Conservation Program funds to South Dakota over the summer. These dollars barely made a dent in the backlog of producers who have applied for these programs, leaving many out in the cold.

While in my home State, the Secretary announced the release of section 32 funds for distribution in our agriculture communities, amounting to \$50 million in block grants to drought-impacted States. Although South Dakota has been subject to chronic extreme and exceptional drought conditions, the State received only \$4.3 million. It was announced that Texas, however, would be given \$16.1 million in assistance.

The administration's disaster relief package provides just a fraction of the dollars that the 2005 disaster relief measure, that my colleagues and I successfully attached to the most recent agriculture appropriations bill, would contain for my home State of South Dakota. Over \$100 million would be directed toward producers impacted by devastating conditions, including comprehensive livestock and crop assistance measures.

The agriculture appropriations bill, however, has yet to see the light of day for debate on floor of the U.S. Senate. It is my hope that the majority leadership would allow this bill to be considered with due process.

My colleagues and I also passed agriculture disaster assistance as part of the supplemental spending measure that funded Katrina relief efforts and the war in Iraq. Because of a Presidential veto threat, however, the vast majority of meaningful agriculture disaster assistance was stripped out. The White House said that it would reject money for our troops in Iraq and victims devastated by Hurricane Katrina if that spending package contained a nickel of agriculture disaster relief for our Nation's farm and ranch producers.

Secretary Johanns adopted a "wait and see" approach to aiding our rural communities. The Secretary said this summer that he wanted to see how the harvest looked after the combines ran before considering further agriculture disaster aid for this production year. As the worst drought since the Dust Bowl, however, combines haven't run at all in parts of South Dakota. Our Nation's food security demands immediate assistance, not stop-gap measures and delay tactics.

Agriculture disaster is like any other disaster, and producers deserve meaningful relief. The administration continues to dig in their heels on drought assistance for our Nation's producers. Yet, this White House places a priority on rebuilding Iraqi agriculture while crying poor and lack of revenue at home.

The truth is that the administration has the authority to provide more comprehensive drought assistance at the stroke of a pen, if it wants, just as it did in 2002.

I urged President Bush to establish a program that would target those who suffer from actual losses, avoiding the type of waste and abuse that was disclosed with the implementation of the 2002 program. I expressed my interest in working with the Department of Agriculture to develop an effective and timely plan before more producers sold the family farm and were forced out of business. It has become painfully clear that real drought relief is not on this administration's current agenda.

The administration's lack of action on drought assistance underscores a need to pass this drought amendment today. This comprehensive agriculture disaster assistance measure covers 2005 and 2006 losses with a livestock compensation program and resources for crop production losses, and funds are included for impacted sheep producers. Small business assistance grants will also offer critical help. This amendment qualifies agriculture disaster money as an emergency, deserving immediate attention—attention that has so far been denied.

Producers are faced with critical financial decisions, and for many relief was needed frankly, months ago. Because of this drought and the delay in assistance, many producers won't be able to rebuild their herds.

A meaningful agriculture disaster relief package already passed the Senate—it was only because of this admin-

istration's veto threat that it was stripped out in conference by leadership.

Today I am pleased to join with my colleagues in offering comprehensive agriculture disaster assistance for 2005 and 2006. I thank Senator CONRAD for offering this important legislation. An agriculture disaster is a natural disaster, like a tornado or a hurricane, and providing relief for our Nation's producers is simply fair and simply just.

Mr. President, I yield the floor.

The PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I thank my colleague Senator CONRAD for his leadership, my colleague Senator JOHNSON, and so many others, Republicans and Democrats, who have worked together to try to construct a piece of legislation that would provide some disaster help for farmers, and then to try to get it through the Congress and get it to the President's desk for his signature.

This has been a long, tortuous trail. Twice before the Senate has passed disaster relief for family farmers—twice. Both times it went to a conference with the House. I was a conferee on both occasions. I was involved with my colleagues in attaching it to the appropriations bill as it went to a conference. We got to conference. Both times the President threatened to veto the legislation, to block it. And he got the conferees on the House side to require that it be taken out of the conference report. Therefore, this is the third attempt on the floor of the Senate to do this piece of legislation. And it is very important.

Let me talk for a moment about this issue of farming because we all come to work and we wear neckties and suits and take showers at the start of the day. Farmers take showers at the end of the day because their work is hard. They feed cattle. They plow the ground. They grease a tractor. They run a combine. They put up hay. They do all the things that represent very hard work out in the land, and they are economic all-stars.

The ability of the American family farmer to feed more and more people is pretty extraordinary. But they work very hard and they produce a product. If things cooperate, if they get decent weather, enough rain, the disasters don't come, the insects aren't there, then they produce a crop. They produce a kernel of corn, perhaps some wheat, a kernel of barley, some rice. What happens is the wheat gets puffed by a company someplace, after it gets hauled by railroad, and then it gets put in a box and sold as puffed wheat. The farmer gets almost nothing. The railroads take too much, and the box of puffed wheat costs an unbelievable amount of money.

The same is true with crisping rice. It goes into a box called Rice Krispies. The same is true with corn. They flake the corn, put it in a box, and call it

corn flakes. The railroads get a lot of money for hauling that corn to market, the people who sell the corn flakes get a lot of profit, and the farmer gets almost nothing. That is what farming has always been about. But they only get the crop in the first place if they do not get wiped out by a natural disaster—whether disease, insects, or so on.

Now, what has happened in the last couple of years, particularly in our part of the country, the Dakotas were called the epicenter of a drought, the epicenter of a drought. So those farmers, who in the spring went out and planted their crops, discovered they did not have any crop growth at all. Nothing came up in those fields.

It is pretty unbelievable to drive by a field that is supposed to be a field of grain and see it look like a moonscape. I drove to Zeeland, ND, one day, a very small town just north of the South Dakota border. And as I drove into that town, to my left was a patch of ground that looked like moonscape—no vegetation at all. There had been no rain there. One hundred ranchers gathered in a small community hall in Zeeland, ND, to talk about what this meant to them. One after another, they stood up to talk about what it means when you don't get rain.

One fellow from another part of our country who had moved back to North Dakota said: I had never, ever understood why they measured rain in hundredths. How much rain did you get? Twenty hundredths, twenty-four hundredths. I never understood before why they measured rain in hundredths until I came to North Dakota, a State with 15 to 17 inches of annual rainfall in an entire year. And then what happens? It stops raining, and you have a drought and nothing grows; or it rains too much, and you get one-third of the annual rainfall in one day. We have had both happen. One happened the year before, in 2005; one happened in 2006.

Some will say: Well, you just come and talk about farming all the time. Family farmers this, family farmers that. There is a writer in North Dakota, a farmer, a rancher, down near Almont, I believe. His name is Rodney Nelson. He asks in some of his prose some very important questions: What is it worth to our country? What is it worth for a young person to know how to plow a field, to grease a tractor? What is it worth for a young person to know how to weld a seam, how to combine a field of grain? What is it worth to have a young person know how to build a lean-to, how to take care of cattle, how to care for livestock? What is it worth to have young people know how to work in the bitter cold and do chores in the morning in the bitter cold, or to be out in the fields when it is unbelievably hot, combining that field of grain? What is that worth? There is only one university in America where those studies are taught, and that is America's family farms.

What is it worth to us? Do we want to save those farmers when they run

through some tough times, when they reach a tough patch? That is what has happened here.

Always before our country has said: Do you know what. When you are out there alone, living under a yard light, and you and your family are trying to make a living and you get hit with a natural disaster, this country is going to help. This country wants to reach out a hand and say: You are not alone. We want to help you.

Well, in the new farm bills, they took out the disaster title. There ought to be one. I intend to offer legislation to put a disaster title back in the farm bills so we are not begging at the end of every session to try to provide some help to farmers who otherwise are going to go broke.

Let me describe, as my colleague has done, this picture of a soybean field in North Dakota. There are not any soybeans there. That is a field that is dead, with barely any green at all. Normally, these soybeans would be lush, filling that piece of ground, and would be a foot tall. But, as you can see, these plants are worthless. There is not much alive in that photograph.

I have talked to farmers who sold off their entire herds. I talked to a young farmer who built a herd of cattle for 3 years. It was his life's goal to take over from his parents. He built his herd for 3 years and was barely making it, and then this drought hit and he had nothing to feed his cattle. If you don't have anything to feed your cattle, those cows are going to market. His cows are gone. He is out of business.

Shown in this picture is a man from my State who was a rancher. His name is Frank Barnick. He is shown walking on a creekbed. It does not look like that. It looks like, again, a moonscape. That is a creekbed that would hold water for his cattle, but it is dry. Frank said this is the worst drought he has ever seen.

These people, Frank and his neighbors and friends, are not asking a lot from this country. They are asking if this country cares whether family farmers are able to live on the land and continue farming. They hope that the answer is yes and that this country understands farmers contribute something very important. Family farmers contribute something very important to this country. A fellow who I thought was a wonderful author, used to write in a book about the nurturing of family values in America. He always described that family values in America came from family farms, the seedbed of family values, and they rolled to small towns and big cities, nurturing the value system and culture along the way.

We have attempted time and time again to get some disaster aid for people who need help. We asked the President, in the middle of the drought this year, to come out and do a drought tour. He was not able to do that. I went back and recalled that President Franklin Delano Roosevelt came out

for a drought tour. We don't have a lot of Presidents stop through North Dakota. When they do, we are enormously honored to have them join us and be a part of North Dakota.

I wanted to read you a couple of things that President Roosevelt said. He stopped in Huron, SD, exactly 70 years ago. Then he stopped in North Dakota—both on a drought tour, both on a train—and spoke to people. Here is what he said to our neighbors to the south in Huron, SD, on a drought inspection trip. He said:

No city in an agricultural country can exist unless the farms are prosperous.

I understand our economy has grown in ways that make this less than an agricultural country, but it certainly has not been the case with respect to agricultural States, where a predominant part of our economic base is still agriculture and family farming.

Here is what else the President said in Huron, SD, 70 years ago, understanding that family farmers were having great trouble during that drought:

I have come out here to find you with your chins up, looking toward the future with confidence and courage. I am grateful to you for the attitude you are taking.

That is the only way you could ever farm. There isn't anybody who would decide to be a farmer if they didn't look forward to the future with hope. They plant a seed and hope. They hope what they planted will produce a crop. It is the only way farmers can exist.

When Franklin Delano Roosevelt went to North Dakota 70 years ago on a drought tour, here is what he said:

But, when you come to this water problem through here, you are up against two things. In the first place, you are up against the forces of nature and, secondly, you are up against the fact that man, in his present stage of development, cannot definitely control those forces.

He continued:

Today, out here, I do not ask you to have courage and faith. You have it. You have demonstrated that through a good many years. I am asking, however, that you keep up that courage and, especially, keep up the faith.

If it is possible for Government to improve conditions in this State, Government will do it.

We hope that Nature is going to open the Heavens. When I came out on the platform this morning and saw a rather dark cloud, I said to myself, "Maybe it is going to rain." Well, it didn't. All I can say is, I hope to goodness it is going to rain, good and plenty.

My friends, I want to tell you that I am glad I came here. I want to tell you I am not going to let up until I can give my best service to solving the problems of North Dakota.

Again, Franklin Delano Roosevelt, 70 years ago to family farmers: If it is possible for Government to improve conditions, we will do that. He said to the farmers: You are not alone. We want to help.

Let's say that again today, let the Congress say that to our farmers: You matter. You make a difference to this country's future. Your contribution to our culture and our economy is important. This Congress has not forgotten

that. We will remember it today by investing in the future and saying to family farmers: We want you to be able to continue to farm. We don't want you wandering, as you go into spring planting, whether you are going to have the ability to remain on the farm with your family, producing food for a hungry world.

We want to pass a disaster aid package, one that puts this Congress in the same position that Franklin Delano Roosevelt was in 70 years ago, saying, if it is within the capability of this Government to help, we intend to help.

Again, let me compliment my colleague, Senator CONRAD. I am pleased to work with him, as I have for many decades. This is an important amendment to offer now. While this is not the optimum place to offer this amendment, as this appropriations bill deals with different appropriations, we have not had the opportunity to do anything but this because we have not been given the opportunity to move this legislation separately. We offer it hoping for good will and for the support of others.

This is not partisan. It is bipartisan. Republicans and Democrats from farm country understand the importance and the value of doing this kind of legislation that says to family farmers: You matter to this country.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Minnesota.

Mr. COLEMAN. Mr. President, I join in thanking my colleague from North Dakota for giving me the opportunity to speak about the trials of Minnesota farmers. I join in this bipartisan plea to deal with an issue that is of great importance to many Minnesota farm families.

While my colleagues from North Dakota speak from the other side of the aisle, our call for assistance for our farmers is made with one voice. I particularly thank Senator CONRAD for his leadership on this issue. After last week's election, there was a lot of discussion about how the parties can, and should, work together, how we should find common ground on behalf of the American people. Here is one of our first opportunities to display bipartisanship. Supporters of this disaster assistance package hail from all over the country and from both parties. This amendment is just the sort of bipartisan cooperation that this body should embrace to meet the Nation's needs.

The need for agricultural disaster assistance is great. Minnesota farmers have had to fend for themselves in the face of real natural disaster; first, against record flooding in 2005 and now record drought in 2006. In the sugar sector alone, revenue was reduced by \$60 million in Minnesota in 2005, thanks to this natural disaster. In one county, crop loss exceeded \$52 million and farmers were prevented from planting over 60,000 acres, thanks to saturated fields. Now with one of the worst droughts ever experienced in the Great

Plains, Minnesota farmers have experienced hundreds of millions of dollars of crop loss in 2006. The pictures that we saw of North Dakota show the same reality that is faced in Minnesota.

It isn't just about statistics. It is about farmers enduring personal struggles. This summer, in Lake Bronson, MN, about 100 farmers showed up, out of a town of 180, to talk about the impact on their lives and families. It is about the farmers calling my office, desperate to save the family farm. I have received letters from scores of Minnesota farmers talking about the impact on their lives, on their families, families that go back through generations of farming today could come to an end because we haven't done something that needs to be done. The producers who will not be coming back to the fields next year as a result of catastrophic weather aren't just losing a family business, many are losing a family tradition.

In June, I came this floor appalled that the Senate would pass an emergency supplemental appropriations bill that offers a helping hand to some Americans and a cold shoulder to others. Since then, the only thing that has changed is that the burden of natural disaster has grown heavier on American farmers with the addition of last summer's record drought.

It isn't that this Congress has refused to pass agricultural disaster assistance. In fact, we provided \$1.6 billion in emergency agricultural assistance. Of course, none of my farmers will benefit from this assistance unless they happen to own a farm in one of the Gulf States. Congress still hasn't provided a dime for farmers suffering from natural disasters outside of the gulf region. It would shock many Americans to learn that natural devastation must come in the right package to be worthy of Federal aid. The message being sent is that record flooding and droughts don't count, only hurricanes.

I traveled to the gulf to see the hurricane damage firsthand in order to more fully understand what my fellow Americans who live far from my home in Minnesota are suffering. I have wholeheartedly supported their cause in Congress. At its core, this is an issue about equity and fairness for all regions that are suffering. And to the thousands of Minnesotans whose very livelihoods have been jeopardized and those losing farms due to last year's disastrous weather, withholding assistance is nothing short of cruel.

Some folks in Washington have cited the overall success of agriculture in 2006, the aggregate numbers, as a justification for withholding assistance. Congress didn't look at the overall economy when determining what sort of assistance to send to the gulf after the hurricanes. We didn't cite the Nation's robust GDP growth and lower unemployment rate as reasons not to assist gulf communities whose local economies were devastated by natural disaster, nor should we propose such a

false standard for comprehensive agricultural disaster assistance.

Let us seize the opportunity for this body to show Americans that we understand and reflect the character and the heart and soul of America, a big heart that understands that Americans are there with a helping hand for all those deserving of assistance in times of extraordinary need. Let us show America that the Senate will work in a bipartisan spirit to meet their needs.

I urge my colleagues to support passage of this critical amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. DEMINT). The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that the pending amendment be set aside so that I may call up amendment No. 5123.

The PRESIDING OFFICER. Is there objection? The Senator from North Dakota.

Mr. CONRAD. Mr. President, I would reserve the right to object. This presents us with somewhat of an awkward situation because I have withheld offering my amendment. The only amendment pending is the amendment of the Senator from Hawaii, Mr. AKAKA. But we have been on my amendment. We withheld actually offering it. I would ask my colleague if she would at least allow us to call up my amendment—Senator AKAKA was waiting to speak on the amendment—and then be able to lay that amendment aside?

The PRESIDING OFFICER. Is there further objection? The Senator from New Hampshire.

Mr. GREGG. Reserving the right to object, I also wish to speak to the amendment that is about to be called up by the Senator from North Dakota. In order to maintain continuity, I would hope that I could speak after the Senator from Hawaii, if that is going to be the speaking order. If we are going to go to the Senator from Maine as an intermediary event, that is fine, too. If we are going to continue on this amendment, I would like to participate.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. Reserving the right to object, I had told the Senator from North Dakota that he could offer the amendment, and then I asked that he set it aside so that Senator COLLINS could offer her amendment, after which we would have a voice vote, but his amendment would still be in order. I did not know that Senator AKAKA was going to speak on it. I ask the Senator from Maine if it would be acceptable to allow the Senator from Hawaii 10 minutes, the Senator from New Hampshire 10 minutes, if that is acceptable, and then the amendment would be set aside and Senator COLLINS and Senator FEINGOLD would be recognized for their amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, that is certainly fine with me. I was trying to

follow the direction I got from the chairman and the floor manager when we talked a few minutes ago. But if she wants to pursue this and proceed as she has suggested, I have no objection, and I withdraw my unanimous consent request.

The PRESIDING OFFICER. Does the Senator from Hawaii seek recognition? The Senator from North Dakota.

Mr. CONRAD. Mr. President, might I now call up my amendment?

The PRESIDING OFFICER. Without objection, the Senator may offer his amendment.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for himself, Mr. COLEMAN, Mr. NELSON of Nebraska, Mr. SALAZAR, Mr. HAGEL, Mr. JOHNSON, Mr. THUNE, Mr. DORGAN, Mr. ENZI, Mr. BAUCUS, Mr. REID, Mrs. CLINTON, Mr. OBAMA, Mr. DURBIN, Mr. LEAHY, Mr. HARKIN, Ms. CANTWELL, Mr. BURNS, Mr. SCHUMER, Mr. ROBERTS, Mr. DAYTON, Mr. INOUE, and Mr. AKAKA, proposes amendment numbered 5144.

Mr. CONRAD. I ask unanimous consent that further reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. CONRAD. I thank the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order be Senator AKAKA for 10 minutes, Senator GREGG for 10 minutes, after which the amendment would be set aside and Senator COLLINS would be recognized for the Collins-Feingold amendment.

Mr. CONRAD. Reserving the right to object, I would like to be included in that order so that I may be able to respond to whatever the Senator from New Hampshire might say.

Mrs. HUTCHISON. Mr. President, after Senator GREGG, I amend my request to include up to 5 minutes for Senator CONRAD, after which Senator COLLINS would be recognized.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I thank my colleague very much for the opportunity to speak at this time. I rise today in support of Senator KENT CONRAD's amendment. I thank Senator CONRAD for his leadership and agreeing to include a provision on behalf of the senior Senator from Hawaii, DAN INOUE, and myself to H.R. 5385, the Fiscal Year 2007 Military Construction and Veterans Affairs and Related Agencies Appropriations Act.

Mr. President, I was in Hawaii on October 15, 2006, when we felt a violent tremor, an earthquake measuring 6.7 in magnitude that rocked the Hawaiian Islands, and it set off a series of aftershocks for days afterward.

The earthquake loosened rocks, dirt, and building foundations, and subsequent heavy rains have continued to

undermine the structural integrity of public utilities, buildings, roads, and related infrastructure. In recognition of these damages, President Bush on October 17, 2006, declared the State as a major disaster area. While this declaration enabled some relief from the Federal Emergency Management Agency, FEMA, a significant amount of damage remains unaddressed.

The farming community was hit particularly hard by the earthquake. The water intakes for the Lower and Upper Hamakua Ditches and the Kohala Ditch on the Big Island were buried by landslides. The earthquake and the many aftershocks also caused the collapse of earthen tunnels and wooden flumes and cracks in dams. These irrigation systems provide the sole source of water for most farmers and other members of rural communities in the region. The Big Island also suffered a collapsed lane on the Hawaii Belt Road on the Hamakua Coast, north of Hilo town.

The provision would add \$21 million to address the agriculture damages caused by the October 15th earthquake:

\$12 million to the Natural Resources Conservation Service, NRCS, Emergency Watershed Protection Program for the repair of the Lower Hamakua Ditch and the Waimea Irrigation System/Upper Hamakua Ditch—which were heavily damaged by the earthquake, and are negatively impacting the farming community on the Big Island; \$3 million to the Big Island Resource Conservation and Development Council to repair of the Kohala Ditch system that was also severely damaged by the earthquake; \$6 million to the Farm Service Agency, FSA, for its Emergency Conservation Program to repair broken irrigation pipelines and damaged and collapsed water tanks. Of this amount, \$2 million will go towards repairing the damages to stone fences on cattle ranches in the Kona and Kohala areas, and another \$2 million is needed under the Emergency Loan Program to cover losses of agricultural income.

Mr. President, last week I met with Big Island farmers and ranchers whose livelihoods have been dramatically impacted by the October earthquake. They need water for their farms or they risk losing cattle and crops. The damage done to Hawaii's irrigation systems is too severe to be repaired by the State alone. I promised that I would not abandon these hard-working individuals.

I ask my colleagues to support Senator CONRAD's amendment, which would also help Hawaii's farmers and ranchers recover from last month's earthquake.

Senator INOUE and I urge our colleagues and ask them for their support. Thank you very much. I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, it is my understanding that I have 10 minutes under the order.

The PRESIDING OFFICER. The Senator is correct.

Mr. GREGG. Mr. President, there are some things so ironic around here that

you just have to smile. We are just coming off this election—and I congratulate my colleagues on the other side for their success with a significant and dramatic win. But if we listen to the rhetoric from them, and certainly from the pundits who analyzed the election, it was obviously about the war in Iraq, but it was also about fiscal discipline.

I don't know how many times I have read from national pundits, from the Washington Post and the New York Times, how the Democratic Party is now the party of fiscal discipline. Yet the first amendment brought to the floor of this Senate—the first amendment—increases the national debt by \$4.9 billion. It exceeds the budget by \$4.9 billion and claims it is an emergency, on an issue which has already been addressed by this Senate, I think, two, maybe three times, and rejected.

Well, maybe the folks out there who voted and thought they were voting for fiscal discipline when they voted to bring in the other party should take a look at this amendment and ask: Where did this come from? Is this a bill of goods I just got sold?

The first amendment brought up by the other side of the aisle after they win this significant, important, dramatic victory is to ask for \$4.9 billion above the budget, throw it on the debt, increase spending. It is, as I said, ironic. It makes you wonder. I wonder where we are headed under this new regime. There is something called a regular appropriations process. In fact, it is very likely that we will get to an agriculture bill, an appropriations bill before we adjourn this session, euphemistically referred to as a lame-duck session. When that bill comes up, if it is the belief, contention, and argument of those in the farm communities who have been affected by what they feel is a bad crop-year—if they believe they need additional funds, that bill will have the opportunity to shift funds around, move funds to those accounts that are needed, and which need additional funding, within the context of the budget, within the limitations of the budget. That is called regular order. But this is not regular order. This is a daytime robbery of the Treasury, a heist, in open daylight, and I give them credit for that.

There is nothing secretive about this. This is just saying we have the votes, so we are going to come to the floor and spend \$4.9 billion and add it to the Federal debt and call it an emergency. It is going to stuff the budget. It is not good policy. It is not good fiscal policy. It clearly, in my humble opinion—I may have misread the election. I wasn't up for reelection, but I have certainly read a lot about it, and I participated on the stump enough.

I think it sells the people of this country who voted in the election a bill of goods they didn't think they were buying—in fact, just the opposite. I understand there are some folks on my side of the aisle who also feel com-

pelled to vote for this amendment. I regret that, too, obviously. I hope they will reconsider. In any event, it is an amendment that violates the budget. It is, therefore, subject to a 60-vote point of order. We have 60-vote points of order here in order to try to maintain some semblance of fiscal discipline. This will be our first exercise in trying to maintain that semblance of fiscal discipline in what you might call the new congressional year. It will be a good test for us as a Senate for my colleagues on the other side who are about to become the majority party, and for us on this side, who will become the honorable minority. It will be a good test for us to see if we have the courage to actually initiate fiscal discipline in this new Congress. The opportunity is there. All we need is 41 votes.

Mr. President, 59 people can vote for their constituencies, vote to raise spending, raise the debt, vote to increase spending outside the budget. It will be a good test to see whether there are 41 people here who took the message away from the election that the pundits have told us is the message, that the national Democratic Party told us is the message, and that some of our own folks on our side told us is the message, which is that they expect the Congress to start living within its budgets. It will be a good test of whether at least the working minority heard that message.

At this point, I will make a point of order.

Mr. President, pursuant to the fiscal year 2006 budget resolution, I raise a point of order against the emergency designation in the pending amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I have listened to my colleague with great interest. He is the chairman of the Budget Committee, someone with whom I work closely and have respect for and affection for. But he has talked about this violating the budget. There is no budget. No budget has been passed. My colleagues have been in control, and we have not passed a budget. Let's be square about this. There is no budget.

No. 2, this is not the new Congress; this is a continuation of the old Congress. The old Congress didn't get the job done. Let's be straight about that.

No. 3, the Senator said this has been defeated in the past in the Senate. Wrong. This has passed the Senate. This passed the Senate with 77 votes. It wasn't defeated; it was passed with 77 votes on a bipartisan basis. The package that passed was more generous than this package because the White House raised objection to that package. The White House said it was too much money. The White House said they did not want the direct payments as an offset to the skyrocketing energy prices, so we took those provisions out and saved \$1.8 billion. That is the package that is before this body. It is the package that has passed. In fact, in the appropriations process, it passed several



times. In fact, it is waiting in the Agriculture appropriations bill right now.

Unfortunately, that bill, we are told, is not going to be considered. So the only opportunity we have to address the emergency disaster concerns of people all across this country is with this amendment, make no mistake. This amendment is fully bipartisan. We now have 20 cosponsors.

This is an emergency. So pursuant to section 402 of H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2006, I move to waive section 402 of that concurrent resolution for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I must respond briefly to the Senator from North Dakota, whom I also greatly admire and with whom I have enjoyed working. He has always been a responsible and effective Member of this Senate, to say the least.

Let me make the point; he said there is no budget. There is no grand budget, that is true, but there is a budget. That is why he had to waive the Budget Act in order to get to this point. It is a function of the fact that we put in place, as those who follow the arcane nature of this institution know, a set of 302 allocations which are guiding how much money can be spent in the Senate, and that is essentially the budget. It is a pretty aggressive mechanism to put in place. Innumerable budget points of order have been brought under that, some sustained, some not sustained.

As to this amendment, this amendment did fail. It failed on an issue of germaneness. So there is a history here. But more importantly, the essence of the problem of this amendment is it busts the budget. It adds \$4.9 billion to the debt. And I would argue that maybe the Senator from North Dakota doesn't feel he is in the new structure, but I believe most people think, in this post-election environment, where the election was so dramatic, that Congress shouldn't be functioning under the old rules of just breaking the budget; we should be living under the discipline, and we are not. That is my point.

If the American people's intent—and I think it was—was to send a message to us as the keepers of their pocketbooks, we are, in my opinion, not living up to that request when the first amendment brought to the floor of the Senate after this election is an amendment to increase spending by \$4.9 billion above the budget and add that money to the debt. It is not good policy.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this doesn't bust the budget. No, no, no. We

have always handled natural disasters in this way, with an emergency designation. That is the rule, that is the precedent, that is what we have done before, and that is what we should do now. This is not breaking the budget. That is just not the case. The Senator knows it is not the case.

This is a circumstance, as we have dealt with every natural disaster in the past: We make a determination whether an emergency exists. Clearly it does. We have been struck by the third worst drought in our Nation's history. This provision passed this body with 77 votes.

The people who are out there expect the Congress, expect the Senate to respond to the needs of the American people. We have a need for security. We have a need, an absolute need, for a return to fiscal responsibility. We also have a need to deal with natural disasters when they strike the American family. This is a set of disasters almost unprecedented in our history. The people who have been hit by them deserve a response. That is what this amendment seeks to do.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. KYL). The Senator has a minute and a half remaining.

Mr. CONRAD. Does the Senator from New Hampshire want to continue?

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, parliamentary inquiry: It has come to my attention that this language is not only increasing the appropriations, it may also have authorizing language in it. Is this amendment subject to rule XVI?

The PRESIDING OFFICER. This amendment does constitute legislation on an appropriations bill.

Mr. GREGG. I wish to speak to the other side. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, we recognize the Senator would be within his rights to make a motion under rule XVI. I say to the Senator, we hope he will not do that. We hope we will have a chance for a vote on the Senate floor on this question. I say to my colleagues, if we don't get a vote now, we are not going to stop until we do get a vote.

I say to my colleague, it is certainly reasonable to bring a challenge under the Budget Act and to require a supermajority vote, but I hope very much that the Senator will not use rule XVI on a matter of this importance to so many people across the country. I implore the Senator not to invoke rule XVI.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the amendment be laid aside.

The PRESIDING OFFICER. Without objection, the amendment is laid aside.

The Senator from Maine is recognized.

AMENDMENT NO. 5123

Ms. COLLINS. Mr. President, on behalf of myself and Senator FEINGOLD, I call up amendment No. 5123 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for herself, Mr. FEINGOLD, Mr. LIEBERMAN, Mr. LEAHY, Ms. CANTWELL, Mr. COLEMAN, Mr. COBURN, Mr. KERRY, Mr. SALAZAR, Mr. SUNUNU, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. WYDEN, Mr. BIDEN, Mr. LEVIN, Mr. BYRD, Mr. SCHUMER, Mr. WARNER, Ms. SNOWE, Mr. MCCAIN, Mr. NELSON of Florida, and Mr. GREGG, proposes an amendment numbered 5123.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To extend the Office of the Inspector General for Iraq until 80 percent of the funds appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund has been expended)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Section 3001(o) of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of Public Law 95-452), as amended by section 1054(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), is amended to read as follows:

“(o) TERMINATION.—(1)(A) The Office of the Inspector General shall terminate 10 months after 80 percent of the funds appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund have been expended.

“(B) For purposes of calculating the termination of the Office of the Inspector General under this subsection, any United States funds appropriated or otherwise made available for fiscal year 2006 for the reconstruction of Iraq, irrespective of the designation of such funds, shall be deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund.

“(2) The Special Inspector General for Iraq Reconstruction shall, prior to the termination of the Office of the Special Inspector General under paragraph (1), prepare a final forensic audit report on all funds deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund.”

Ms. COLLINS. Mr. President, I ask unanimous consent that Senators JOHN MCCAIN, BILL NELSON, and JUDD GREGG be added as cosponsors to the amendment.

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

Ms. COLLINS. Mr. President, this amendment, which the Senator from Wisconsin and I have offered, would ensure continuing vigorous, aggressive oversight of American tax dollars in Iraq by repealing the premature termination date for the Office of the Special Inspector General for Iraq Reconstruction. This office will be prematurely terminated by provisions that were recently enacted as part of the conference report on the Defense authorization bill. Our amendment will restore the special IG's termination date to its previous schedule of 10 months after 80 percent of the funds for the Iraqi reconstruction projects have been expended.

The special IG has been very effective, and the important work of this watchdog must continue as long as American funds are being used for Iraq reconstruction. We should not terminate this mandate to prevent waste, fraud, and abuse by some arbitrary and premature date. In fact, it is inconceivable to me that we would terminate this office which has played such a vital role in spotlighting waste, fraud, and abuse and has more than proven its worth.

The Office of the Special Inspector General has saved the American taxpayers literally millions of dollars. In fact, when one looks at the combined impact of the audits, the investigations, the cost avoidances, and other savings, the potential financial impact of this office has been nearly \$2 billion. Yet the office has cost the American taxpayers only \$73 million since it was created. So \$2 billion in savings, in cost avoidances, versus a cost of only \$73 million. This means that for every dollar the special inspector general has spent, there has been a financial impact of \$25—an impressive ratio.

There is no question that the inspector general's office has been extremely effective. Its work has led to convictions, to indictments, to the recovery of funds, and to improvement in contracting. It was the inspector general who told us about cost overruns on contracts—Halliburton contracts, for example. It was the inspector general who highlighted shoddy construction of health clinics, of a special police station. It was the inspector general who made recommendations that have improved contracting oversight and procedures in Iraq.

We are talking about billions and billions of dollars. It makes absolutely no sense at all for this office, which has been such an effective watchdog, to be brought to a premature end.

Some people say: Why can't you just have the regular IG from the Department of Defense or the Department of State or USAID undertake this work? I think in many ways the question answers itself. There are many departments and agencies that are involved in the Iraqi reconstruction projects. We need to have a special IG who has the authority to follow the money no matter from what agency or department it

originated. Also, the special IG has proven its worth time and again. The special IG is in Iraq even as we speak and has had a team on the ground in harm's way. Also, the DOD IG's office has not had a team on the ground in Iraq auditing, inspecting, and investigating on an ongoing basis.

I am very pleased to join with the Senator from Wisconsin who has been such a leader in this area, who originated the idea of having a special inspector general in the first place, and I was very pleased to partner with him in that effort years ago.

Let's correct this mistake right off so that the office doesn't have to start shutting down its operations in anticipation of the termination date next October. We can remedy this mistake right now, and we should do so.

I thank the Chair.

Mr. LEAHY. Mr. President, I am pleased to be a cosponsor of amendment 5123 offered by Senators COLLINS and FEINGOLD. This bipartisan amendment would extend the life of the Office of the Special Inspector General for Iraq Reconstruction, SIGIR, and restore the bipartisan agreement made regarding the termination of the SIGIR in the Senate-passed fiscal year 2007 Defense authorization bill.

The Collins-Feingold amendment is necessary to undo the damage of a veiled provision inserted in the fiscal year 2007 Defense authorization conference report by the chairman of the House Armed Services Committee that terminates the SIGIR by an artificial date that has no basis in the progress of reconstruction projects.

This amendment will sustain the valuable work of the special IG to monitor, audit, and inspect funds made available for assistance for Iraq in both the Iraq Relief and Reconstruction Fund and in other important accounts, which totals nearly \$32 billion.

The amendment will restore the formula for calculating the SIGIR's termination to 10 months after 80 percent of the funds appropriated for Iraq reconstruction have been expended. While I strongly support this amendment, I believe the SIGIR's authority should extend as long as necessary to ensure that the billions of dollars appropriated for Iraq's reconstruction be granted adequate oversight.

It is important that the special IG auditors continue their work as long as taxpayer funds are being spent on reconstruction efforts. Thus aspects of this amendment—including the 80 percent expended trigger and the exclusion of future Iraq reconstruction appropriations will need to be revisited in the coming months. I intend to work with other Senators to ensure that all future Iraq reconstruction funds are subject to the continued oversight of the SIGIR.

Wasteful spending and profiteering are especially offensive in wartime, and our soldiers and the American people deserve more oversight of how their tax dollars are being spent in Iraq, not less oversight.

The special inspector general's work to date has been enormously valuable to the executive branch, to Congress, and to American taxpayers. The SIGIR has completed more than 55 audit reports, issued more than 165 recommendations, and seized more than \$13 million in assets. What the SIGIR has uncovered proves the need for the work of this office to continue.

The SIGIR's investigations have sent American reconstruction officials to jail on bribery and conspiracy charges, exposed numerous instances of colossal mismanagement in construction projects, and uncovered case after case of waste, fraud, and abuse at the taxpayers' expense. In fewer than 3 years, the special IG's operations have resulted in savings to the U.S. Government and the taxpayers of more than \$24 million and uncovered considerable wasteful or fraudulent spending.

The Collins-Feingold amendment will abolish the artificial and arbitrary termination date inserted by one Member of the other body and extend the SIGIR's charter with the recognition that the office has performed crucial work, with much more remaining to be done.

I appreciate the work of Senators COLLINS and FEINGOLD in offering this commonsense amendment and urge its adoption by the Senate.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, the Senator from Maine has been a wonderful leader on this issue. It is always a pleasure to work with her. I am also pleased to be working with Senator LIEBERMAN and a number of other distinguished Members on this effort as well. It is truly the kind of bipartisan work not only the American people have called for with these elections but the American people deserve, and I hope it is a sign of things to come.

As Senator COLLINS noted, this is an important bill. I have worked hard with a few of my colleagues to create the SIGIR several years ago and I am very proud of what we have accomplished.

To go back to how this started, this is all the way back to October 2003. We all remember the famous \$87 billion bill that became famous for other reasons. But included in the bill was the creation of the original inspector general as a part of the Coalition Provisional Authority. I was pleased we got it in there, but I obviously wasn't certain it would work out and that it would be done well, but in fact that is exactly what happened. Regardless of your view of the wisdom of the Iraq war, we were able to come together and say: In any event, the taxpayers' dollars for reconstruction should be monitored and evaluated; there should be accountability.

Well, thanks to the appointment of Stuart Bowen, who is the inspector general, that is exactly what has happened. The agency has worked extremely well. As Senator COLLINS indicated, they go out into the field in Iraq



in a way that other agencies have not done to do very effective reports.

Now, these reports are troubling, many of them. They indicate things aren't working well in a lot of places and a whole lot of money has to be spent on security rather than on reconstruction. Nonetheless, they are doing the taxpayers a service. We have run into a problem because the Iraq war, of course, has been far less successful than people expected, and this whole situation has continued much longer than was originally anticipated. So not only did we create it in October 2003, I had offered an amendment in June 2004 to extend it, and then again in 2005 with the help of Senator COLLINS and then again this year in 2006. And unfortunately, after we had agreed to extend it because not all of the dollars had been expended, a provision was added in the House in conference that basically cuts this off artificially. It goes against the whole assumption, which is that this agency should continue to do its work until 80 percent—10 months after 80 percent of the funds have been expended. That is the formula. We now estimate that work cannot be done until approximately the end of 2009, given how long it is going to take to expend this money. To cut this off prematurely in October of 2007 is to simply undo the good work of this agency.

So I am pleased Senator COLLINS and I were able to add an amendment to the recent Defense authorization bill that expanded oversight authority. We actually expanded its jurisdiction so it could monitor and audit United States taxpayers' dollars being used for Iraq reconstruction regardless of the type of account. So that actually involves another \$11 billion in accounts that need to be evaluated and the taxpayers are going to get what they deserve. This is the problem with the provision that cuts this off prematurely. This is no time to terminate the office that has done so much to protect taxpayer dollars in Iraq. Our work on the Defense authorization bill provided the Senate with an estimated additional \$11 billion in oversight responsibility and that makes SIGIR's total oversight responsibility approximately \$32 billion.

Now, for people listening, what kind of money is \$32 billion? I understand that roughly the entire foreign aid that we give to all of the countries in the world in one year is only \$20 billion. This is \$32 billion, just for reconstruction in Iraq. Surely there needs to be accountability for this, and we need to give this important office the time to do its work and to make sure the money isn't subject to waste, fraud, or abuse.

I am delighted we are working together, Senator COLLINS and I and others, and I do hope we can simply reverse this unfortunate error in the House version of the conference report and that we can restore this office to its full form.

I yield the floor.

Ms. COLLINS. Mr. President, I again want to commend the Senator from

Wisconsin for his leadership on this issue. It has been a great pleasure to work with him. I mentioned we have 24 cosponsors of the amendment. I did want to acknowledge that Senator LIEBERMAN and Senator COLEMAN have played important roles in drafting this bill, and both the chairman and the ranking minority member of the Senate Armed Services Committee, Senator WARNER and Senator LEVIN, are cosponsors as well.

Finally, I want to thank the two floor managers, Senator HUTCHISON and Senator FEINSTEIN, for working with us on this bill. Senator FEINSTEIN is also a cosponsor of it, and I very much appreciate Senator HUTCHISON assisting us to bring this to the floor. So I say thank you to my colleagues.

Mr. President, if there is no further debate on the amendment, I ask that the amendment be brought to a voice vote.

The PRESIDING OFFICER. Is there further debate on the amendment?

The question is on agreeing to the amendment.

The amendment (No. 5123) was agreed to.

Mr. FEINGOLD. Mr. President, I move to reconsider the vote.

Ms. COLLINS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 5144

Mr. CONRAD. Mr. President, I have been advised that the other side may intend to raise rule XVI against my amendment. I would ask them before they make that judgment, it would be entirely in order for me to offer my amendment to the Vietnam PNTR legislation. And if we are going to get treated this way, then I reserve my right to offer the amendment on the Vietnam PNTR. That will assure that the Vietnam PNTR will not get done during this week. So if others are going to treat us that way, they should be prepared for me to play hardball, too.

I have been very patient. I have operated under the regular rules repeatedly. But if others are going to give us short shrift, if they are going to tell the farmers and the ranchers who have suffered disaster that they don't even get a vote, then I am prepared to play hardball, too.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Conrad amendment.

Mr. SANTORUM. My understanding is that this amendment, as the Senator from North Dakota just talked about, is an amendment dealing with agriculture. This is a military construction bill that is before us. The Senator from North Dakota said we might want to raise a germaneness question, which is rule XVI, and that would be treating the Senator from North Dakota and

others who support this legislation improperly. I would make the point that the reason rule XVI is there is to make sure we don't have amendments that are offered to appropriations bills that are not germane. I think it is a great stretch to suggest an emergency supplemental for agriculture is germane to military construction. That is not treating my colleague any way other than how every other colleague is treated here on a whole variety of different issues.

There are lots of opportunities we all would love to have to offer amendments to appropriations bills we don't take because it is not germane, and we don't do it as a result of that. That is the way in which the Senate operates under some semblance of order. It doesn't necessarily operate as seamlessly as we would like, but this is one of the rules we have kept intact and used because we want to try to keep to the subject at hand, particularly on the issue of appropriations.

So throw on top of that what I can tell you in my State and in lots of other States and in lots of other races around the country is the cry of deficit spending, which was heard loudly and clearly and echoed, by the way, by both sides of the aisle, of how we were going to have much more fiscal responsibility, and here we are with the first amendment with nearly \$5 billion in emergency spending on a military construction bill having nothing to do with military construction. It may be bipartisan but, as far as I am concerned, that is no excuse. This is not what I think the message from the electorate was, that we need to have a whole bunch of new spending non-germane to the matter at hand.

So while I understand the need—and we have farmers in my State who have suffered through floods earlier this year and I am sure will be impacted by this, but it is absolutely essential that we take this issue seriously, and I intend to do that.

So at this point I am going to suspend and ask for a quorum call and I will be back in a minute. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANTORUM. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SANTORUM. Mr. President, I understand the Chair has reviewed the amendment, amendment No. 5144, and I now raise a point of order against the amendment. But first, before I do that, I understand the Chair is currently reviewing this amendment, so I am going to suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mrs. HUTCHISON. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

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

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

Mr. CONRAD. Mr. President, I thank the Chair. I thank my colleagues.

Let me be very clear. Senators have a right to invoke rule XVI. But let's be clear. This is how emergency disasters have been dealt with year after year after year in this body. What I am seeking to do is to get a vote. The farmers and ranchers of this country deserve a vote. Now, they can deny the vote, at least temporarily, but if they think that is the end of the story, they are wrong. We are going to be back. And, look: If my colleagues are going to invoke rule XVI on this measure, when the underlying legislation has passed this body with 77 votes, and by that device prevent a vote, then things are going to get very tough around here. I know the rules of the Senate. If Members think they can ramrod things and deny farmers and ranchers in this country a vote on desperately needed disaster assistance, then this Senate is going to slow way down. My colleagues can use their rights and I will use mine. Let there be no doubt about what the result will be. This place is going to have a hard time functioning if there is not comity, if there is not fairness, and if people are denied a vote repeatedly. That is what is occurring.

The precedent is clear in this Senate. Virtually every disaster package has been legislation on an appropriations bill. Rule XVI was not invoked because it was recognized that is one of the few ways to achieve the result.

The Senator has the right to invoke rule XVI. This Senator has a right to object to unanimous consent agreements, to put the legislation on Vietnam PNTR, and to move to seek a vote. It is only fair the farmers and ranchers of this country, who have been devastated, get a vote. Let the Members vote. That is what the people were saying in this election. They want a process that is fair and that gets results for the American people.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent this amendment be set aside until we have the withdrawal of the previous motion.

Mr. CONRAD. I object.

Mrs. HUTCHISON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SPECTER. Mr. President, I note that the majority leader is on the Senate floor. I am prepared to speak for just about 5 minutes, if that is acceptable. I thank the majority leader, and I thank the Senator from North Dakota.

THE PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the Chair.

(The remarks of Mr. SPECTER and Mrs. FEINSTEIN pertaining to the introduction of S. 4051 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### QUORUM CALL

Mr. SPECTER. Mr. President, I yield the floor, and 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, and the following Senators entered the Chamber and answered to their names:

#### [Quorum No. 1 Leg.]

Akaka	Dorgan	Menendez
Alexander	Durbin	Mikulski
Allard	Ensign	Murkowski
Allen	Enzi	Murray
Baucus	Feingold	Nelson, Florida
Bayh	Feinstein	Nelson, Nebraska
Bennett	Frist	Obama
Bingaman	Graham	Pryor
Bond	Grassley	Reed, Rhode Island
Boxer	Gregg	Reid, Nevada
Brownback	Hagel	Roberts
Bunning	Harkin	Rockefeller
Burns	Hatch	Salazar
Burr	Hutchison	Santorum
Byrd	Inhofe	Sarbanes
Cantwell	Inouye	Schumer
Carper	Isakson	Sessions
Chambliss	Jeffords	Shelby
Clinton	Johnson	Smith
Coburn	Kerry	Snowe
Cochran	Kohl	Specter
Coleman	Kyl	Stabenow
Collins	Landrieu	Stevens
Conrad	Lautenberg	Sununu
Cornyn	Leahy	Talent
Craig	Levin	Thune
Crapo	Lieberman	Vitter
Dayton	Lincoln	Voinovich
DeMint	Lott	Warner
DeWine	Lugar	Wyden
Dodd	Martinez	
Dole	McCain	
Domenici	McConnell	

The PRESIDING OFFICER (Mr. ISAKSON). A quorum is not present.

Mr. FRIST. Mr. President, I move to instruct the Sergeant at Arms to request the presence of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion of the Senator from Tennessee. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Rhode Island, (Mr. CHAFEE) and the Senator from Wyoming (Mr. THOMAS).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

The PRESIDING OFFICER (Mr. CHAMBLISS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 1, as follows:

#### [Rollcall Vote No. 264 Leg.]

#### YEAS—95

Akaka	Dorgan	McConnell
Alexander	Durbin	Menendez
Allard	Ensign	Mikulski
Baucus	Enzi	Murkowski
Bayh	Feingold	Murray
Bennett	Feinstein	Nelson (FL)
Bingaman	Frist	Nelson (NE)
Bond	Graham	Obama
Boxer	Grassley	Pryor
Brownback	Gregg	Reed
Bunning	Hagel	Reid
Burns	Harkin	Roberts
Burr	Hatch	Rockefeller
Byrd	Hutchison	Salazar
Cantwell	Inhofe	Santorum
Carper	Inouye	Sarbanes
Chambliss	Isakson	Schumer
Clinton	Jeffords	Sessions
Coburn	Johnson	Shelby
Cochran	Kerry	Smith
Coleman	Kohl	Snowe
Collins	Kyl	Specter
Conrad	Landrieu	Stabenow
Cornyn	Lautenberg	Stevens
Craig	Leahy	Sununu
Crapo	Levin	Talent
Dayton	Lieberman	Thune
DeMint	Lincoln	Vitter
DeWine	Lott	Voinovich
Dodd	Lugar	Warner
Dole	Martinez	Wyden
Domenici	McCain	

#### NAYS—1

Allen

#### NOT VOTING—4

Biden  
Chafee  
Kennedy  
Thomas

The motion was agreed to.

Mr. FRIST. Mr. President, I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

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

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

Mr. KERRY. Mr. President, I ask unanimous consent that amendment No. 5142 to the Military Construction-Veteran Affairs bill be called up.

The PRESIDING OFFICER. Is there objection?

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY], for himself, Mr. KENNEDY, Mr. AKAKA, Mrs. BOXER, and Mr. JEFFORDS, proposes an amendment numbered 5142.

Mr. KERRY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To make available \$18,000,000 for the provision of additional mental health services through Vet Centers to veterans who served in combat in Iraq or Afghanistan.)

On page 106, between lines 12 and 13, insert the following:

SEC. 229. Of the amount appropriated by this title, up to \$18,000,000 may be available for necessary expenses, including salaries and expenses, for the provision of additional mental health services through centers for readjustment counseling and related mental health services for veterans under section 1712A of title 38, United States Code (commonly referred to as "Vet Centers"), to veterans who served in combat in Iraq or Afghanistan.

Mr. KERRY. Mr. President, I will be very brief. I thank the managers of the bill for accepting this amendment. I do this as Senator KENNEDY's cosponsor, along with Senators AKAKA, BOXER, and JEFFORDS.

What we have found is that all of the vet centers around the country are enormously overburdened in trying to be able to take care of returning Iraq and Afghanistan veterans, particularly those with PTSD mental health issues. The staffing, unfortunately, is not up to what it needs to be. Demand has doubled. So we have an obligation, which I think everybody accepts, to try to make certain we do what is necessary for those who have served as they return.

This amendment would add money that is offset; it comes out of the fund within the bill itself. I am grateful to both Senators FEINSTEIN and HUTCHISON for their willingness to accept it. This will provide quality care in our vet centers. We had a study in the Veterans' Affairs Committee in the House which found that the number of returning veterans requesting services has doubled.

One in four vet centers that have been surveyed around the country have been forced to actually limit services or establish waiting lists for critically needed services. So I think this will help us meet a need, and I am grateful for my colleagues being willing to accept it.

It is our obligation to do everything possible to ensure that veterans returning from Iraq and Afghanistan can make the transition home successfully.

"Welcome home" must be more than something we say to our veterans. It must be measured in actions taken, not just words spoken.

Today, I am offering an amendment to increase funding for the VA vet centers to provide critically needed services to our returning veterans.

The VA vet centers provide readjustment counseling and outreach services to all veterans who served in any combat zone. Our veterans earned these benefits through their service to country, and we must fulfill Nation's commitment to them by providing the highest quality services possible. Unfortunately, a recent report reveals that VA vet centers need additional funding in order to provide the trained professionals necessary to offer quality mental health services.

The vet center program was established to assist Vietnam-era veterans who were experiencing readjustment problems. In 1991, Congress extended the eligibility to veterans who served during other periods of armed hostilities after the Vietnam era. The goal of the centers is to provide a broad range of counseling, outreach and referral services to help veterans successfully readjust to civilian life. Services include individual counseling, group counseling, marital and family counseling, bereavement counseling, medical referrals, assistance in applying for VA benefits, and employment counseling.

A recent report by the House Veterans Affairs Committee Democratic staff found that in 9 months, between October 2005 and June 2006, the number of returning veterans from Iraq and Afghanistan who turned to vet centers for post traumatic stress disorder services doubled.

The increased demand for services is beginning to affect access to quality care. In fact, one in four vet centers surveyed has been forced to limit services or establish waiting lists for critically needed services. After serving this Nation and fighting for our country, our veterans should not have to fight for critical adjustment services.

In November of 2004, VA Secretary Nicholson approved a mental health strategic plan, acknowledging gaps in mental health services due to the surge in demand from veterans of combat in Iraq and Afghanistan. Congress provided approximately \$100 million to fund the VA mental health strategic plan. However, a recent GAO report shows that the VA has diverted or failed to utilize money that was intended for staffing at vet centers and has not provided a full accounting of what has happened to the funding. The GAO is expected to issue a full report on these funding gaps later this year, but the preliminary results indicate a possible misuse of mental health dollars.

One-third of the veterans coming home from Iraq and Afghanistan come to the VA with mental health concerns. We have seen the cases of PTSD rise sharply along with the need for readjustment care when veterans return home. It is imperative that our vet centers have enough trained professionals to offer quality mental health services. There are 207 vet centers across the country. They are currently unable to deal with the increasing demand for mental health services. Each of these centers needs additional funding to hire sufficient staff to deal with the recent influx of patients. y

John Rowan, National President of Vietnam Veterans of America, recently said, "The resources are not there in the VA Vet Centers." Mr. Rowan went on to say that "Not only is the mental health and well-being of veterans being placed at risk, the Vet Centers themselves are at risk. Because of significantly increased work loads, some cen-

ters have introduced waiting lists. Accommodating the ever-increasing demand for readjustment counseling is taking a heavy toll on already overworked staff." We need to do more to help our veterans.

My amendment would provide \$18 million to hire additional mental health staff at VA vet centers. This amount was recommended by the Vietnam Veterans of America to allow the VA to hire the appropriate staff needed to deal with the influx of veterans who need help. The Vietnam Veterans of America and the National Military Family Association support my amendment.

Our soldiers have sacrificed greatly for their country, and we owe them the best care when they return. Many wounds of war are not visible, which makes it that much more important that vet centers have all the resources they need to serve those veterans who are suffering in any way. I ask all my colleagues to support this amendment to provide appropriate funding to staff our vet centers.

Mr. KENNEDY. Mr. President, last Saturday, all across the country, we honored our Nation's veterans, and we renewed our commitment to care for them, in the way Abraham Lincoln advised us in his Second Inaugural Address: "to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan."

From the very beginning of America, brave men and women have sacrificed their lives or suffered wounds while serving our country. We owe each of them a debt of gratitude that we can never truly repay, and we must honor them and support them whenever we can.

In doing so, we must take great care to remember that not all wounds are visible and that, when we call upon our best and brightest, we often send their precious minds, as well as their bodies, into harm's way. The continuing current missions in Iraq and Afghanistan have been especially demanding of, and damaging to, our troops.

A recent study published in the Journal of the American Medical Association and conducted by a medical research team at the Walter Reed Army Institute of Research surveyed soldiers and Marines returning from Iraq, Afghanistan, and other locations yielded disturbing results. According to the survey, post-traumatic stress disorder, major depression, substance abuse, or other mental health disorders may afflict nearly 1 in 5 service members returning from Iraq and more than 1 in ten returning from Afghanistan.

The Veterans Health Administration estimates that a large percentage of the veterans of Iraq or Afghanistan who have sought VA care have exhibited symptoms of one or more mental disorders and have sought treatment from veterans centers. Last month, the Washington Post reported that, as of the end of June, the VA treated a third

of the more than 184,000 veterans of Afghanistan and Iraq for these symptoms. Nearly half of those treated were diagnosed as possible victims of post-traumatic stress disorder.

According to the Post, the VA's estimate represents a tenfold increase in the number of cases treated in only 18 months, and the number is likely to increase as our forces continue to serve multiple tours of duty in hostile areas. The number may be further increased by ongoing medical outreach programs conducted by the military to increase service members' awareness of the indications and implications of the types of psychological trauma associated with combat deployments.

As their awareness grows, many more veterans will likely seek mental health treatment, and veterans groups are deeply concerned that the VA is already straining to meet the increased demand. All too frequently we read reports of reduced services, staff shortages, and long waits for minimal or intermittent care.

In August, the Washington Post reported the example of a veteran of Iraq who receives only 30 minutes of treatment a month for post-traumatic stress disorder. In October, the Post reported that another veteran of Iraq was told he would have to wait 2½ months for an appointment at a VA facility to treat his sleep disorder.

We need to be sure that our veterans receive the care they deserve, and that the VA has the capacity to provide adequately specialized services to every veteran who needs counseling or treatment. We can't allow the heavy demands of our commitments overseas to impair the quality of assistance that our veterans actually receive. The more we ask of our brave men and women, the more we must provide them in return.

The Kerry amendment will help the Veterans' Administration to better address the surge in mental health needs of our veterans and help to provide a higher standard of medical care to them in a more productive and efficient manner. I urge my colleagues to support the amendment.

Our veterans need and deserve this support. We owe them nothing less in light of the intense dangers and stresses they have faced and endured so courageously.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I am looking for the chairman on this bill. I know she has no objections. I request a voice vote on the amendment.

The PRESIDING OFFICER. Is there objection?

The question is on agreeing to the amendment of the Senator from Massachusetts.

The amendment (No. 5142) was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CONRAD. Mr. President, unfortunately, the Republican leader just left the floor. We were about to be in a position to resolve this matter. I ask the leader's staff to ask the leader to return to the floor so we can resolve this.

Maybe for the interest of my colleagues, I will try to reflect on where we are. I had offered an amendment for disaster aid for farmers and ranchers. The chairman of the Budget Committee, within his rights, raised a budget point of order against my amendment. It was then suggested that rule XVI would be raised as well. We have had, over the last several hours, a series of discussions to find a way to resolve this matter. At this hour, it appears the best way to resolve it is to have a commitment that we would go to the Agriculture Appropriations bill tomorrow and try to do that in a tight timeframe of limited amendments, and that I would have a chance to offer the amendment at that time and other Senators' rights would be reserved, and that I would withdraw my amendment from this bill with the understanding that we would go to the Agriculture Appropriations bill tomorrow. That is what we had tentatively agreed to. I think we just have to have the leader indicate publicly that that is his understanding as well. Then we can break the gridlock here and proceed to finish Military Construction.

While we are waiting, I might indicate how much I appreciate the patience of the chairman and the ranking member of the Military Construction bill and their very constructive efforts to try to find a way out of this. I for one deeply appreciate it. I also very much appreciate the work of both the majority leader, Senator FRIST, who has made his best efforts to try to resolve this matter, and our own leader, Senator REID, for his assistance as well. Certainly a special thanks goes to Senator BENNETT and ranking member Senator KOHL for their constructive efforts and their agreement to go to their bill tomorrow. I also thank Senator DORGAN, my colleague, for his efforts to try to move this matter along.

With that, I yield the floor and hope that we have a chance to hear from the majority leader, so we can start the process to unwind this and reach a conclusion.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, while the Senator who was talking is still on the floor, let me say if a unanimous consent request is propounded that is consistent with what he has said, I would have to object. I want to make sure everybody knows this.

We have a bill, Energy and Water, authored by this Senator and Senator

REID, soon to be majority leader. It is our bill, Energy and Water. We want to make sure that during these operative days we are going to get some work done and that this bill gets in line to be taken up. We are not asking for any special privileges, but if you are going to propound it the way you have, then I am going to ask that House bill 5427, which is Energy and Water, be put in order behind the Agriculture bill, to be taken up after it. Otherwise, I would object, until we sit down and talk and make sure that H.R. 5427 gets some position in the Senate before we are gone and find no way to take it up. Those in leadership know I have been talking to the leaders and others. So I am not bringing anything up that is brand new. In these times, you don't know what is going to come up. This is the best way to bring it up and nobody can say you didn't bring it up. I am bringing it up to whoever is supposed to have things brought up to them. I hope that is enough. The distinguished leader is here. I wanted to put that in the RECORD so nobody had a misunderstanding.

Mr. CONRAD. Mr. President, I notice the majority leader has returned to the floor. I tried to recount for our colleagues the status of our discussion, and the understanding that we had reached, that I would withdraw my amendment from this bill with the understanding that we would go to the Agriculture Appropriations bill tomorrow and have a chance to offer it there. All Senators' rights would be reserved. That is the status of it. I just ask if that is the majority leader's understanding. If it is, I will then be willing to withdraw my amendment from the Military Construction bill and we can conclude that.

Mr. FRIST. Mr. President, in the last hour or so we have had numerous discussions on the floor, as our colleagues have observed, and many participated in the discussion. My understanding and the general agreement that we have is to go to the Agriculture Appropriations bill tomorrow. That does facilitate the progress we need to make on the current bill that is on the floor, which I hope and expect to be able to finish tonight. If that is the case, we plan on going to the Agriculture bill tomorrow. All rights will be reserved for all Senators, of course. We don't have an agreement, but that is the intention. The disaster relief bill is very important and has been talked about by Republicans and Democrats and we expect to debate it tomorrow. It is a more appropriate place for this amendment. So I think this is a good understanding.

Other bills, such as Energy and Water, we want to come to very soon. We have a number of appropriation bills—10 of them—out there. I have not talked to the Democratic leader specifically about the Energy and Water bill. I am not sure if the chairman has, but it is a bill that I hope we will be able to go to quickly, as well.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, might I say to the distinguished leader, if it is being asked of the Senate that we concur by unanimous consent that the arrangement to bring up Agriculture in the method and manner described, if that is going to be a UC, then I have to object because I want to be treated fairly on a comparable bill.

If nothing else other than a simple sentence is added that says when the Agriculture bill is completed that the next bill to be taken up would be H.R. 5427, the Energy and Water appropriations bill, if that is part of the UC, I have no objection.

Mr. FRIST. I don't think there is a formal UC on the floor, but I have to object to that only because as leader, I am going to have every chairman coming out putting bills in order. I want to be able to keep that flexibility a bit, just as we have today, because if we don't reach some sort of agreement working together, we are not going to finish even the first MILCON bill on the floor of the Senate.

What I can say is what I intend to do tomorrow—again without any UC; I guess we can write up something—is complete this bill that is on the floor tonight and then tomorrow go to the Agriculture bill, finish that bill, and then very high on the list would be Energy and Water.

What I don't want to do is get in the overall sequencing of bills when I don't know how long this bill is going to take—hopefully tonight—or the Agriculture bill.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, might I inquire—first, I thank the leader for his words, which appear to be accommodating and perhaps efficient at this moment. I am not sure, but I want to ask another question.

Mr. FRIST. I hope so.

Mr. DOMENICI. The leader is aware of an Agriculture amendment that has rather broad support that we discussed today in the meetings and other Democrats have discussed with me which has to do with how manure and the like from cows and pigs is defined under the Comprehensive Environmental Response, Compensation, and Liability Act. I want to offer that amendment on the Agriculture bill. Nothing is going to preclude that in what we have talked about, is it?

Mr. FRIST. No, all rights will be preserved for Senators as we go on the Agriculture bill tomorrow. My understanding is the Senator from North Dakota will withdraw—in fact, why don't we go ahead and do that. The pending amendment will be withdrawn, and we will proceed with the MILCON bill.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 5144, WITHDRAWN

Mr. CONRAD. Mr. President, I thank the majority leader for being very constructive. I thank my friend from New

Mexico for his zealous guarding of the rights of his chairmanship of his committee. I certainly recognize that position.

I think we have made significant progress. We can move to the Agriculture appropriations bill tomorrow. That is the place this amendment ought to be. I only offered it on this bill because we had no prospect of going to the Agriculture appropriations bill any time this year without this agreement.

I thank the majority leader. I thank very much the chairman of the Agriculture Appropriations Subcommittee, the very able Senator from Utah. I thank the Senator from Wisconsin, Mr. KOHL. I very much thank the chairman of this committee, the Senator from Texas, and the Senator from California, the ranking member, who have been so constructive today. And again, special thanks to my colleague Senator DORGAN for his assistance throughout.

I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I commend the two Senators from North Dakota. We have worked well together. I think we have come to the right accommodation. He has been a gentleman to work with, and I appreciate it.

I am now going to start clearing amendments with voice votes. They have been cleared on both sides of the aisle. We have a couple of other small issues that need to be cleared. I hope by the time I finish, we can go to final passage.

I ask Senator BROWNBACK to come to the floor to work out his issue because we are about to go to final passage.

AMENDMENT NO. 5122

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5122 offered by Senator STEVENS and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. STEVENS, proposes an amendment numbered 5122.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide that, of the amount appropriated or otherwise made available by this title for Family Housing Operation and Maintenance, Army, \$7,500,000 may be available for the lease of not more than 300 additional housing units in the vicinity of Fairbanks, Alaska)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) Of the amount appropriated or otherwise made available by this title under the heading "FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY", \$7,500,000 may be available for the lease of not more than 300

additional housing units in the vicinity of Fairbanks, Alaska. Such funds may not be available for the construction or purchase of such units.

(b)(1) The total cost of a unit leased under subsection (a), including the cost of utilities, maintenance, and operation, may not exceed \$25,000 per year.

(2) A lease entered into under subsection (a) may not exceed 5 years in duration or include an option to extend the lease beyond the 5-year period beginning on the date the lease commences.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5122) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5125

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5125 offered by Senator REED.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. REED, proposes an amendment numbered 5125.

The amendment is as follows:

(Purpose: To provide that, of the amount appropriated or otherwise made available for Military Construction, Navy and Marine Corps, \$3,410,000 shall be available for the replacement of a vehicle bridge at Naval Station, Newport, Rhode Island, and to provide an offset)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) Of the amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, NAVY AND MARINE CORPS", \$3,410,000 may be available for the replacement of a vehicle bridge at Naval Station, Newport, Rhode Island.

(b) The amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, NAVY AND MARINE CORPS" and available for the Hazardous Material Storage Facility at Naval Station, Newport, Rhode Island, is hereby reduced by \$3,410,000.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5125) was agreed to.

AMENDMENT NO. 5131, AS MODIFIED

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5131 offered by Senator THUNE, and I send a modification to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. THUNE, proposes an amendment numbered 5131, as modified.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase by \$750,000 the amount appropriated or otherwise made available for Military Construction, Air Force and available for the Air Force Financial Management Center, and to provide an offset)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) The amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, AIR FORCE" is hereby increased by \$750,000.

(b) Of the amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, AIR FORCE", as increased by subsection (a), \$750,000 may be available for the Air Force Financial Management Center.

(c) The amount appropriated or otherwise made available by this title under the heading "NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM" is hereby reduced by \$750,000.

Mrs. HUTCHISON. Mr. President, I urge adoption of the amendment.

Mrs. FEINSTEIN. Mr. President, I have no objection to amendment No. 5131, as modified.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5131), as modified, was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. FEINSTEIN. Mr. President, beg your pardon, if this is by voice vote, I suggest we have a voice vote.

Mrs. HUTCHISON. Amendment No. 5125 has been already approved; is that correct?

The PRESIDING OFFICER. There was no objection to the amendment, and it was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 5126

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5126 offered by Senator FEINSTEIN.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mrs. FEINSTEIN, proposes an amendment numbered 5126.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To repeal the requirement for the Secretary of the Interior to cease the plan to exterminate the deer and elk population on Santa Rosa Island, Channel Islands, California)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Subsection (c) of section 1077 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) is hereby repealed.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate? There being no further debate, the amendment is agreed to.

The amendment (No. 5126) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 5127

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5127 offered by Senator FEINSTEIN.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mrs. FEINSTEIN, proposes an amendment numbered 5127.

Mrs. HUTCHISON. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require a report on actions taken by the Secretary of Veterans Affairs to test veterans for vestibular damage)

On page 106, between lines 12 and 13, insert the following new section:

SEC. 229. Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report on the actions taken by the Secretary to test veterans for vestibular damage.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5127) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 5129

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5129 offered by Senator CRAIG.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. CRAIG, proposes an amendment numbered 5129.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase to \$10,000,000 the threshold for major medical facility projects of the Department of Veterans Affairs)

On page 106, between lines 12 and 13, insert the following new section:

SEC. 229. (a) INCREASE IN THRESHOLD FOR MAJOR MEDICAL FACILITY PROJECTS.—Section 8104(a)(3)(A) of title 38, United States Code, is amended by striking "\$7,000,000" and inserting "\$10,000,000".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2006, and shall apply with respect to fiscal years beginning on or after that date.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5129) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 5135

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5135 offered by Senator HUTCHISON. I ask unanimous consent that Senators CRAIG and ALLARD be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for herself, Mr. CRAIG, and Mr. ALLARD, proposes an amendment numbered 5135.

Mrs. HUTCHISON. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To authorize Department of Veterans Affairs to continue major medical facility projects and leases which have funds previously appropriated)

At the appropriate place insert the following:

SEC. 229. Notwithstanding any other provision of law, the Secretary is authorized to carry out major medical facility projects and leases for which any funds have been appropriated under this Act or any other Act. Further, for major medical facility projects authorized under Public Law 108-170, the Secretary may carry out contracts through September 30, 2007, including land purchase on projects for which Phase I design has been authorized.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5135) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 5141

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5141.



The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an amendment numbered 5141.

The amendment is as follows:

(Purpose: To amend the amount of a military construction project)

At the appropriate place insert the following:

“SEC. 126. (a) the amount available for ‘Military Construction, Air Force’ is hereby reduced by \$25,400,000 for ‘Basic Expeditionary Airmen Training Facility, Lackland AFB, Texas.’

“(b) The amount available for ‘Department of Defense Base Closure Account 2005’ is hereby increased by \$25,400,000.”

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5141) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 5128, AS MODIFIED

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5128 offered by Senator AKAKA, and I send a modification to the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment is pending.

Without objection, the amendment is so modified.

The amendment (No. 5128), as modified, is as follows:

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

At the end of title II, add the following:

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

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

Mrs. HUTCHISON. I urge the adoption of the amendment, as modified.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment, as modified, is agreed to.

The amendment (No. 5128), as modified, was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 5130, AS MODIFIED

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5130 offered by

Senator THUNE, and I send a modification to the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. THUNE, proposes an amendment numbered 5130, as modified.

The amendment, as modified, is as follows:

(Purpose: To require the business plan of the Veterans Integrated Service Network 23 for the implementation of a Community Based Outpatient Clinic in Wagner, South Dakota, to include an evaluation and an analysis of the prospect of colocating such clinic with the Wagner Indian Health Service unit in Wagner, South Dakota)

On page 106, between lines 12 and 13, insert the following:

SEC. 229. (a) COLOCATION OF COMMUNITY BASED OUTPATIENT CLINIC WITH WAGNER INDIAN HEALTH SERVICE UNIT, WAGNER, SOUTH DAKOTA.—No amount appropriated or otherwise made available for the Department of Veterans Affairs by this title may be obligated or expended to implement a business plan of Veterans Integrated Service Network 23 (VISN 23) for the implementation of a Community Based Outpatient Clinic (CBOC) in Wagner, South Dakota, unless such business plan contains an evaluation and an analysis of the prospect of colocating such Community Based Outpatient Clinic with the Wagner Indian Health Service unit in Wagner, South Dakota.

(b) AVAILABILITY OF AMOUNTS FOR EMERGENCY ROOM SERVICES AT WAGNER INDIAN HEALTH SERVICE UNIT.—Of the amount appropriated or otherwise made available to the Department of Veterans Affairs by this title under the heading “MEDICAL FACILITIES”, at the discretion of the Secretary of the Department of Veterans Affairs up to \$500,000 may be available for emergency room services at the Wagner Indian Health Service unit pending implementation of a business plan meeting the requirements in subsection (a).

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5130), as modified, was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 5138, AS MODIFIED

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5138 offered by Senator OBAMA, and I send a modification to the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. OBAMA, proposes an amendment numbered 5138, as modified.

The amendment is as follows:

(Purpose: To require a report on the costs of the Comprehensive Service Programs for homeless veterans)

At the appropriate place in title II, insert the following:

SEC. \_\_\_\_\_. (a) STUDY ON COSTS OF COMPREHENSIVE SERVICE PROGRAMS FOR HOMELESS VETERANS.—The Secretary of Veterans Affairs shall carry out a study of costs associated with the Comprehensive Service Programs authorized by sections 2011 and 2012 of title 38 United States Code.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans’ Affairs and Appropriations of the Senate and the Committees on Veterans’ Affairs and Appropriations of the House of Representatives a report on the study required by subsection (a). The report shall set forth the following:

(1) The number of authorized and operational transitional housing beds and service centers under the programs referred to in subsection (a) in fiscal year 2006, and the number of such beds and centers in each State and in each Congressional District during such fiscal year.

(2) The cost in fiscal year 2006 of grants under section 2011 of title 38, United States Code, to authorized and operational transitional housing beds and service centers under the programs referred to in that subsection.

(3) The cost in fiscal year 2006 of per diem payments under section 2012 of title 38 United States Code, to authorized and operational transitional housing beds and service centers under the programs referred to in that subsection.

(5) The number of applications received, scored as qualified, and awarded pursuant to the Capital Grant Notice of Funds Availability published on April 20, 2006.

(6) The range of per diem payment rates, the average per diem payment rate, and the median per diem payment rate paid to recipients of grants under section 2012 of title 38, United States Code, in fiscal year 2006.

(7) The number and percentage of total recipients of grants under section 2011 of title 38 United States Code, in fiscal year 2006 being paid under section 2012 of title 38, United States Code, the rate authorized for State homes for domiciliary care under section 1741(a)(1)(A) of that title for fiscal year 2006.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5138), as modified, was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 5146

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5146 offered by Senator COCHRAN.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. COCHRAN, for himself, and Mr. LOTT, proposes an amendment numbered 5146.

The amendment is as follows:

(Purpose: To provide that of the amount appropriated or otherwise made available by chapter 7 of title I of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 for Military Construction, Navy and Marine Corps, and available for the replacement of a Bachelor Enlisted Quarters at Naval Construction Battalion Center, Gulfport, Mississippi, \$13,400,000 may be available for the construction of an additional Bachelor Enlisted Quarters at such center)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Of the amount appropriated or otherwise made available by chapter 7 of title I of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148) under the heading "MILITARY CONSTRUCTION, NAVY AND MARINE CORPS" and available for the replacement of a Bachelor Enlisted Quarters at Naval Construction Battalion Center, Gulfport, Mississippi, \$13,400,000 may be available for the construction of an additional Bachelor Enlisted Quarters at Naval Construction Battalion Center, Gulfport, Mississippi.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5146) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. HUTCHISON. Mr. President, we are now down to two amendments that we are still clearing with the proper committees and one more that is still not yet agreed to.

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.

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

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

Ms. LANDRIEU. Mr. President, I understand the chairman and ranking member are trying to work out the final amendments on this bill, and they have both done an excellent job in putting the Military Construction bill together for the Nation. But also, while my colleague from Idaho is on the floor, Senator CRAIG, who is leading on the authorization side, I wanted to come to the floor on behalf of the people of Louisiana and the gulf coast, really, to thank the chair and ranking member for putting in this MILCON bill, the Military Construction appropriations bill, a full authorization for the veterans hospital that was destroyed or heavily damaged in Hurricane Katrina, and then, of course, flooded again in Hurricane Rita. Four hundred thousand veterans from Louisiana rely on this hospital, as well as

hundreds of thousands from the gulf coast: Texas, Mississippi, and Alabama.

We have worked very hard to reestablish the veterans infrastructure along the gulf coast. This has been extremely problematic because of some tensions between several committees. But the good work of Senator HUTCHISON from Texas and Senator FEINSTEIN from California and, of course, Senator CRAIG's good help and support has helped us to get this authorization done in this way. We are extremely grateful. It may be the first public-private partnership in the Nation, or one of the earliest. We think it is going to be an excellent model of health care, not only for our veterans but a real economic anchor, if you will, for the revitalization of New Orleans and the gulf coast. We are looking forward to doing an excellent job with this money for the taxpayer and for the veterans, who have come to rely on this hospital and the services we provide as a lifeline, literally. Now they look at it as more than just a place to go for health care; they look at it as a flag that will be raised in the devastated part of New Orleans to rebuild this great city and region. It has really become a symbol of hope, not just for veterans, which it always is, and their families, but now it has become a symbol of hope for our whole community.

So I just wanted, while that is being worked out and other things are being worked out, to take this time to thank them and to tell them how grateful we are in Louisiana and those in the New Orleans area for their help and support and for their confidence in moving this project forward. As a member of the committee, I have been very pleased to work on this and have it accomplished in this way.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. HUTCHISON. Mr. President, I want to announce for our colleagues that it is our intention in the next 15 minutes to finish this bill and go to final passage. We are intending to voice-vote final passage. However, we are still working out two amendments: an amendment by Senator REID and an amendment by Senator ALLEN. I cannot say for sure that there will not be a record vote on one of those amendments, but we are trying to avoid that. I will just say the disposition of the Reid and Allen amendments will be the last measures in this bill to be agreed to, and we will then go to final passage.

I would just tell my colleagues we are hoping not to have any more roll-call votes, but it is not totally clear yet. I hope to be able to finish this by 7 o'clock. I will report back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

#### AMENDMENT NO. 5143

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5143 by Senator ALLEN.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. ALLEN, proposes an amendment numbered 5143.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mrs. HUTCHISON. Mr. President, I urge passage of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 5143) was agreed to.

Mrs. FEINSTEIN. Mr. President, I move to reconsider the vote.

Mrs. HUTCHISON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### YELLOWSTONE COUNTY NATIONAL VETERANS CEMETERY PROJECT

Mr. BAUCUS. Is the distinguished Senator from California aware of the need for a new veterans cemetery in Yellowstone County in Montana?

Mrs. FEINSTEIN. I am aware that there is a need for more veterans cemeteries nationwide. I would be very interested in hearing about the situation in Montana.

Mr. BAUCUS. In Montana, we have the highest percentage of veterans per capita of any State in the country. Yellowstone County has 17.5 percent of all of the State's veterans, and when added to the surrounding counties, the greater Yellowstone area includes 25 percent of the State's veterans. The other national cemetery in the area—the Little Bighorn National Cemetery—is full. Eastern Montana faces a severe shortage in burial locations for Veterans.

Mrs. FEINSTEIN. What is being done to address this need?

Mr. BAUCUS. On November 7 of this year the voters of Yellowstone County in my home State of Montana overwhelmingly approved a mill levy to provide \$250,000 to the opening phase of the construction of the new Yellowstone County National Veterans Cemetery. However, the local mill levy only provides part of the funding needed and is to be used in conjunction with anticipated Federal funding as well as

private donations because the first phase of the project has a preliminary cost estimate of over \$1 million for roads, irrigation, and site improvements. Federal funds are needed for the project to begin. This funding is very important to Montana because we are out of burial space for our veterans. This new cemetery would provide burial spaces for our veterans for the next 20 to 30 years.

Mrs. FEINSTEIN. I applaud the initiative of the residents of Yellowstone County, and I can assure the distinguished Senator from Montana that I will work in conference on this bill to include language in the Statement of Managers directing the Secretary of the Department of Veterans Affairs to review the status and progress of the Yellowstone County National Veterans Cemetery project and report his findings back to Congress.

Mr. BAUCUS. I deeply appreciate the commitment of my distinguished colleague from California to the State of Montana's veterans.

CHILD CARE CENTER AT BEALE AIR FORCE BASE

Mrs. BOXER. Mr. President, I would like to take a few moments to discuss an issue of critical importance to the military families at Beale Air Force Base in Yuba City, CA.

The Child Development Center, CDC, at Beale Air Force Base is in dire need of refurbishment. While the Beale community has gone to great lengths to ensure that the dependents of military personnel at Beale have a safe place to be cared for and to learn, the reality is that the existing CDC is woefully inadequate.

The existing structure which is approximately 40 years old is worn, outdated, and far too small. In fact, I understand that for over the past 5 years, the waiting list for placing students in the facility has not dropped below 100 children.

To make matters worse, the CDC may even pose a potential health risk to children. Old and worn carpet cannot be replaced because doing so would expose the children to asbestos. This is unacceptable.

Our men and women who are serving our country simply should not have to worry that their children are being exposed to hazardous material. We owe them far more than that.

The Air Force has reached the conclusion that it will take \$14 million to refurbish the Beale CDC. It is my understanding that funding to upgrade the CDC is included in the fiscal year Defense plan for 2008. It is extremely important that this funding for the CDC be included in the President's budget request for 2008.

Mrs. FEINSTEIN. I share my home State colleague's concern for the Child Development Center at Beale. As the ranking member of the Subcommittee on Military Construction and Veterans Affairs, I, too, believe that it is critical to fund the CDC at Beale. The Air Force has included \$14 million in its Future Years Defense Plan for fiscal

year 2008, which clearly indicates the Air Force intends to include this project for funding in the President's budget request. I strongly urge the Air Force to retain this project in its projection for funding in next year's request.

FUNDING FOR BLINDED VETERANS' SERVICES

Mr. SALAZAR. Mr. President, as we consider legislation to fund the Department of Veterans Affairs for fiscal year 2007, I want to briefly discuss the importance of providing adequate funding for blinded veterans' services.

Visual impairment or blindness is an increasingly frequent injury among our fighting men and women. In my visits to military hospitals, I have seen firsthand the impact that these severe eye injuries can have on the lives of our young men and women in uniform. While none of them ever complains, the sacrifice they have made for their country is starkly evident, and we owe it to them to ensure they are taken care of when they return home.

The good news is that VA's Blind Rehabilitative Service is a global leader in providing comprehensive blind rehabilitation to America's blinded veterans, and the care available from the Nation's 10 Blind Rehabilitation Centers is dependable and effective. The bad news is that, while these 10 rehabilitation centers provide inpatient care effectively and efficiently, that is not always the case at other VA medical centers across the country.

The VA Medical Center in Denver, CO, treats approximately 900 blinded veterans, many of whom require rehabilitative services that the Denver facility cannot provide. Instead, those men and women must travel to Tucson, AZ, or even farther to the American Lake Blind Center in Washington State to receive the care they have earned. The problem is not limited to my State of Colorado; VA's own analysis in April 2005 found that 78 VA medical centers currently do not have any basic existing outpatient blind rehabilitative services.

I am glad that, in its budget request for fiscal year 2007, the VA provided an increase in its line item for blind services of \$5.4 million over last year. However, I am concerned that with growing medical costs and the rising numbers of service members returning from Iraq and Afghanistan with severe eye injuries, such an increase is not enough.

Walter Reed Army Medical Center recently reported to the Veterans Health Administration that, between March 2003 and April 2006, 16 percent of all service members evacuated from the war in Iraq had eye injuries, and of the 1,800 service members wounded with traumatic brain injury, 19 percent experienced post trauma visual Syndrome, PTVS, with neurological visual impairments requiring long-term specialized care. It is clear from these figures that the VA workload with respect to low-vision and blinded veterans is going to increase in coming years, on top of the already aging population of veterans with blindness.

The strong report language contained in this legislation, which directs the VA to begin implementing a plan to expand more outpatient blind rehabilitation services and training and directs the VA to report back to Congress on the status of these efforts, is a good start. I am grateful to Chairwoman HUTCHISON and Ranking Member FEINSTEIN and their staffs for their work in this area and hope we can work together to build on these efforts to ensure adequate funding for blinded veterans' services in years to come.

Mrs. FEINSTEIN. Mr. President, I thank Senator SALAZAR for his dedication to our Nation's veterans and to the effort to provide comprehensive care to blinded veterans in particular. I certainly understand the devastating impact that severe eye injuries have on the lives of service men and women returning from combat and agree we must work to ensure that our efforts in Congress keep pace with the rising costs of providing care to these men and women and with the growing numbers of service members returning home in need of such care.

The language contained in this report is strong, and I am confident it will help to push the VA in the right direction as we strive to provide care for blinded veterans in the most comprehensive and efficient way possible. I remain committed to that effort and to working with my colleagues in both parties to see that blinded veterans receive the best services our government can provide.

Mr. SALAZAR. Mr. President, again, I thank the chair and the ranking member for their leadership on this legislation and look forward to working closely with both of them on behalf of our Nation's blinded veterans.

Mr. CRAIG. Mr. President, I support the Smith and Burns amendments and take just a few minutes to address both issues which are truly an emergency.

First, Mr. Smith has filed an amendment to extend the Secure Rural Schools and Community Self-Determination Act for 1 year. Without a one year extension, the 780 counties that benefit from the Act will face difficult funding decisions regarding the next school year. This act expired September 30th of this year and the last payment is in the process of being made. Without this funding, school districts will have to decide what programs should be cut in order to make ends meet. For many districts this will include the decision of which schools to keep open and which schools to close. We are about to experience an emergency in our schools if funding is not addressed.

The act has been an enormous success in achieving and even surpassing the goals of Congress. This act has restored programs for students in rural schools and prevented the closure of numerous isolated rural schools. It has been a primary funding mechanism to provide rural school students with educational opportunities comparable to

suburban and urban students. Over 4,400 rural schools receive funds because of this act.

Next, the act has allowed rural county road districts and county road departments to address the severe maintenance backlog. Snow removal has been restored for citizens, tourists, and school buses. Bridges have been upgraded and replaced and culverts that are hazardous to fish passage have been upgraded and replaced.

The legacy of this act over the last few years is positive and substantial. This law should be extended so it can continue to benefit the forest counties, their schools, and continue to contribute to improving the health of our national forests.

If we do not work to reauthorize this act, all of the progress of the last years will be lost. Schools in timber dependant communities will lose a substantial part of their funding. These school districts will have to start making tough budget decisions such as keeping or canceling after school programs, sports programs, music programs, and trying to determine what is the basic educational needs of our children. Next, counties will have to reprioritize road maintenance so that only the essential services of the county are met because that is all they will be able to afford.

Thirty of our colleagues, have joined Senator Wyden and me in recognizing the importance of the reauthorization of this Act by cosponsoring S. 267.

Next, Mr. Burns' has filed an amendment addressing wildfire suppression funding. As we all know, this has been an extraordinary year with 89,524 fires on 9.5 million acres of land across the country to date. Indeed, this has been the worst fire season on record in terms of acres burned. By way of comparison, the 10-year average projection for fiscal year 2006 was 60,726 fires on 4.9 million acres, or about half of what is likely to burn for this year.

Due to the severity of this year's fire season, the Forest Service and Department of the Interior, DOI, will exhaust their appropriated funds for wildfire suppression before the end of this fiscal year which will force them to borrow from nonfire program accounts. Additional funds are needed to repay these borrowed funds or these agencies will face serious disruptions to critical programs. When borrowing from non-fire program accounts occurs, it causes numerous project delays and cancellations, strained relationships with state and local agency partners, and disruptions in essential program management efforts. Frequently, these cancellations and delays increase costs and the time needed to complete the projects. Again, we need to address this emergency before it causes significant havoc for our public lands.

Mr. JOHNSON. Mr. President, in July the Senate Appropriations Committee approved the fiscal year 2007 Military Construction and Veterans Affairs appropriations bill. As a member of the committee, I supported this measure,

and it is now being considered by the full Senate.

The bill provides a total of \$94.3 billion in spending, including funding to make a number of critical upgrades to our military infrastructure. As a member of the appropriations subcommittee that has oversight on military construction, I was able to use my position to ensure that \$23.4 million was included for three military construction projects in South Dakota.

Investing in our military infrastructure ensures that our military personnel have the tools they need to perform their mission. This bill provides \$7.5 million to construct a new base civil engineer maintenance complex for the South Dakota Air National Guard at Joe Foss Field. This funding is necessary because the current complex is undersized and inadequate. The new facility will help the 114th Fighter Wing maintain a combat-ready force of civil engineers.

In addition to this infrastructure upgrade, Ellsworth Air Force Base will receive \$3 million to install an urgently needed base water well. Likewise, a new Armed Forces Reserve Center will be constructed in Sioux Falls. Currently Army Reserve and Navy Reserve operations are housed in leased facilities that are over 40 years old. The new center will consolidate all operations into a new complex.

The bill also includes nearly \$78 billion for the Department of Veterans Affairs, which is \$6.45 billion above last year's funding level. This amount includes \$28.7 billion for medical services—an increase of \$3 billion from last year.

Most importantly, the Senate Appropriations Committee rejected President Bush's budget proposal to implement a \$250 annual enrollment fee and increased pharmacy copayments for category 7 and 8 veterans. These fees are designed to generate revenue in order to help offset VA expenditures. In reality, they may force veterans to seek health care elsewhere because they cannot afford either the annual enrollment fees or the increased copayment costs.

Rather than relying on budget proposals aimed at driving veterans out of the VA in order to save money, I am pleased that the Senate opposed President Bush's proposal. I firmly believe that we should provide adequate funding to ensure all those who have defended our country receive the health care they have earned and deserve.

Mr. President, I continue to have deep concerns about the spending priorities of the Bush administration, but I do believe this bill will help provide our service members with top-notch military facilities. And while we can always do more for our veterans, this bill is a step in the right direction toward honoring our commitment to all those who served.

Mr. ALLARD. Mr. President, I rise today in support of the Military Construction and Veterans Affairs appro-

priations bill because of its commitment to VA health care as well as its support of vital and necessary military facilities in the State of Colorado.

I am pleased that this bill increases funding to essential programs that maintain and improve the quality of life for our veterans. It is important to note that this is the sixth consecutive year that Congress has increased funding for veterans health care programs. This year the committee recommends that Veterans Health Administration be appropriated at \$32.67 billion, which is a \$3.32 billion increase over last year's level.

Furthermore, I would like to commend the committee for maintaining their commitment to Capital Asset Realignment Enhanced Services, CARES, process. CARES is the most comprehensive analysis of the VA's health care infrastructure that has ever been conducted and is important in prioritizing the VA's budget. Specifically, I am especially pleased with the committee's recommendation of \$52 million for a replacement hospital in Denver, CO.

The current Denver VA hospital was built more than 50 years ago and medical technology has far surpassed what the builders of the Denver VA originally envisioned. While I cannot say enough about the care and service our veterans receive at the current facility, many changes and improvements can and should be made, and a new facility is the only way to accomplish these goals.

The construction plans present credible proof that a new Fitzsimons facility will increase healthcare quality and quantity for our veterans. It is my hope, and it is a likely one, that a new hospital will also serve as a regional beacon for modern veteran medical care science and will fill an important void for the large number of veterans in Colorado.

I would like to acknowledge the recommendation of \$161 million for the National Cemetery Administration, which saw an increase of \$4.1 million over the fiscal year 2006 level. Specifically, I am pleased the committee recognizes the need for a VA cemetery in the Pikes Peak region of southern Colorado. This area is home to over 125,000 veterans, and would be well served by a national cemetery.

Additionally, I support portions of this appropriations bill that recommend \$50.1 million for necessary military construction improvements at Fort Carson, and an additional \$130.6 million for projects in Colorado.

Specifically at Fort Carson, this bill recommends funds for the completion of phase 2 of the airfield arrival/departure complex as well as funds for the Special Operations Complex. Fort Carson, known as the Mountain Post, plays an essential role for the Army.

I am also pleased at the committee's recommendation that directs the U.S. Air Force to submit a master infrastructure recapitalization plan for the

U.S. Air Force Academy facilities. This plan will begin the process of updating and improving necessary infrastructure concerns. As the Academy enters its sixth decade of operation, these important improvements will better enable the Academy to fulfill its mission of education, training and equipping cadets.

Other projects in Colorado funded by this bill includes funds for the Space Test and Evaluation Facility at Schriever Air Force Base, continued construction at the Pueblo Chemical Weapons Depot, \$10.7 million for a consolidated fuels facility at Buckley AFB and \$7 million for the Air National Guard F-16 Fighter Squadron Operations Center, also at Buckley AFB. These projects are vital to the continued success of our military at all levels.

I urge the Senate to expeditiously pass this bill in order to send it to the President's desk as soon as possible. I would also like to thank Chairwoman HUTCHISON for her leadership and diligence on this committee over the years and look forward to continuing to work with her in the future.

Mr. MCCAIN. Mr. President, I rise today to address the Senate concerning the legislation before us, the Military Construction and Veterans Affairs appropriations bill for fiscal year 2007. This bill is particularly important in this time of ongoing war, structural changes in the force, and an aging veteran population. The committee has worked to produce a bill that, while imperfect, addresses many of the issues that challenge our armed services and veterans, and I thank them for their work.

America remains at war, a war that continues to unite Americans in pursuit of a common goal—to defeat terrorism. Americans have and will continue to make sacrifices for this war. Our service men and women in particular are truly on the front lines in this war, separated from their families, risking their lives, and working extraordinarily long hours under the most difficult conditions to accomplish the ambitious but necessary task their country has set for them.

It is important that we understand the context of this year's military construction legislation. Three processes are playing out simultaneously that require reasoned and appropriate congressional action on this bill. First, America's struggle for peace in Iraq continues. Second, our largest service, the Army, is undertaking significant structural changes and redeploying thousands of troops. Third, the recent round of base realignment and closure that streamlined the defense infrastructure is now being implemented. These three issues have defined the requirements of the legislation before us. The committee has recognized the challenges and outlined military construction spending that, in large part, meets them.

I am pleased to note that the Appropriations Committee has met the

spending level requested by the administration for the Department of Veterans Affairs. This is particularly important in light of the growing numbers of young veterans who look to the VA for care. To date more than 184,000 veterans of Iraq and Afghanistan have sought care through the VA. Of that number, 30,000 have been found to exhibit symptoms similar to post-traumatic stress or PTSD, and I applaud the committee's support for PTSD programs and funding. This legislation also provides \$32.7 billion for the Veterans Health Administration for fiscal year 2007, nearly equivalent to the President's request.

I commend the distinguished chairman of the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies for her willingness to work with the Senate Armed Services Committee, SASC, to ensure this bill generally funds MILCON projects consistent with the authorizing committee's views. The chairman has always made a considerable effort to work with the authorizers to mitigate differences in the defense funding and authorizing bills.

In particular, I appreciate the chairman's efforts to remove an unrequested and unauthorized MILCON project for Lackland Air Force Base after I brought my concerns to her attention. That project was not requested by the administration, nor is it listed in the Air Force's Unfunded Priority List, UPL. It was added only after the Air Force Chief of Staff sought the funding outside the regular process, without the concurrence of DOD or OMB and without any notification to or feedback from the authorizing committees.

When the authoring committees finally learned about this project, we had already completed committee markups and passed Defense authorization bills in both chambers. The authorizing committees refused to add an out-of-scope provision into the final conference report to authorize this Air Force earmark, and as such, the chairman has since agreed to remove it from the pending bill in a manager's amendment on the Senate floor.

I wanted to spend time on the Senate floor to highlight this Air Force MILCON earmark because it demonstrates how authorizers and appropriators can and should work together. While ideally the provision would never have been included in the bill since it wasn't requested, the chairman was more than willing to listen to my concerns as an authorizer, and she acted most appropriately by agreeing to remove the earmark. Again, I thank Senator HUTCHISON for her steadfast leadership and accommodation of the authorization committees' wishes.

Unfortunately, the bill before us is not entirely free of earmarks. I am concerned that, while this bill is some \$434 million below the administration's request, it nonetheless recommends almost \$90 million in unrequested spending that is directed at unauthorized

projects. While I recognize that many of the earmarks added to this legislation may sound worthwhile, they do not belong in the bill or its report. Needless to say, it is distressing that in this time of fiscal constraints, lawmakers continue to earmark military funds while underfunding the President's overall request.

Let me mention a few examples of money earmarked in the committee report for specific projects that were not requested by the Department of Defense: \$1.5 million for a general instruction building in Fort Lewis, WA; \$1.5 million for officer's quarters in Ravenna, OH; \$1.5 million for a dining facility at Camp Roberts in San Miguel, CA; \$3.4 million for an Aviation Readiness Center at Helena Regional Airport, MT; \$1.4 million for an engine shop in Fort Worth, TX; \$900,000 for an information technology complex at Wright-Patterson AFB, OH; and \$2.0 million for a regional training institute in West Virginia.

Almost all the earmarked money will go to the States represented by members of the committee. These examples are only part of the nearly \$60 million in unrequested earmarks that siphon funds away from important programs needed for enhancing our warfighting capability. This means that the armed services have come to us with urgent needs, and we have responded by giving them less than what they asked for while requiring that they spend it to suit our parochial needs rather than military necessity.

The problems facing our active and retired veterans, whether in the form of force structure or modernization or enhancing quality of life benefits, are properly addressed in a deliberative budget process. However, we should think twice before diverting money away from military necessities to fund home State projects. The American taxpayer expects more of us, as do our brave service men and women who are fighting this war on global terrorism on our behalf.

Mrs. HUTCHISON. Mr. President, we are now ready to go to final passage. I ask for a voice vote on passage.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 5385), as amended, was passed.

Mrs. FEINSTEIN. Mr. President, I move to reconsider the vote.

Mrs. HUTCHISON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the title amendment be agreed to.

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

The title was amended so as to read:

An Act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes.

Mrs. HUTCHISON. Mr. President, I think that finalizes the bill, the Military Construction appropriations bill and Veterans Affairs appropriations bill for 2007. I thank all of my colleagues for their cooperation and patience, especially my colleague, Senator FEINSTEIN, my ranking member who has been such a great colleague to work with on this bill. Her staff and my staff have done an incredible job. I appreciate this opportunity and look forward to going to conference and having our military personnel be housed and have the equipment that is in the Military Construction bill which they so readily deserve.

Especially, I have to say that funding the veterans and their needs is a special privilege for all of us because we have young men and women coming back from Iraq and Afghanistan as we speak with injuries that we want to assure are cared for and healed, and where necessary that we have the rehabilitation which they so richly deserve.

I think we have done a good job of covering these needs. I am very pleased that we have taken one more step to finalize this bill.

Mrs. FEINSTEIN. Mr. President, if I might, I thank the chairman, my friend, the Senator from Texas. We usually have a very easy time with this bill. There are usually not many amendments to this bill. But perhaps because this is the first vehicle to move a number of items, they seemed to come up this afternoon. I think the chairman has shown great leadership and flexibility. Sometimes they go together and sometimes they do not, but she has possessed both today.

I am very grateful, and the Democratic side is very grateful for it as well. This is a good bill. It is a bipartisan bill. It takes good care of veterans. It eliminates the problem of financing that we had last year. Overall, it is an excellent bill. I am very proud to have worked with the chairman. I thank her.

I thank the majority staff. And, of course, I thank my staff, of which Christina Evans is sitting on my left, and B.G. Wright and Chad Schulken back in the box.

It has been a good day. At least we have accomplished a substantial bill.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## MORNING BUSINESS

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

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

## HONORING OUR ARMED FORCES

### SERGEANT KAMPHA B. SOURIVONG

Mr. GRASSLEY. Mr. President, today I ask that the Senate join me in paying tribute to SGT Kampha Sourivong, who made the ultimate sacrifice while protecting freedom. Sergeant Sourivong, of Iowa City, IA, was assigned to C Company, 1st Battalion, 133rd Infantry Regiment, 34th Infantry Division, Army National Guard, based out of Iowa Falls, IA. He was mobilized for Operation Iraqi Freedom with the unit in September 2005 and arrived in Iraq in early May 2006. He died at the age of 20, on September 30, 2006, in Al Asad, Iraq, when his military vehicle encountered small arms fire.

Sergeant Sourivong will be posthumously awarded the following awards and decorations for his heroic service: the Bronze Star, the Purple Heart, the Armed Forces Reserve Medal with Mobilization device, the Army Good Conduct Medal, the Iraq Campaign Medal, the Global War on Terrorism Service Medal, the National Defense Service Medal, the Army Service Ribbon, and the Combat Infantryman Badge.

My thoughts and prayers have been with Sergeant Sourivong's parents, Patty and Maliphone Sourivong, his brother and sister, and all those other family and friends who are grieving the loss of this young man. The Sourivong family described Kampha as "a very caring person" who "had a lot of friends, loved his family, loved his brother and loved his sister" and someone who "would give the shirt off his back to someone in need."

I am grateful for the sacrifice that both Sergeant Sourivong and his family have made. Our Nation will forever be in their debt. While the tragic loss of this young American is deeply sad, he will be remembered proudly as the hero that he was.

## REMEMBERING CONGRESSWOMAN HELEN CHENOWETH-HAGE

Mr. CRAPO. Mr. President, in recent weeks, many of our thoughts have been turned to Helen Chenoweth-Hage, her memory, and her family.

As you know, Helen was laid to rest in October after a tragic automobile accident took her life. We honor and remember this remarkable woman, and I feel privileged to share with you some of my memories and thoughts about her and the time that we served together in the U.S. House of Representatives.

There will never be another public servant in Idaho like Helen. I served

alongside her in the House of Representatives and worked on many issues with her, from fighting Federal mandates in north Idaho to fighting for our military at Mountain Home Air Force Base and Gowen Field in Boise. She stood firm in her convictions and beliefs, honoring the promises she made to those who put her in office. Helen knew, without a doubt, what she believed in, and she lived those beliefs in word and deed unwaveringly.

She worked very hard to make sure she had an understanding of what was at stake. When she started her congressional career in 1995, she read every piece of legislation that was coming up for a vote on the House floor. She felt she owed it to those who sent her to Congress. She surprised more than a few committee chairmen by showing up at hearings being held by committees she didn't serve on, simply because of her desire to know more and understand an issue.

One of her most-oft repeated matras was "Love many, trust few, and paddle your own canoe." And that is exactly what she did—she was not someone who would check the wind before deciding what to do. She listened, asked questions, read documents, studied the issues, and talked with experts and plain folks. She took all that information she gathered and then made her decision. At her center was a very principled, gracious woman—one who was strong in her beliefs and kind to all those around her, regardless of theirs. In many ways, she mirrored the principled center many of us admire about President Ronald Reagan.

Idahoans have lost a true champion for smaller government and personal freedoms. Helen brought Idaho into the national spotlight. She stood tough on the issues and spoke out often, even after she left the House of Representatives in 2001. She could always be counted on to call out hypocrisy in government and placed her reputation on the line many times to hold to her beliefs on what was best for Idahoans.

Perhaps the best way to remember Helen is to quote her own words in an interview done with Reason Magazine in October 2000. When the reporter asked how she would like to be remembered, this is what she said:

That I have been true to real Republican principles. It's been people like Tom Coburn, Mark Sanford, and myself who have constantly said, 'Let's not forget who we are and why we are here.' And that is to protect individual rights, American sovereignty, and private property. If there is not a force of law and justice to protect private property, then we have lost the basis of our freedoms.

She said something else in that interview that strikes a resonant chord with me, in particular. When asked what the greatest threat to American Liberty was, she said:

Too much federal and state government. The lack of respect of people working in government for individuals. An idea that certain people who occupy powerful positions in the administration can make better decisions about an individual and their life choices than can that individual.



Helen will always be remembered as a champion of the individual—the rugged, self-reliant American that is in all of us—and I thank her for that.

#### BOB DOLE ON GEORGE MCGOVERN

Mr. JOHNSON. Mr. President, civility is alive and well in the great State of South Dakota.

During the recess, there was an extraordinary, bipartisan celebration honoring our former colleague, Senator George McGovern. The occasion was the dedication of the George and Eleanor McGovern Library at Dakota Wesleyan University in Mitchell, SD.

The dedication brought together former President Bill Clinton, former majority leader Bob Dole, former majority leader Tom Daschle, Senator JOHN THUNE, Representative STEPHANIE HERSETH, Governor Mike Rounds, and 5,000 of Senator McGovern's closest friends and admirers.

Governor Rounds noted that Senator McGovern was a "patriot" and that "all of us gathered here today have a whole lot more in common than what divides us as Americans." Senator THUNE noted that his father always voted for George McGovern, even as the children urged him to vote Republican, because George was a decorated WWII fighter pilot. Perhaps it was Senator Dole, with his characteristic humor, who best captured the significance of Senator McGovern's inspiring career.

I ask unanimous consent that the remarks of Senator Dole be printed in the RECORD.

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

Thank you very much for that generous introduction, and for the honor of receiving the first McGovern Prize for Leadership and Public Service. It is something that I will cherish, not least of all because of its namesakes who have set the standard—in friendship as well as in leadership. This week's events remind us once again that George McGovern is a uniter and not a divider. Who else could bring together Bill Clinton, Bob Dole, Al Neuharth, Tom Daschle, John Thune, and Peter, Paul and Mary?

As you know, at times George and I have had our political differences. Though not the differences you might think. For example, here at Wesleyan he was twice elected president of his class. I have yet to be elected president of anything—though I'm thinking of running against Bill Clinton for president of the Senate spouses.

For me tonight is both an opportunity to salute an old friend, and to repay an old debt. You see, three years ago George came to the dedication of the Dole Institute of Politics at the University of Kansas. What he said about me then more than made up for what he said about me when I ran for President in 1980, 1988 and 1996. So I figured the least I could do was to return the favor, and make up for what I said about him, when he ran for President in 1968—and 1972—and 1984.

I've long since accommodated myself to a career pitching Pepsi and other stimulants. And George has happily resigned himself to the fact that the only presidents in South Dakota are on Mount Rushmore. At our

stage of life we both adhere to the wisdom of W.C. Fields, who expressed his philosophy as follows: If at first you don't succeed, try, try, again. Then give up. No use being a damn fool about it.

Of course, in all that truly matters, George has never given up. Neither has his beloved Eleanor. Sixty-six years after they enrolled as undergraduates on this campus, sixty-three years after they declared their marriage vows, the McGoverns of Mitchell are still making a difference, still living every day in the spirit of this school's motto: sacrifice or service.

Having been both a candidate and a candidate's spouse, I speak from experience when I say that for spouses it isn't sacrifice or service, it's sacrifice and service. But then Eleanor McGovern has always been a leader and humanitarian in her own right. What ever else you can say about us, it's pretty clear that both George and I married above ourselves.

That's not all we have in common. "There is a wholeness about life in a rural state. . . life tends to be more authentic and less artificial." The words are George's but the sentiment applies as much to Russell, Kansas as to Mitchell, South Dakota. We both can attest to the fact that small towns nurture large dreams, and a generosity unbounded as the Great Plains. Generosity is what this evening's all about—the generosity of donors, and of those who seek their donations. I want to congratulate Ambassador Kimmelman and President Duffett as well as the trustees and the campaign committee and every single individual whose generosity has helped to realize a dream called the McGovern Library and Center for Leadership and Public Service.

Since we're all being so generous, maybe George would let me borrow his fundraising team. We could use your help at KU. I can't imagine a more appropriate tribute to the McGoverns than a library, and not just because George taught here at Wesleyan before he put classroom theory to the test in a public career that spans half a century. In fact, he and Eleanor are both educators at heart. They understand, for they personify, the essential truth of education—that so long as books are kept open, then minds can never be closed. In years to come, this place will be an incubator of informed Citizenship. What more could any teacher ask for?

Generosity takes many forms. In the case of the McGoverns, it means a lifetime of principled service, and a personal decency that transcends any party label. I'm tempted to say it transcends generations as well. It has been said by this state's second most famous son, Tom Brokaw, that George and I belong to the greatest generation. Actually, we were fairly average Americans, who suddenly found ourselves caught up in the historical whirlwind—a tornado as random and devastating as any that slashed across the prairies of my youth.

If we were prepared for the curve balls that came our way, it was only because of the values passed on to us by pioneers and parents who had confronted more than their share of challenges. When hard times engulfed the American farmer like a Kansas dust storm, we clung all the tighter to our neighbors. I don't know about George, but my own commitment to feeding the hungry is rooted in those distant days when millions of Americans struggled to put food on the table. Hunger is bipartisan. So is compassion.

It wasn't only economic democracy that was called into question during those bleak years. Also on the line was the idea—enshrined in places like Mitchell and Russell—that every life is precious because every human is created with a plan and a purpose. The great test of our time was moral as well

as military. It was met by 16 million citizen soldiers, backed by millions more on the home front. All of them heroes in the age old struggle for popular government.

The word hero gets thrown around a lot. It's a lot easier to be a hero if someone is shooting at you, as happened to me on an Italian hillside—or attempting to shoot down your plane, as George will recall from 35 missions with his fellow B-24 bomber pilots. Nor was it any accident that he named his plane the Dakota Queen—for the young bride to whom he would return after the war, with a Distinguished Flying Cross pinned to his uniform. When in another context George said, "Come home, America," I think it was that America to which he referred—a country that in every generation has produced heroes, and is, in turn, a land fit for heroes to come home to.

In this America we fight as one, though we vote and pray and speak as many. One of the unfortunate aspects of modern politics is our tendency to label, dehumanize and even demonize opponents who are, after all, opponents—not enemies. George McGovern is a leader, not a label. The man we honor this evening is a proud liberal who nevertheless found much to admire in such common sense conservatives as Bob Taft and Barry Goldwater. A Methodist preacher's son, raised in a republican household, he cast his first vote for Henry Wallace. As a young activist he was spellbound by the eloquence of Adlai Stevenson. But in later years he would praise my hero, Dwight Eisenhower, for his statesmanship and restraint while in the White House.

George got to Congress ahead of me. By the time we served in the Senate, it's a safe bet that our votes usually cancelled each other out. As fate would have it, I was Republican national chairman in 1972, the year George ran against President Nixon. In politics, as earlier, I tried to be a good soldier, but there are times when party loyalty asks too much. More than once I returned speech drafts objecting to the official line against the Democratic nominee for President. By election day, I think I had upset more people around the White House than George did. enough, anyway, so that I became expendable once the votes were counted.

Come to think of it, George, there's another thing we have in common. We were both left unemployed by the Nixon White House.

If ever a candidate was entitled to nurse a grudge, it was George McGovern. Except no man I know is less inclined to waste time or energy in holding grudges. His generosity of spirit extended to the man who defeated him in 1972. I will never forget a day in June, 1993, when we buried Pat Nixon in the rose gardens at the Nixon Library and birthplace. After the formal service concluded, we were invited inside—away from the prying eye of television—so that President Nixon could deliver a tribute of his own to his wife of fifty-three years. Among other things, he spoke of the joys of grandparenting, describing what happened when their youngest granddaughter, Jennie, asked Mrs. Nixon how she wished to be addressed.

After rejecting "grandmother" as too formal, and "grandma" as a bit too elderly for her liking, Pat suggested to the little girl that she call her "Ma." Jennie then put the same question to her famous grandfather. To which he replied, "Oh, you can call me anything, Jennie, because I've been called everything." At that moment I wasn't the only person in the room who was struggling to control his emotions. Not twenty feet from Nixon stood George, dabbing at his eyes with a handkerchief.

Later that day, a reporter approached him, curious to know why he was there. George

replied that he had always admired Mrs. Nixon, and wished to honor her memory. The reporter persisted. Why should he honor the wife of the man whose alleged dirty tricks may have denied him the White House?

And you know what George told him? In what may be the classiest remark I've ever heard, George looked him straight in the eye and said, "You can't keep on campaigning forever."

Four years later I had my own taste of defeat, following a hard fought campaign as President Ford's running mate. When it was over, I got some bracing advice from Hubert Humphrey—yet another proud son of South Dakota who knew what it felt like to lose a close one. Hubert, like George, had a gift for bipartisan friendship that made him a genuinely beloved figure in the Senate. We worked closely on issues dealing with agriculture and nutrition. He was promoting Minnesota dairy farmers, and I was pushing Kansas wheat, but we shared a common vision—the same vision with which George McGovern gave life to President Kennedy's Food for Peace Program—with which he inspired school lunch programs and food stamps and which, even now, underlies his dream of a world in which no child goes to bed hungry.

George and Eleanor call this the third freedom. They have even set a deadline of 2030 by which they hope to banish hunger around the globe. To some this may seem impossibly visionary. Not to the McGovern. "People call me an idealist," Woodrow Wilson once said. "Well, that is how I know I am an American."

Is it idealistic to insist, as George and I do, that school children deserve not only a square lunch, but breakfast as well? Is it idealistic to demand that the children of low income and working families have the same access to basic nutrition as their well-heeled classmates? Is it idealistic to want to share America's bounty with hungry children in other lands—to feed their bodies out of our abundance, to demonstrate that the freedom we cherish is not the freedom to starve, but the freedom to soar.

Is that idealistic—or just plain American? Here in the Heartland our ideals and our interests are inseparable. To us freedom is a theory, a mere abstraction, unless it improves the quality of life for those who are set free. Earlier I mentioned Mount Rushmore. One of the four Presidents enshrined there is Theodore Roosevelt. One hundred years ago TR professed horror when told of Americans who, when traveling abroad, apologetically asked their foreign hosts to refrain from judging the United States based on its politicians.

But they must judge his country by the actions of its politicians, said TR. Was that idealistic? Or was it simply the old rugged faith in the ability of so-called ordinary men and women to govern themselves? It is easy to be cynical about modern day politics. But the easy course will never fix what is broken. In America, government is nothing if it is not self-government. For in the mirror of democracy we see reflected back to us both our noblest, and our meanest, attributes. It is the purpose of this college to promote the best that we can be. It is the goal of the McGovern Center to foster service before self. And it is the hope of America that our politics can be as decent as our people—that civility need never be confused with weakness—nor compromise with surrender.

When we come home to this America, we will fulfill the promise of our birth. We will create a legacy to inspire generations yet unborn. And we will uphold the McGovern tradition of idealistic leadership—for that is how we know we are Americans.

Thank you very much.

## HEROICS OF ALAN JOHNSTON

Ms. SNOWE. Mr. President, I rise today to honor and recognize with the highest esteem Mr. Alan Johnston of Windsor, ME, for the tremendous courage and enormous valor he demonstrated in Iraq in 2004 that helped save many lives.

CPT Aaron P. Hill of the U.S. Marine Corps recounted in a witness statement that Alan Johnston's heroic actions on August 7, 2004, had he been in military uniform, would have earned him a medal. Mr. Johnston, a civilian contractor who was overseeing construction of two medical clinics in Iraq, acted swiftly and selflessly to rescue others during a suicide attack on the headquarters facility at the Al Kasik Military Base located approximately 35 miles northwest of Mosul, Iraq.

Captain Hill was part of a unit advising Iraqi soldiers in Northern Iraq. He credits Mr. Johnston with saving a number of lives after insurgents drove two water trucks packed with as many as 8,000 pounds of explosives to the headquarters building. The blasts from this insurgent attack lasted over 90 minutes and destroyed the 2-level headquarters building, resulting in 14 deaths and an estimated 40 severely to critically injured people.

Acting without hesitation, Mr. Johnston sounded the alarm, throwing those around him to the floor, saving many lives. In the devastation that followed, acting with total disregard to his own safety, Mr. Johnston emerged from the wreckage and began to assist in evacuating and treating the survivors. Despite the continuing barrage of mortars and rockets, Mr. Johnston continued to offer help with his medical expertise, calm demeanor, and steadfast devotion to helping his fellow man.

Mr. Johnston not only reduced casualties and treated the wounded but restored critical support systems, including power and water. He also helped to find ways to feed the thousands of Iraqi soldiers dependent on the American military for support.

Alan Johnston, a 6-year veteran of the U.S. Army Corps of Engineers and an emergency medical technician for nearly 18 years, suffered injuries to his head and leg but treated himself and remained at the base in Iraq for 3 months after the attack. He left Iraq in December of 2004 and underwent another series of leg surgeries once he returned to the United States.

As a result of Captain Hill's eyewitness account of Alan Johnston's actions, last month I had the solemn privilege of pinning the Defense of Freedom Medal on Mr. Johnston's lapel at a medal ceremony held at my Augusta, ME, office with Mr. Johnston's family present, officially acknowledging these courageous actions. This award is a rare and unique commendation issued only to civilians and is equivalent to the Purple Heart awarded to military service men and women.

But what is most remarkable is that this occasion marked the first time a

civilian, private contractor was awarded this particular medal. Mr. Johnston's lifesaving response to serve and sacrifice on behalf of others was something he chose to do. It was not his duty. It was not his responsibility it was his goodwill and American patriotism that drove him to put his life at risk in order to assist and save others. There is only one word that sufficiently describes this exemplary Mainer, and that word is hero. I was extremely proud to present him with the Defense of Freedom Medal.

Mr. Johnston's awe-inspiring willingness to think of others ahead of himself will forever be remembered by those whose lives he touched and saved that day. The courageous commitment and valiant care demonstrated by Alan Johnston of Windsor, ME, exemplifies the very best of what it means to be a Mainer and an American.

## TRIBUTE TO ROB MCCLINTIC

Ms. STABENOW. Mr. President, I rise today in celebration of my longtime friend and staff member, Rob McClintic. After 23 years of work in the U.S. Congress, Rob has decided to retire from the Senate.

Rob started with my office on March 13, 1998, while I was still in the U.S. House of Representatives. When I won the election to the Senate in 2000, I couldn't imagine not bringing Rob to work in the Senate with me.

Rob is often the first contact with my constituents and visitors. As a staff assistant, Rob has been tasked with answering phone calls from constituents and greeting visitors. Everyone who works in Congress knows that answering phones is an extremely important job and can be tremendously challenging. This is one of the main ways that Senators and Representatives hear how their constituents are feeling on important issues. Rob has at busy times answered well over 100 or more phone calls a day. In 23 years on the Hill, Rob surely has answered over 600,000 phone calls. This is, needless to say, a tremendous feat.

Rob is also responsible for giving tours of the Capitol building and for setting up other tours around Washington, DC. His knowledge of the history of the Capitol is outstanding. He knows every corner of the Capitol and provides a personal touch on each and every tour. Rob not only just gave tours, he made sure that the visitors from Michigan enjoyed their stay in DC, and experienced the history of Congress.

Prior to working for me, Rob worked for Congressman Phil Sharp from Indiana, Rob's home State, from April 1983 through January 1995 and Congresswoman MARCY KAPTUR of Ohio from August 1995 through February 1998.

Upon leaving the Senate, Rob will be moving back to his home State of Indiana to be closer to friends and family. I know his family is proud of him and will welcome him home with open arms.

I also know that Rob's friendly demeanor and unparalleled professionalism will be dearly missed here in Washington, DC. Rob McClintic is irreplaceable.

Mr. President, I am sad because I am losing my trusted and valued staffer who has worked with me for nearly a decade, but I am happy to see a dear friend move on to new challenges, and I wish him the best of luck.

#### TRIBUTE TO FALLEN U.S. FOREST SERVICE FIREFIGHTERS FROM CALIFORNIA

Mrs. BOXER. Mr. President, today I have a very heavy heart as I pay tribute to five fallen U.S. Forest Service firefighters from California. It is an honor to talk about their heroic deeds, but it is heartbreaking.

These five heroes died in the line of duty while protecting families and homes in the Esperanza Fire west of Palm Springs. We deeply mourn the loss of Engine Captain Mark Loutzenhiser, Fire Engine Operator Jess McLean, Assistant Fire Engine Operator Jason McKay, Firefighter Daniel Hoover-Najera, and Firefighter Pablo Cerda.

Mark Loutzenhiser was 44 years old and had 21 years of firefighting service. He was a certified emergency management technician, EMT. He had previously worked as a hotshot crewman for the Vista Grande Hot Shots and also as a volunteer firefighter for Riverside County. He majored in fire science at Mount San Jacinto College. He was a longtime resident of Idyllwild, CA, and was a wonderful supporter and coach for the youth sports program. He is survived by his wife Maria Loutzenhiser.

Jess McLean was 27 years old and had 7 years of firefighting service. He had been a hotshot for 3 years with the Vista Grande Hot Shots. He graduated from Banning High School in 1997 and attended fire science classes at Crafton Hills College. He was a resident of Beaumont, CA. He is survived by his wife Karen McLean and his mother Cecelia McLean.

Jason McKay was 27 years old and had 5 years of Forest Service experience and 4 years as a volunteer firefighter in Adelanto. He also served on the Mojave Greens Type II crew. He was a certified EMT and earned an associate's degree in fire science. He was a resident of Phelan, CA. He is survived by his mother Bonnie J. McKay and his father Robert McKay.

Daniel Hoover-Najera was 20 years old and in his second season of firefighting. He worked on the Tahquitz Type II crew in 2005 and was a seasonal employee in 2006. He graduated from San Jacinto Mountain View High School in 2004. He was a resident of San Jacinto, CA. He is survived by his mother Gloria Ayala and his father Timothy Hoover.

Pablo Cerda was 23 years old and in his second season with the Forest Serv-

ice. He was previously of the Tahquitz Type II crew. He graduated from Los Amigos High School in Santa Ana in 2001 and attended Fire Academy of Riverside Community College. He was a resident of Fountain Valley, CA. He is survived by his father Pablo Cerda, Sr.

These five U.S. Forest Service firefighters on Engine Crew 57 on the San Jacinto Ranger District were dispatched early on the morning of Thursday, October 26 to fight the Esperanza fire. As the fire blazed out of control, they bravely fought it when they were overrun by flames.

Mark, Jess, Jason, Daniel, and Pablo are true examples of why we call firefighters heroes. They bravely and selflessly risked their lives time and time again trying to protect California. No more could be asked of anyone. Tragically, they have fallen in one of these battles. We know why their friends, family, and colleagues are so proud of them and so devastated by their loss. Their loss reverberates throughout California and our Nation.

I send my sincere condolences to their families, their communities, and all of the firefighters who had the honor of serving with Mark, Jess, Jason, Daniel, and Pablo over the years.

These firefighters are extraordinary heroes. And we will not rest until we have found those responsible for this horrific crime.

#### NATIONAL PRAYER BREAKFAST

Mr. COLEMAN. Mr. President, as the session winds down I have been thinking back over the year. As always, there has been a lot more activity than action, but we are making progress on the people's business.

But not everything we do here is legislative in nature. Senator PRYOR and I had the opportunity to chair the National Prayer Breakfast in February, a nonofficial, nonpartisan, and non-denominational gathering of people from all over the world who are seeking better ways to connect with each other and find strength beyond ourselves. Many of our colleagues in the House and Senate participated. For their reference and for the benefit of other interested readers of this RECORD, I ask unanimous consent that a copy of a transcript of the event, including a very interesting talk by U2 lead singer and humanitarian Bono, be printed in the RECORD.

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

Senator Mark Pryor: Good morning. Thank you very much for being here. I am Senator Mark Pryor, from Arkansas, and I am one of the co-chairs of this event along with my very good friend Senator Norm Coleman of Minnesota. We are so grateful that you have come from every state in the Union, and from 160 nations around the world. To start us out on an uplifting and prayerful note, I am happy to introduce Karen Mason from Little Rock, Arkansas. She has a song to share today about grati-

tude, and it expresses how we all are feeling today.

Mrs. Karen Mason: Psalm 100 says that protocol for coming into the presence of our heavenly King is to enter into His gates with thanksgiving, to come into His presence with gratitude, with a heart of gratefulness, and this song is my song of gratitude to my heavenly King.

(Song.) (Applause.)

Senator Norm Coleman: Good morning, folks, I am Senator Norm Coleman, from the state of Minnesota, and before we enjoy our breakfast and more fellowship around the tables, I would like to introduce our head table's special guests and say a few words of grace. To my far left, Karen Mason, and the four women from Point of Grace, who will be introduced later in the program. Next to them is Senator David Vitter from Louisiana, then we have Senator Barack Obama, Illinois' new senator. Next to him is someone who we will introduce more fully later, for now one word will suffice—Bono. Next to him is my wife Laurie, whose love and support has brought me to this moment. On the other end, we have Congressman Lincoln Davis from Tennessee. Next to him we have Representative Tom Osborne of Nebraska, we will just call him Coach. Next to him is Senator Ken Salazar from Colorado. Then we have Senator Kay Bailey Hutchison from the great state of Texas. Next, a former main speaker at this event, Senator Joe Lieberman of Connecticut, and next, a member of the Joint Chiefs of Staff, Chief of Naval Operations, Admiral Michael Mullen. Finally, the spouse of my co-chair, Jill Pryor.

Let us pray to bless the food, which I will do in a moment. But first I would like to recite the most holy prayer in Judaism which is called the Shema, and I have prayed it since I was a little boy.

Sh'ma Yisrael, Adonai Elohaynu, Adonai Echad—Hear O Israel, Adonai is your God, Adonai is your God. Barukh Shem k'vod malkhuto l'olam va-ed—Blessed is the Name of His glorious kingdom for ever and ever. V-ahavta et Adonai Elohecha—you shall love the Lord your God—b-chol l'vavcha u-v-chol nafsh'cha u-v-chol m'odecha—with all your heart and with all your soul and with all your strength.

We gather under the shelter of encouragement of Your love today, to return thanks, to seek unity, to help the suffering, and to work for peace. Almighty God, we thank You for this food for our bodies and our hearts which we are receiving this morning. Bless all who prepared it. Lord, change us, and send us out of here different people than we were when we walked in. Amen.

Enjoy the food and the fellowship around the table.

(Breakfast.)

Senator Coleman: We are going to begin the program. I am happy to introduce my good friend Mark Pryor. He is a Democrat from a red state.

Senator Pryor: And my good friend Norm Coleman who is a Republican from a blue state and maybe that is why we get along so well. (Laughter.)

Senator Coleman: We came to Washington together, and one of the first things we heard from our senior colleagues was Harry Truman's advice: If you want a friend in Washington, buy a dog. The hardest thing in public life is not making decisions, it is finding people you can trust to guide you and encourage you to do the right thing.

Senator Pryor: And that is a real challenge, because with every senator, every congressman, and every other leader who is here, we got to where we are because of our friends. Someone described public service as being like cutting flowers from a garden and

putting them in a vase—they look great, but before too long they need some nourishment.

Senator Coleman: And for me that is what this breakfast and our weekly breakfast group in the Senate is all about—putting back in what the job takes out. You should already know by now that what you are experiencing is a very big public version of what we experience privately on a personal scale every week in the Senate and in the House. People from all kinds of backgrounds come together to share a meal, deepen our relations, pray to God for His guidance and blessings, and look for the inspiration to live our faith more completely. We would also like to provide a special welcome to four heads of state who have honored us with their presence. President Miro Jovic of Bosnia-Herzegovina, Prime Minister Navinchandra Ramgoolam of Mauritius, Prime Minister Said Musa of Belize, and King Abdullah bin al-Hussein II of Jordan. (Applause.)

Senator Pryor: We hope that this breakfast is an encouragement to you to do similar things where you live. I want to read a few verses from the gospel of John, chapter 21. It says:

Afterward Jesus appeared again to his disciples by the Sea of Tiberias. Early in the morning, Jesus stood on the shore, but the disciples did not realize that it was Jesus. He called out to them, “Friends, haven’t you any fish?”

“No,” they answered.

He said, “Throw your net on the right side of the boat and you will find some.” When they did, they were unable to haul the net in because of the large number of fish.

Jesus said to them, “Bring some of the fish you have just caught.”

Simon Peter climbed aboard and dragged the net ashore. It was full of large fish, 153, but even with so many the net was not torn. Jesus said to them, “Come and have breakfast.”

When they had finished eating, Jesus said to Simon Peter, “Simon son of John, do you truly love me more than these?”

“Yes, Lord,” he said, “you know that I love you.”

Jesus said, “Feed my lambs.”

Again Jesus said, “Simon son of John, do you truly love me?”

He answered, “Yes, Lord, you know that I love you.”

And Jesus said, “Take care of my sheep.”

The third time he said to him, “Simon son of John, do you love me?”

Peter was hurt because Jesus asked him the third time, “Do you love me?” He said, “Lord, you know all things; you know that I love you.”

Jesus said, “Feed my sheep.”

That is the spirit in which we meet together today.

Senator Coleman: I am a tennis player, but not a very good one. I read somewhere that when you hit a tennis ball, it is only on the racket for a tenth of a second. The rest is all backswing and follow-through. The prayer breakfast is like that. We are here for just a moment, but the months and years of work that went into this event is the backswing, and hopefully there will be years of fruitful follow-through.

Listen to the words of Psalm 100. May this be your affirmation today as well.

Shout for joy to the Lord, all the earth. Worship the Lord with gladness; come before him with joyful songs. Know that the Lord is God. It is he who made us and we are his; we are his people, the sheep of his pasture. Enter his gates with thanksgiving and his courts with praise; give thanks to him and praise his name. For the Lord is good and his love endures forever; His faithfulness continues through all generations.

Senator Pryor: Amen to that. Norm, it has been a great pleasure and joy for me to work with you on this prayer breakfast, and seeing all these people it makes me feel like we can do anything. What about next week we go in the office and fix the federal budget deficit? (Laughter.)

Senator Coleman: You know, Mark, miracles do happen. One of my favorite quotes was from David Ben-Gurion, first Prime Minister of Israel, who said, “Anybody who doesn’t believe in miracles is not a realist.” (Laughter.)

Senator Pryor: Now to kick off the main part of the program, I am going to introduce our second musical selection. You’ve noticed we have music this morning. When Moses led Israel out of Egypt, he also led them in song. King David is recorded as writing and singing many, many songs. The apostles of the first century are recorded on many different occasions as singing songs. Music is an important way in which we can express our faith. Point of Grace is four young women with a passion for conveying the character of God through music. This is a song about prayer and friendship that expresses the heart of why we gather today. Ladies and gentlemen, Point of Grace.

[Point of Grace woman]: Thank you so much, Senator Pryor, for inviting us to be here today. It is a great honor, to be here with all of you to celebrate not only our faith but the great friendship that we all share. This is called “Circle of Friends.” (Song.)

Senator Barack Obama: Good morning, Mr. President, Madam First Lady, our speaker today, Bono, for the outstanding work you are doing. Thank you all for being here. I offer a reading from the letters to the Romans, chapter 12, verses 3 through 12:

“For by the grace given me I say to every one of you: Do not think of yourselves more highly than you ought, but rather think of yourself with sober judgment, in accordance with the measure of faith God has given you. Just as each of us has one body with many members, and these members do not all have the same function, so in Christ we who are many form one body, and each member belongs to all the others. We have different gifts, according to the grace given us. If a man’s gift is prophesying, let him use it in proportion to his faith. If it is serving, let him serve; if it is teaching, let him teach; if it is encouraging, let him encourage; if it is contributing to the needs of others, let him give generously; if it is leadership, let him govern diligently; if it is showing mercy, let him do it cheerfully. Love must be sincere. Hate what is evil; cling to what is good. Be devoted to one another in brotherly love. Honor one another above yourselves. Never be lacking in zeal, but keep your spiritual fervor, serving the Lord. Be joyful in hope, patient in affliction, faithful in prayer.”

Praise be to God.

Senator David Vitter: Good morning. I am David Vitter of Louisiana.

Senator Ken Salazar: Good morning. I am Ken Salazar from Colorado.

Senator Vitter: Ken and I both came to the U.S. Senate last year.

Senator Salazar: We came from different regions of the country, different parties, and different perspectives on some issues, but we were both drawn to the Senate prayer breakfast.

Senator Vitter: It is a truly wonderful refuge from the bitter partisanship and win-at-any-cost atmosphere that, unfortunately, we so often face outside that prayer circle.

Senator Salazar: As I said, Senator Vitter and I are members of the United States Senate breakfast. At that breakfast we pray together, Democrats and Republicans alike, and put aside what are sometimes very divi-

sive and bitter political and policy differences. There we focus on our common humanity and our faith in God. And like many of my Republican and Democratic colleagues in the U.S. Senate and those of you in this distinguished audience today, I grew up in a family and a community with a deep and abiding faith, and with a desire to translate our values into the service of our neighbors and into the betterment of our nation and our world. My own faith begins with my family. My family founded one of the first settlements in the New World, and named that city Santa Fe, the City of Holy Faith, in New Mexico. Over the more than four centuries since that time, my family has sacrificed and endured through war, poverty, death and discrimination. Yet during those four centuries, we have survived because of our faith that all of God’s children have within their minds and their hearts the ability to create a more perfect and better world with the freedom and intellect endowed upon us by our Creator.

As Jesus said in the book of John:

“If anyone says ‘I love God’ and hates his neighbor, he is a liar. For he who does not love his brother whom he has seen cannot love God whom he has not seen.”

Let us pledge today to redouble our efforts to mend the rifts that too often exist between religious traditions, nations and political parties. Let us remember the love of neighbor and love of God are linked by an unbreakable bond, and that our lives and our work should be motivated by love and compassion for our fellow man.

In closing I would like to share with you a prayer that is very close to my heart, one that was created and given by Cesar Chavez, the founder of the United Farm Workers of America. There he says, “Let the spirit flourish and grow, so that we will never tire of the struggle. Let us remember those who have died for justice, for they have given us life. Help us love even those who hate us, so that we can change the world.”

In conclusion, a part of a prayer that my family has handed down over the centuries goes as follows: *Infinitas gracias damos, por tus grandes beneficios que así sin hacer servicio, nos das mas que merecemos.* This means, in general, “We thank you infinitely, oh God, for all the great blessings that you have given us.”

And today, God, we pray that you would continue to unite our nation and our world.

Senator Vitter: I guess my family are newcomers to this country compared to Ken’s. We came from France to Louisiana in the latter 1800s, but we share the same deep, rich Catholic faith. At the Senate prayer breakfast I have talked about the very Catholic concept of grace. It is God’s blessing given from above, unearned, undeserved. It is a very un-Washington concept that we are not in control. And prayer breakfasts have also deepened my sense of the power of prayer. Amazing things can happen when we truly acknowledge that we are not in control and ask for God’s grace, however unearned and undeserved.

These parts of my faith meant a lot to me this year, as we were hit by Hurricanes Katrina and Rita in my home state of Louisiana and on the Gulf Coast. What better example of humans not being in control. And they sustain me today as we face the often overwhelming challenge of rebuilding, and the even more worrisome thought that the country has forgotten or moved on. So I call on that power of prayer this morning. I ask for your real prayer commitment to the people of the Gulf Coast. We all ask for God’s grace, that He touch us, bless us, awaken us to this and other great ongoing national challenges. And I pray that we meet and not forget this test of our national character here at home.

U.S. Representative Lincoln Davis: Mr. President, First Lady, speakers, and musicians, on behalf of the U.S. House of Representatives and my congressional co-chair of the prayer breakfast, we welcome you today. I want to give you a brief history. In 1942 the prayer breakfast groups were inaugurated in both the House of Representatives and the U.S. Senate. Later, in 1953, members of the Senate and House prayer groups gathered together with President Eisenhower for prayer and worship, to seek divine guidance for national leadership and to reaffirm faith and dependence on God. This gathering became known as the Presidential Prayer Breakfast until 1970, when the name was changed to the National Prayer Breakfast in order to put more emphasis on the gathering rather than the individuals involved. In my mind this was a fitting thing to do. And today, 64 years later, on the 54th anniversary of the National Day of Prayer, we gather again to celebrate the glory of faith. I am amazed at the amount of people who are here from outside of our country, at this wonderful event, highlighting the global nature of faith.

I would like to thank all the members of Congress and both the House and Senate who are here today. This last year has been a wonderful time for me every Thursday morning as we gather in the House restaurant, and I have served as co-chairman with the wonderful fellow, Coach, named Congressman Tom Osborne. It has been a delight, and as we gather each morning, as members of Congress share their lives, their story about their family and their faith journey, it is one of the best moments that we have.

When I first came to Congress in January of 2003, I quickly found that the weekly prayer breakfast, where I would join with my colleagues giving thanks to the Lord and ask for guidance in our work for the country, was my favorite hour of the week. For this reason I have always looked forward to the prayer breakfasts. However, I truly believe that any amount of time we spend in prayer are the best moments of our life, and it helps us to continue with our faith. Thank you for joining us this morning. My good friend, Tom Osborne.

U.S. Representative Tom Osborne: Thanks very much, Lincoln. Mr. President and First Lady, it is good to be with you this morning. I see a lot of politicians out there, and it reminds me of this event I went to not long ago. There were these three politicians, and one guy said to them: okay, let's get to the bottom of this thing—let's suppose you guys are laid out in your coffins and people are walking by and they're talking about you, what one thing would you want them to say about you? The first politician said, I'd want somebody to walk by and look down and say: this was an honest man. The second politician said, I'd want somebody to walk by and look down and say: this was a great family man. The third politician said, yeah, I'd want somebody to walk by and look down and say: I think he's still moving. (Laughter.)

Sometimes—at this time of the morning, that is about the way you feel.

Lincoln covered the House prayer breakfast very well. Each Thursday, 30 to 40 of us meet together, and the speakers are always members of Congress. The interesting thing is, people share their lives and talk about their families and their hopes and their aspirations and their struggles, it seems that the labels begin to come off—Republican, Democrat, liberal, conservative, and on and on. You begin to see the person behind the mask and you begin to see people as they really are. Every time I have come away from that breakfast, I have had a great appreciation and usually a genuine love for that person as I have heard them talk about their life.

It has been an unwavering tradition that the only speakers we have are members of Congress. But we were notified one day that King Abdullah was going to come from Jordan, and, we have had a senator or two come by but we have never had a king before, so we didn't know what to do. We said, we had better ask him to speak. And so he spoke, and it was really an interesting morning, because he talked about his country, he talked about things that were going on in the world, he talked about the Koran, and then he talked about Jesus. It was really a very meaningful time, because at that point I began to realize that this person that we often put in a box, and this person that often is so clearly identified with a particular ideology, cuts across so many areas. And I know that is why so many of you are here today from so many countries, because of an interest in this particular topic.

Lincoln and I wanted to thank you and welcome you this morning, and we certainly hope that you will experience God's presence here as we meet today, and that the world will be a better place for our having been here. Thank you very much. (Applause.)

Senator Joseph Lieberman: Mr. President, Mrs. Bush, your majesty King Abdullah, ladies and gentlemen, honored guests, it is with great gratitude and joy that I greet you all, of different faiths but all brothers and sisters in a shared faith in God. In the language and spirit of the Hebrew Bible, "B'ruchim ha-baim b'Shem Adonai"—Blessed be those who have come in the name of the Lord.

I am greatly honored to have been asked this morning to offer prayer for our national leaders. I pray that God will open my lips so that my mouth may declare his praise.

In Genesis 2:7 it is written that God formed the man of dust from the ground, and he blew into his nostrils the soul of life, and man became a living being. In 1776, God moved the founding generation of Americans to breathe a soul into their new land and make it a living nation, when they acknowledged the self-evident truth that there is a Creator, and that he created us all equal, and that we are all endowed by our Creator with unalienable rights, including among them the rights to life, liberty, and the pursuit of happiness, and that governments are formed to secure those rights. That declaration gave America not only its independence but its purpose. And it was not just a national purpose but a global purpose, because God's endowment of those rights was truly not just to Americans but to all the men, women and children of His creation. So I pray this morning that God will bless America, and each American, as we work to advance our faith-based purposes; to unite all of God's children here at home and throughout the world; to support the causes of freedom, opportunity, unity and hope, and defeat the evils of oppression, poverty, illness, hatred and fear.

We pray, Lord, that you will hold our president and his family and all national leaders in your hands, and protect them and us as they lead us forward to achieve the humane and universal mission you have given us, so that together we may come to the day when the mountains will be made low and the valleys will be raised up, when the crooked places will be made straight and the rough places smooth. For on that day, which we all pray and work for, the earth will surely be full of the glory of God. Amen. (Applause.)

Senator Kay Bailey Hutchison: I am Senator Kay Bailey Hutchison from Texas. Mr. President, First Lady Laura, King Abdullah, Heads of State, and all distinguished visitors from around the world and from our wonderful country. As religious, community and political leaders, we deal with the most dif-

ficult problems our people face. Complete success frequently proves illusive, and the victories we do achieve often come with setbacks and failures. A passage that renews my energy and restores my focus is Second Corinthians chapter 4, verses 16 to 18:

"Therefore we do not lose heart. Though outwardly we are wasting away, yet inwardly we are being renewed day by day. For our light and momentary troubles are achieving for us an eternal glory that far outweighs them all. So we fix our eyes not on what is seen, but on what is unseen. For what is seen is temporary, but what is unseen is eternal." (Applause.)

Admiral Michael G. Mullen: Good morning, Mr. President, Mrs. Bush, other distinguished Heads of State, and distinguished visitors. I am Admiral Mike Mullen, I am the Chief of Naval Operations and this morning I represent the Joint Chiefs of Staff. I am honored to be here and to have this opportunity. I have been asked to say a few words about myself which I don't do well but I will give it a shot. I like to describe myself as a husband and father, an American, a sailor in the United States Navy, and a naval officer, in that order. I have been married for 35 years to my partner for life, Deborah, and we are very proud of our two sons, Jack and Michael, currently serving on active duty in the Navy. I am originally from Los Angeles, son of hard-working parents who moved out west after the Depression in search of a better life. They found it there and gave it to me. I hold their memories dear. Born and raised a Catholic, I also hold my faith dear. I know its enormous power, have seen it with my own eyes during countless visits with soldiers, sailors, airmen, Marines and Coast Guardsmen employed in harm's way. Just like the power of prayer, faith can move mountains. This morning I ask you to join me. I would like to offer a prayer for our world's leaders.

Father in heaven, we gather in prayer today to ask your blessing over the lives and decisions of those who lead nations around the world. It is a time of great challenge and great adversity. Theirs is an especially mighty task and a deeply noble calling. For upon the shoulders of our leaders rests the hopes and the dreams of billions of people. From the pen and from the podium, they direct the future not only of this generation but of generations yet unborn. May you guide them in that pursuit, oh Lord, and give them strength. Help them serve with integrity and with compassion. Help them choose love over hate, courage over fear, principle over expediency. Let them find new and even better ways to be providers and peace makers. Let them be guided from the wisdom found in Romans 12, which tells us, "Do not be conformed to this world but be transformed by the renewal of your mind, that you may prove what is the will of God. Let love be genuine, hate what is evil, hold fast to what is good. Repay no one evil for evil, but take thought for what is noble in the sight of all."

In the sight of all, oh Lord, let our leaders be noble and learn from your example. Let them realize that to be right with you is to be right. And finally, from this sailor to the One who made the seas, be pleased to guide the ships of state to safe harbor. In the face of storms and shoals and fainting hearts, we trust you with everything we have, everything we are, and everything we hope to be. You not only chart our course, you help us hold the tiller. You brave the waves and calm the waters. You really are Emmanuel, God with us. May that truth be known today to those who lead our nations. With grateful hearts we pray, Amen.

Senator Coleman: There are a lot of Catholics on this program. Mr. President, I

thought they were all on the Supreme Court. (Laughter.)

In my day, I have introduced the president, I once introduced Dr. Billy Graham, but as a former roadie for the 60s rock band Ten Years After, this ranks right up there as one of the high points of my introducing career. Mark and I were joking about this earlier, this kind of makes us the rhetorical warm-up act for U2. (Laughter.)

Our message today comes from a person who has gotten the attention of the world by walking with God, talking about things that matter, and letting his light shine. He is an extraordinary musician, charismatic leader, and is unabashedly, uniquely himself. We have an expression that a celebrity is a person who is famous for being famous. But our speaker this morning is known around the world as a person of conscience, a person of influence, but most of all, a person of faith. His organization is called DATA—Debt, AIDS, Trade in Africa. They are working to bring people, organizations, leaders and politicians together to make a unified effort to change the future of Africa.

He has come to challenge us, to reach across the boundaries, to care for the poor and to walk the talk of our faith. Ladies and gentlemen, Bono. (Applause.)

Bono: Thank you very much. Thank you Mr. President, First Lady, King Abdullah, other heads of state, distinguished guests. Please join me in praying that I don't say something we will all regret. That was for the FCC.

If you are wondering what I am doing here at a prayer breakfast, well so am I. I am certainly not here as a man of the cloth, unless that cloth is leather. And I am certainly not here because I am a rock star, which leaves only one possible explanation: I have got a messianic complex. It is true. And to anyone who knows me, it is hardly a revelation.

I am the first to admit that there is something unnatural, something even unseemly about rock stars mounting the pulpit and preaching at presidents, then disappearing to their villas in the south of France. Talk about a fish out of water. It was weird enough to have Jesse Helms come to a rock show. But, this is really weird, isn't it?

One of the things I love about this country is the separation of Church and State—although I have to say in inviting me here both Church and State have been separated from something else completely: their mind!

Mr. President, are you sure about this? It is very humbling, and I will try to keep my homily brief. But be warned: I am Irish.

I would like to talk about the laws of man, here in this city, where those laws are written. I would like to talk about higher laws. It would be great to assume that one serves the other, that the laws of man serve these higher laws, but of course they don't always. I presume, in a way, that that is why you are all here. I presume the reason for this gathering is that all of us here—Muslims, Jews, Christians—are searching our souls for how to better serve our family, our community, our nation, our God. And some of us are not very good examples, despite what Norm says.

I am certainly searching, and that, I suppose, is what led me here. Yes, it is odd, having a rock star at the breakfast. But maybe it is odder for me than for you, because, you see, I have avoided religious people most of my life. Maybe it has something to do with my having a father who was a Protestant and a mother who was a Catholic in a country where the line between the two was, quite literally, often a battle line; where the line between Church and State was, at the very least, a little blurry and hard to see.

I remember how my mother would bring us to chapel on Sundays and my father used to wait outside. One of the things that I picked

up from my father and my mother was the sense that religion often gets in the way of God. For me, at least, it got in the way, seeing what religious people, in the name of God, did to my native land. And even in this country, seeing God's second-hand car salesmen on the TV cable channels offering indulgences for cash. In fact, all over the world, seeing the self-righteous roll down like a mighty stream from certain corners of the religious establishment. I must confess, I changed the channel. I wanted my MTV.

So, even though I was a believer, and perhaps because I was a believer, I was cynical—not about God, but about God's politics.

In 1997, a couple of eccentric septuagenarian British Christians went and ruined my shtick, my reproachfulness. They did it by describing the Millennium, the year 2000, as a Jubilee year; as an opportunity to cancel the chronic debts of the world's poorest people. They had the audacity to renew the Lord's call and were joined by Pope John Paul II, who, from an Irish half-Catholic's point of view, may have had a little more of a direct line to the Almighty, to declare the Year of Jubilee.

So Jubilee. Why Jubilee? What was this Year of Jubilee, this year of our Lord's favor? I had always read the Scriptures, actually, even the obscure stuff. There it was in Leviticus 25:35:

"If your brother becomes poor, and cannot maintain himself, you shall maintain him. You shall not lend him your money at interest, nor give him your food for profit."

Jubilee is such an important idea that Jesus begins his ministry with this. Jesus is a young man, he has met with the rabbis, he has impressed everybody, people are talking. The elders say, he is a clever guy, this Jesus, but, he has not done much, yet. He has not spoken in public before. When he does, his first words are from Isaiah: "The Spirit of the Lord is upon me because He has anointed me to preach the good news to the poor." And Jesus proclaims the year of the Lord's favor, the year of Jubilee in Luke 4:18. What he was really talking about was an era of grace, and we are still in it.

So fast-forward 2,000 years. That same thought—grace—is now incarnate in a movement of all kinds of people. It was not a bless-me club, it was not a holy huddle. These religious guys were willing to get out in the streets, get their boots dirty, wave the placards, follow their convictions with actions, making it really hard for people like me to keep our distance—ruining my shtick. I almost started to like these church people.

But then my cynicism got another helping hand. It was what Colin Powell, a five-star general, called the greatest W.M.D. of them all: a tiny little virus called A.I.D.S. And the religious community, in large part, missed it. The ones that did not miss it could only see it as divine retribution for bad behavior—even on children? Even if the fastest-growing group of HIV infections were married, faithful women?

Ah, there they go, I thought to myself. Judgmentalism is back. But in truth, I was wrong again. The Church was slow but the Church got busy on this the leprosy of our age. Love was on the move. Mercy was on the move. God was on the move. Moving people of all kinds to work with others they had never met, never would have cared to meet. We had conservative church groups hanging out with spokesmen from the gay community, all singing off the same hymn sheet on AIDS. See, miracles do happen. And we had hip-hop stars and country stars. This is what happens when God gets on the move. Crazy, crazy stuff happens. Popes were seen wearing sunglasses! Jesse Helms had a ghetto blaster now! Evidence of the Spirit moving—it was breathtaking. It literally stopped the world in its tracks.

When churches started demonstrating on debt, governments listened—and acted. When churches started organizing, petitioning, and even that most unholy of acts today, God forbid, lobbying on AIDS and global health, governments listened—and acted. I am here today in all humility to say: you changed minds, you changed policy, and you changed the world. So thank you. (Applause.)

Check Judaism. Check Islam. Check pretty much anyone. God may well be with us in our mansions on the hill. I hope so. He may well be with us in all manner of controversial stuff. Maybe, maybe not. But the one thing we can all agree on—all faiths, all ideologies—is that God is with the vulnerable and poor. God is in the slums, in the cardboard boxes where the poor play house. God is in the silence of a mother who has infected her child with a virus that will end both their lives. God is in the cries heard under the rubble of war. God is in the debris of wasted opportunity and lives, and God is with us if we are with them. (Applause.)

"If you remove the yoke from your midst, the pointing of the finger and the speaking of wickedness, and if you give yourself to the hungry and satisfy the desire of the afflicted, then your light will rise in darkness and your gloom will become like midday, and the Lord will continually guide you and satisfy your desire even in scorched places."

It is not a coincidence that in the Scriptures poverty is mentioned more than 2,100 times. It is not an accident. That is a lot of air time. The only time Jesus Christ is judgmental is on the subject of the poor, Matthew 25:40: "As you have done it unto the least of these my brethren, you have done it unto me."

As I say, good news to the poor. Here is some good news for you, Mr. President. After 9-11, we were told America would have no time for the world's poor. We were told America would be taken up with its own problems of safety. And while it is true that these are dangerous times, America has not drawn the blinds and double-locked the doors. In fact, you have doubled aid to Africa. You have tripled funding for global health. And Mr. President, your emergency plan for AIDS relief and support of the Global Fund—yours' and Congress'—have put 700,000 people onto life-saving anti-retroviral drugs and provided eight million bed nets to protect children from malaria. (Applause.)

Outstanding human achievements. Counterintuitive, I think you will admit, but historic. You should be very, very proud. But here is the bad news: There is so much more to do. There is a gigantic chasm between the scale of the emergency and the scale of the response.

And finally—getting to higher levels, higher callings—this is not about charity in the end, is it? It is about justice, the good news yet to come. I just want to repeat that: This is not about charity, it is about justice. And that is too bad. Because we are good at charity. Americans as well as the Irish are good at charity. We like to give and we give a lot, even those who cannot afford it. But justice is a higher standard. Africa makes a fool of our idea of justice; it makes a farce of our idea of equality. It mocks our pieties, it doubts our concern, and it questions our commitment. 6,500 Africans are still dying every day of preventable, treatable disease, for lack of drugs we can buy at any drug-store. This is not about charity; this is about justice and equality. Because there is no way we can look at what is happening in Africa and, if we are honest, conclude that deep down, we would let it happen anywhere else, if we really accepted that Africans are equal to us. And I say that humbled in the company of a man with an African father.

Look at what happened in Southeast Asia with the Tsunami. 150,000 lives lost to the



greatest misnomer of all misnomers, Mother Nature. Well, in Africa, 150,000 lives are lost every month—a tsunami every month. And it is a completely avoidable catastrophe.

It is annoying, but justice and equality are mates, aren't they? Justice always wants to hang out with equality. And equality is a real pain.

You think of these Jewish sheep-herders going to meet with the Pharaoh, mud on their shoes, and the Pharaoh goes, "Equal? Equal?" And they say, "Yeah, that is what it says here in the Book—we are all made in the image of God, sir." Eventually the Pharaoh says, "Look, I can accept that. I can accept the Jews—but not the blacks. Not the women. Not the gays. Not the Irish. No way." So on we go with the journey of equality. On we go in the pursuit of justice.

We hear that call in the ONE Campaign, a growing movement of more than two million Americans—five million by the next election, I can promise you—united in the belief that where you live should no longer determine whether you live.

We hear that call even more powerfully today, when we mourn the loss of Coretta Scott King, mother of a movement for equality, one that changed the world but is only really getting started, because these issues are as alive as they ever were; they just change shape and they cross the seas.

Preventing the poorest of the poor from selling their products while we sing the virtues of the free market—that is not charity, that is a justice issue. Holding children to ransom for the debts of their grandparents—that is not charity, that is a justice issue. Withholding life-saving medicines out of deference to the Office of Patents—that is not charity, that is a justice issue. And while the law is what we say it is, God is not silent on the subject. That is why I say there are laws of the land and then there is a higher standard. And we can hire experts to write them so they benefit us, so that these laws say that it is okay to protect our agriculture but it is not okay for African farmers to protect their agriculture, to earn a living. As the laws of man are written, that is what they say. But God will not accept that. Mine will not. Will yours?

I close this morning on very thin ice, probably. This is a dangerous idea I have put on the table here: my God versus your God, their God versus our God, versus no God. It is very easy in these times to see religion as a force for division rather than unity. And Washington is a town that knows something of division. But the reason I am here, and the reason I keep coming back, is because Washington is a town that is proving it can come together on behalf of what the Scriptures call "the least of these." It is not a Republican idea, it is not a Democratic idea, it is not even, with all due respect, an American idea, nor is it unique to any one faith.

"Do to others as you would have them do to you." Jesus says that.

"Righteousness is this: that one should give away wealth out of love for Him to the near of kin and to the orphans and the needy and the wayfarer and the beggars and for the emancipation of the captives." The Koran says that.

"Thus sayeth the Lord: Bring the homeless poor into your house. When you see the naked, cover him. Then your light will break out like the dawn and your recovery will spring forth speedily; then the Lord will be your rear guard." The Jewish Scripture says that. Isaiah 58 again. It is a very powerful incentive: The Lord will watch your back. Sounds like a good deal to me, especially right now. (Applause.)

A number of years ago, I met a wise man who changed my life, in countless ways, big and small. I was always seeking the Lord's

blessing. I would be saying, look, I have got a new song, look after it. I have a family, and I am going away on tour, please look after them. I have this crazy idea, could I have a blessing on it. And this wise man asked me to stop. He said stop asking God to bless what you are doing. Get involved in what God is doing, because it is already blessed.

Let's get involved in what God is doing. God, as I say, is always with the poor. That is what God is doing, and that is what He is calling us to do.

I was amazed when I first got to this country and I learned how much some churchgoers tithe: up to ten percent of the family budget. How does that compare with the federal budget, the budget for the entire American family? How much of that goes to the poorest people in the world? It is less than one percent of the federal budget.

Mr. President, Congress, people of faith, people of America, I want to suggest to you today that you see the flow of effective foreign assistance as tithing, which to be truly meaningful will mean an additional one percent of the federal budget tithed to the poor. And what is that one percent that we are asking for in the ONE campaign? It is not merely a number on a balance reader pulled out of the air. One percent is the girl in Africa who gets to go to school, thanks to you. One percent is the AIDS patient who gets her medicine, thanks to you. One percent is the African entrepreneur who can start a small family business, thanks to you. One percent is not redecorating presidential palaces. One percent must not be—or do not give it—money down a rat hole. This one percent is digging waterholes to provide clean water, like I saw with Bill Frist in Uganda. That is what we are asking for. (Applause.)

One percent is a new partnership with Africa, not paternalism towards Africa, where increased assistance flows toward improved governance and initiatives with proven track records and away from the boondoggles and white elephants that we have seen before.

America gives less than one percent now. We are asking for an extra one percent to change the world, to transform millions of lives—and I say this to the military men now not just transform hundreds of thousands of communities, indeed millions, but transform the way they see us, which might be smart in these dangerous times. One percent is national security. One percent is enlightened economic self-interest, and a better, safer world rolled into one. Sounds to me that in this town of deals and compromises, one percent is the best bargain around.

Thank you very much. (Applause.)

Senator Pryor: Thank you.

You may know, friends, that the National Prayer Breakfast came into being as a way to support and encourage the president and his family. Back in the 1950s, newly elected Dwight Eisenhower declared to a close friend in the Senate, "I live in the loneliest house in the world." President Eisenhower was invited to be part of a small, private Senate breakfast group which is still meeting today. At some point one of the people in that group declared, "It sure would be an encouragement to the nation to know we are meeting like this." And so the first National Prayer Breakfast was held. The model of leaders meeting in private to share their lives, their testimony, and to pray has spread, and this is spreading to scores of nations around the world.

This morning we are honored to have our first couple with us. Mrs. Bush, we want to express the comfort and reassurance we have felt from your loving personality. Thank you. (Applause.)

And now, Mr. President, we want you to know that we all pray for you. The awesome

burdens you carry are beyond anything any of us can even imagine. We thank you for being a man of real faith and of prayer. It is evident that this is a deep, personal faith. And I want to thank you for encouraging people of faith to take a larger role in our society. I remember the story of the people coming around Moses, to hold up his arms as he led the people. We have come here today to do that for you.

Ladies and gentlemen, it is my honor to introduce the President of the United States.

President George W. Bush: Thank you all. (Applause.)

Thanks for the warm welcome. Laura and I are delighted to be here. This lovely personality said this morning: keep your remarks short. (Laughter.)

I appreciate this prayer breakfast a lot, and I appreciate the spirit in which it was formed. Ike said he was living in the loneliest house in America—but what he forgot to say is: the rent is pretty good. (Laughter.)

It is great to be here with distinguished guests from all around the world. Your Majesty and Prime Ministers and former Prime Ministers, friends with whom I have the honor to work, you are welcome here. I appreciate the fact that people from different walks of life, different faiths have joined us. Yet I believe we share one thing in common: We are united in our dedication to peace and tolerance and humility before the Almighty. (Applause.)

I want to thank Senators Pryor and Coleman for putting on this breakfast. I appreciate Senator Frist, Representative Blunt, Representative Pelosi, other members of the United States Congress who have joined us on the dais and who are here for this breakfast. I thank the members of my Cabinet who are here. Get back to work. (Laughter.)

I find it interesting that the music is from Arkansas. (Laughter.) I am glad it is, because they know how to sing down there. (Laughter.)

I was trying to figure out what to say about Bono, and a story jumped to mind about this really good Texas preacher. And he got going in a sermon and a fellow jumped up in the back and said, "Use me, Lord, use me." The preacher ignored him and finished his sermon. The next Sunday, the preacher gets up and is cranking on another sermon when the guy jumps up again and says, "Use me, Lord, use me." After the service, the preacher walked up to him and said, "If you're serious, I'd like for you to paint the pews." Next Sunday, he's preaching, the guy stands up and says, "Use me, Lord, use me, but only in an advisory capacity." (Laughter.)

So I have gotten to know Bono. (Laughter.) He is a doer. The thing about this good citizen of the world is that he has used his position to get things done. You are an amazing guy, Bono. God bless you. (Applause.)

It is fitting we have a National Prayer Breakfast, because our nation is a nation of prayer. In America, we do not prescribe any prayer. We welcome all prayer. We are a nation founded by men and women who came to these shores seeking to worship the Almighty freely. From these prayerful beginnings God has greatly blessed the American people, and through our prayers we give thanks to the true source of our blessings.

Americans remain a prayerful people today. I know this firsthand. I cannot tell you the number of times while traveling out there in our country, people walk up, total strangers, and say, Mr. President, I am praying for you and your family. It is one of the great blessings of the presidency, and one of the most wonderful gifts a person can give any of us who have the responsibility to govern justly. So I thank my fellow citizens for their gracious prayers and wonderful gifts.

Every day, millions of Americans pray for the safety of our troops, for the protection of innocent life, and for the peace we all hope for. Americans continue to pray for the recovery of the wounded, and to pray for the Almighty's comfort on those who have lost a loved one. We give thanks daily for the brave and decent men and women who wear our nation's uniform, and we thank their families as well.

In this country we recognize prayer is a gift from God to every human being. It is a gift that allows us to come before our Maker with heartfelt requests and our deepest hopes. Prayer reminds us of our place in God's creation. It reminds us that when we bow our heads or fall to our knees, we are all equal and precious in the eyes of the Almighty.

In prayer, we are reminded that we are never alone in our personal trials or individual suffering. In prayer, we offer our thanksgiving and praise, recognizing our lives, our talents and all that we own ultimately flow from the Creator. And in these moments of our deepest gratitude, the Almighty reminds us that for those to whom much has been given, much is required.

In prayer, we open ourselves to God's priority, especially His charge to feed the hungry, to reach out to the poor, to bring aid to the widow or the orphan. By surrendering our will to God's will, we learn to serve His eternal purposes. Through prayer, our faith is strengthened, our hearts are humbled and our lives are transformed. Prayer encourages us to go out into the world and serve.

In our country we recognize our fellow citizens are free to profess any faith they choose, or no faith at all. You are equally American if you are a Jew or a Christian or Muslim. You are equally American if you choose not to have faith. It is important America never forget the great freedom to worship as you so choose. (Applause.)

What I have found in our country, that whatever our faith, millions of Americans answer the universal call to love your neighbor just like you would like to be loved yourself. Over the past five years we have been inspired by the ways that millions of Americans have answered that call. In the face of terrorist attacks and devastating natural disasters here and around the world, the American people have shown their faith in action again and again. After Katrina, volunteers from churches and mosques and synagogues and other faith-based and community groups opened up their hearts and their homes to the displaced. We saw an outpouring of compassion after the earthquake in Pakistan and the tsunami that devastated entire communities. We live up to God's calling when we provide help for HIV/AIDS victims on the continent of Africa and around the world. In millions of acts of kindness, we have seen the good heart of America.

The true strength of this country is not in our military might or in the size of our wallet, it is in the hearts and souls of the American people. (Applause.)

I was struck by the comment of a fellow who was rescued from the Gulf Coast and given shelter. He said, "I didn't think there was so much love in the world."

This morning we come together to recognize the source of that great love. We come together before the Almighty in prayer, to reflect on God's will, to seek His aid, and to respond to His grace.

I want to thank you for the fine tradition you continue here today. I pray that our nation will always have the humility to commend our cares to Providence and trust in the goodness of His plans.

May God bless you all. (Applause.)

Senator Coleman: Thank you, Mr. President. Senator Pryor said that we all pray for

you and we want to reiterate that. We know that prayer changes people and prayer changes history, and we send you and the First Lady off with our love and gratitude for spending time with us this morning. We promise to pray like all depends on our prayers. God bless the President and his wife.

We are now going to have a concluding song.

(Song.) ["Waiting in the Wings."] (Applause.)

Senator Coleman: Ladies and gentlemen, Point of Grace.

Senator Pryor: It has been a great morning, hasn't it? (Applause.)

One of the highlights of the year of preparation for this prayer breakfast was for Norm and me to place a phone call to Dr. Billy Graham. And, as most of you know, he was deeply involved, and has been deeply involved, in many prayer breakfasts, especially the early ones. In years past he has been very involved in the National Prayer Breakfast and has helped us develop this model over the last 54 years.

Senator Coleman: We were asking if Dr. Graham could be with us this morning to say our closing prayer but he said that his health would not allow him to travel. But he wanted us all to greet you in the name of the Lord and he said that he would be right here with us praying. He is a national treasure, and we know his prayers have been answered today. We ask that God would sustain him and continue to give him voice to bring our nation and our world together.

And now we have a very special moment to conclude in prayer. When we began to put this breakfast together beginning almost a year ago, our prayer was that it not just be another annual event, but that it address the deepest needs of the world that are unique to this moment in time and history. In the messages we have heard from Bono and the President, we have touched the heart of the world situation today. In addition, we would like all to welcome to the podium a very distinguished guest, a courageous leader in the pursuit of peace in the Middle East, King Abdullah bin al-Hussein II of Jordan. Your Majesty, please join us up here. (Applause.)

King Abdullah bin al-Hussein II: Bismillah Ar-Rahman Ar-Rahim—In the name of God, the Compassionate, the Merciful.

My friend Bono, Senator Coleman, Senator Pryor, all of you, thank you very much for the honor to stand with you today, as a brother with people of faith, to reaffirm our common values and beliefs. The principles that we gather to recognize today are grounded in the firmest of foundations, our scriptural heritage.

For Muslims, the essence of the Koran is its opening chapter, Al-Fatiha, each of whose verses echoes the teachings of the Torah and the Gospels. The Koran begins, "In the name of God, the Infinitely Good, the All-Merciful." This reflects the famous verse of the Psalms, "We will remember the name of our Lord." The next line of the Koran, "Praise be to God, the Lord of the worlds" reminds us of the words of the Psalm, "Let every thing that has breath praise the Lord." The following line, "the Infinitely Good, the All-Merciful," reaffirms the Psalm "gracious is the Lord and righteous." Yes, our God is merciful. The Koran then confirms that God is master of the day of judgment, as does the Good Book: "He has prepared his throne for judgment. He shall judge the world in righteousness."

The last three lines of the Fatiha are supplication. "Thee we worship and Thee we ask for help. Guide us upon the straight path, the path of those on whom is Thy grace, not those upon whom is anger nor those who are astray." This recalls the final words that Jesus—may peace and blessings be upon

him—taught us in the Lord's Prayer: "And lead us not into temptation, but deliver us from evil, for Thine is the kingdom, the power, and the glory forever and ever. Amen."

I now ask you all to join in a special prayer for the Middle East, that not one more generation will grow up knowing conflict and injustice, nor suffer from poverty or oppression; that not one more family will lose a loved one to war and bitterness; and that together, Muslim, Jew and Christian, we can create a new future for the Holy Land, a future of hope, a future of promise, a future of peace.

Let us remember the words of Amos, the words that Dr. Martin Luther King urged for all peoples and all time: "Let justice roll down like waters, and righteousness like a mighty stream." Thank you very much. (Applause.)

Senator Pryor: Let us pray. Lord, we are grateful for your presence among us. You made us and you love us, so to be in your presence is what our lives are all about. We stand as people from all walks of life, many backgrounds and traditions, as a circle of friends. We know your love waits in the wings, and we ask you to bring it onto the world stage. We grieve for our fellow human beings who suffer the pain and hardship and bereavement of war and disease. We pray especially for the children. May they somehow escape the destruction, the mental scars that would lead them to want to make war in their own adulthood. Lord, as your servant the King has asked, we pray for the peace of the Middle East. We pray that you would restrain the forces of evil, and raise up and propel forward the leaders of peace.

Senator Coleman: Lord, we pray for the people of Africa. We pray that we would each individually in our roles as leaders allow our hearts to be broken by the things that break the heart of the Lord. May we join together in medical solutions and financial solutions and economic solutions which rescue that continent from the problems that it has. We thank you for the joy and faith of the African people. May their example of grace in the face of suffering inspire us all. And Lord, that which we pray for, give us the strength to work for. And together may we say the ancient benediction from the Torah: The Lord bless you and keep you.

Senator Pryor: The Lord make his face shine upon you and be gracious to you.

Senators Coleman and Pryor: The Lord turn his face toward you and give you peace. And all of God's people together said: Amen.

Senator Coleman: Thank you all for coming and go in peace. (Applause.)

## ADDITIONAL STATEMENTS

### RETIREMENT OF JEROLD L. HARRIS

● Mr. BROWNBACK. Mr. President, today I wish to publicly recognize Jerold L. Harris, president and CEO of U.S. AgBank, FCB, in Wichita, KS. Jerold will retire in January 2007 following a 43-year career in the Farm Credit System.

Jerold is a native of South Dakota, growing up near Denby. He attended high school in Gordon, NE, just across the State line. After receiving a bachelor's degree in agricultural business from Colorado State University in 1963, he went to work for the Farm Credit System, where he has served agriculture and rural America ever since.

Throughout his distinguished career, Jerold has demonstrated a positive leadership style based on cooperation, mutual respect, and trust. His focus has always been on working toward solutions that serve all of agriculture. He exemplifies a statement he often quotes, "There is no limit to progress when people work together." Jerold has certainly demonstrated this throughout his career.

One particular achievement stands out during Jerold's 43 years of service. In January 2002, the Western Farm Credit Bank in Sacramento, CA, entered into a joint management agreement with the Farm Credit Bank of Wichita, KS. The board of directors named Jerold as president and chief executive officer. Under this agreement, Jerold combined the operations of these two banks while developing and implementing a merger strategy that resulted in the merger of the two banks and the formation of U.S. AgBank, FCB, effective October 1, 2003. A milestone was achieved with the unanimous approval of the merger by all voting stockholders. Following the merger, Jerold quickly leveraged the operational and financial strengths of the previous organizations and achieved the cost savings anticipated in the joint management agreement and merger. He focused the new organization on supporting associations in their objective of service to farmers and ranchers. He capitalized on the synergies created by the merger, increasing patronage and lowering costs to associations affiliated with U.S. AgBank. Significant credit goes to Jerold for establishing a culture within the new district that is based on trust and mutual respect between the bank and associations. Today, U.S. AgBank covers all or parts of 11 States and has total assets of almost \$20 billion.

While leading U.S. AgBank, or one of its predecessor institutions, Jerold implemented utilization of continuous improvement strategies that resulted in streamlined Bank operations, improved effectiveness of services provided to associations, and reduced costs. He improved competitive pricing and established effective asset/liability management, new loan products, sophisticated profitability measurement, and cost accounting systems. A correspondent lending function, focused on the purchase of large loan participations, was developed under his leadership. He also led the formation of AgVantis, Inc., a technology service provider for Farm Credit System institutions. Direct lender agricultural credit associations and Federal land credit associations were formed and patronage programs that resulted in payment of significant amounts of patronage to Associations were implemented on his watch.

There is an old saying that a true warrior must be tested under fire. Many of you will remember the 1980s as a very difficult time for agriculture. From 1986 thru 1990, Jerold was the

chief executive officer of the jointly managed Ninth District Federal Land Bank Association and Ninth District Production Credit Association. These entities were formed from the merger of 40 farm credit associations during that difficult agricultural lending climate. Jerold was successful in establishing an effective management structure for the new associations and achieved financial stability by significantly reducing risk and nonearning assets and focusing the organization on customer service. As agricultural conditions improved, Jerold developed and implemented a reorganization plan for the two associations, resulting in the establishment of six new production credit associations and eight new Federal land bank associations. While the 1980s may not be remembered by many in agriculture as a time of great reward, Jerold demonstrated the same ability to work with people and achieve great things in the difficult times, as he did when agriculture was more prosperous.

During his career, Jerold held numerous leadership positions of progressively increasing responsibility and impact in the Farm Credit System. Jerold has served as a loan officer, an appraiser, a recruiter and a trainer, a supervisor and a manager, a leader and a follower, but always with the same dedication and sense of purpose. He mentored a long list of people who continue to serve Farm Credit and agriculture today, many of whom are in senior positions all around the Farm Credit System.

But Jerold's service was not only on the local or district level, he also served on numerous national or system-wide boards and leadership groups. Jerold served 15 years as a member of the Farm Credit System Presidents Planning Committee, during 3 of which he served as chairman. Jerold also served 11 years on the board of directors of the Federal Farm Credit Banks Funding Corporation, with 3 of those years as chairman. He also serves on the board of directors of the National Council of Farmer Cooperatives, NCFC, and is a member of the NCFC Executive Council.

Jerold is a familiar face here in Washington, DC. He has represented the Farm Credit System by testifying before the Senate and House Agriculture Committees of the U.S. Congress on numerous occasions. Jerold has always believed in honoring one's responsibilities locally but has also shown that it is possible to support initiatives that will provide benefits for the "greater good" of agriculture as well as those system borrowers and owners he served. His honesty and integrity, keen intelligence, and an understanding of people has earned him the respect of his peers, workers, the boards he has served, and the farmers and ranchers he has represented and served.

Jerold's tireless efforts to improve agriculture and rural America will be

truly missed. His countless contributions and leadership, including his steady voice of reason, helped ensure access to credit for both those who were and many who were not Farm Credit System borrowers. His accomplishments speak volumes about his dedication to agriculture and the people who work in agriculture.

Jerold and his wife Janet are looking forward to his retirement as an opportunity to see old friends, travel to new places, and do a little fishing. It is a great pleasure for me to share his impressive record of service with my colleagues in the Senate, and I hope this U.S. Senate record will stand as an inspiration to others.●

#### TRIBUTE TO ROBERTA TILL-RETZ

● Mr. HARKIN. Mr. President, today, I wish to pay tribute to a very special Iowan, Roberta Till-Retz, who is retiring this month after more than two and a half decades as a scholar and leader at the University of Iowa Labor Center.

Dr. Martin Luther King, Jr. said that "the arc of history is long, but it bends toward justice." I would add, however, that it doesn't bend all by itself. It does so because of the dedication, passion, and tireless strivings of people like Roberta Till-Retz.

In addition to her work as an instructor at the University of Iowa Labor Center, Roberta has worn many other hats. She has been a prolific author, a respected scholar, an enormously popular teacher, a mentor to up-and-coming union activists, and a valued consultant to the labor community, not just in Iowa but nationally.

One key to Roberta's success is that she is both a student of organized labor and also a deeply experienced veteran of the labor movement. Over the years, she has served as executive director of the Iowa Federation of Labor's Iowa Labor History Oral Project, as vice president of the United Association for Labor Education, and as book review editor for the *Labor Studies Journal*.

Here in Washington, we are daily witness to the persuasion of power. By contrast, Roberta's trademark is the power of persuasion, the passion of her advocacy. She is deeply committed to social and economic justice, and that is what drives her dedication to unions and collective bargaining. The lesson she has taught to thousands of students down through the years is that it was organized labor that fought for and won the minimum wage, the 40-hour workweek, safe workplace standards, workman's compensation, decent pensions, and health insurance. And out of those victories emerged the great middle class in this country.

So I salute Roberta Till-Retz for a job brilliantly done. As long as I have known her, she has always had a tank full of enthusiasm and a heart full of dreams, so I am sure that she will continue to contribute powerfully to the family of organized labor in Iowa and nationally.

Our beloved late colleague, Senator Paul Wellstone, said that "the future belongs to those with passion." By that standard, Roberta has a very bright future. And I wish her the very best.●

#### TRIBUTE TO EAGLE SCOUT STEPHEN CRAYNER

● Mr. LUGAR. Mr. President, today I congratulate a remarkable young Hoosier and fellow Eagle Scout, Stephen Crayner.

Since becoming an Eagle Scout on April 22, 2004, an extraordinary achievement in itself, Stephen has continued to work diligently to improve himself and his community, eventually earning all 121 merit badges offered by the Boy Scouts. This dedication has earned him the distinguished rank of Eagle Scout with Three Silver Palms.

During my time in the Scouting program, I learned many important lessons about leadership, organization, and community spirit. For the troop to be a successful unit, each member must learn to take initiative and offer ideas and energy. He must also develop the ability to work in a team environment, and therefore accept the challenge of compromise and negotiation. Finally, the activities and the efforts of the Scouting program reflect a commitment to community involvement. Stephen's mastery of these lessons will serve him well in the years ahead.

I also appreciate this opportunity to congratulate the members of Stephen's family who have played such a large role in his many accomplishments. Stephen's father David served as Scoutmaster, and his mother Libby has volunteered extensively to support the troop. It is telling that Stephen's two older brothers, William and Benjamin, have also earned their Eagle.

I am hopeful that each of you will join me in congratulating Stephen for all of his remarkable accomplishments and in wishing him continuing success as he pursues new and exciting challenges.●

#### IN HONOR OF MR. STAN MINKINOW

● Mr. SESSIONS. Mr. President, today I wish to pay tribute to Mr. Stan Minkinow of Huntsville, AL. Mr. Minkinow is an American patriot whose life epitomizes the American dream. He immigrated to this country under the Lodge Act, which provided a pathway for eastern European refugees to earn American citizenship through honorable service in the U.S. military. Today we see the result of that legislation in Mr. Minkinow and his lifetime of service to this Nation and a family legacy of selfless service.

Mr. Minkinow was born in Lodz, Poland, in 1932. Mr. Minkinow and his family hid from the Gestapo until betrayed and forced to the Warsaw Ghetto. Mr. Minkinow and his parents survived the severe deprivations of ghetto life and accomplished a daring escape. The family survived the war, only to

confront postwar life under the harsh control of a Soviet-controlled authoritarian regime.

Mr. Minkinow's journey to U.S. citizenship began in a German village in 1951 where he saw a U.S. Army recruiting film at a train station. Ready for adventure, he enlisted in the U.S. Army, where he became a member of the elite, newly created Special Forces training at Fort Bragg, NC. After marrying Doris, a local girl, the Army sent Sergeant Minkinow back to Germany where he became an American Cold Warrior serving on the frontlines. He served with the 10th Special Forces Group in Bad Tolz from 1955 to 1958.

Ambition and achievement are hallmarks of so many of our immigrant population and Mr. Minkinow is no exception. He completed Officer Candidate School and was commissioned as a second lieutenant in the Infantry. After a tour in Korea, he completed Army flight school at Fort Rucker, AL, and became an Army aviator. Mr. Minkinow settled his family in Enterprise, AL, while he twice fought for his country in Vietnam. Cited by the Army for valor in combat and service, Mr. Minkinow possesses numerous medals, including the Distinguished Flying Cross, Bronze Star, and the Air Medal.

After completing a distinguished 27-year Army career, Mr. Minkinow retired to Huntsville, AL, where he has become a prominent local businessman known for his generosity for local causes and charities. Mr. Minkinow frequently shares his Holocaust experiences with children at local schools, and gave a presentation on his childhood wartime experiences to a class at the National Defense University in Washington, DC.

Stan and Doris have three adult children in whom they instilled a profound pride of citizenship and an urgent calling to serve the Nation. All three children have served in the Armed Forces. Their oldest daughter and her husband together served for over 28 years in the Army. Their son is a graduate of the Air Force Academy and retired as a lieutenant colonel from the Alabama Air National Guard. Their youngest daughter and her husband will soon retire from the Army as colonels in the Judge Advocate General's Corps with a combined service of 46 years.

I applaud Mr. Minkinow and his fellow veterans for their steadfast devotion to this Nation and his many years of service. From a child, wide-eyed with fright in the streets of Nazi ghettos, to his brave escape from the Soviet fist and subsequent faithful service as a soldier and later as a businessman, Mr. Minkinow epitomizes how this great country is made even greater by such talented immigrants. We are a stronger country today because of men like Stan and the contributions of his family. I am pleased, to bring this example of Alabama patriotism to the Nation's attention as we continue to celebrate those who have served, our veterans, who have assured our freedom and prosperity.●

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

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

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

#### MESSAGES FROM THE HOUSE

At 2:18 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S.435. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

S. 1131. An act to authorize the exchange of certain Federal land within the State of Idaho, and for other purposes.

S. 1140. An act to designate the State Route 1 Bridge in the State of Delaware as the "Senator William V. Roth, Jr. Bridge".

S. 3880. An act to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 409) to provide for the exchange of land within the Sierra National Forest, California, and for other purposes.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 1129) to authorize the exchange of certain land in the State of Colorado.

#### ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

S. 2464. An act to revise a provision relating to a repayment obligation of the Fort McDowell Yavapai Nation under the Fort McDowell Indian Community Water Rights Settlement Act of 1990, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. STEVENS).

At 5:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6121. An act to amend the Federal Water Pollution Control Act to reauthorize a program relating to the Lake Pontchartrain Basin, and for other purposes.

The message further announced that the House has passed the following bill, without amendment:

S.819. An act to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 3085) to amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with that trail, and for other purposes.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

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

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 6121. An act to amend the Federal Water Pollution Control Act to reauthorize a program relating to the Lake Pontchartrain Basin, and for other purposes.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 4051. A bill to provide sufficient resources to permit electronic surveillance of United States persons for foreign intelligence purposes to be conducted pursuant to individualized court-based orders for calls originating in the United States, to provide additional resources to enhance oversight and streamline the procedures of the Foreign Intelligence Surveillance Act of 1978, to ensure review of the Terrorist Surveillance Program by the United States Supreme Court, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-9011. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Agency's actions between April 1, 2006 and September 30, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9012. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-508, "July Local Supplemental Other Type Appropriations Approval Temporary Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9013. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-507, "Neighborhood Investment Amendment Temporary Act of 2006" received on November 6, 2006; to the Committee on

Homeland Security and Governmental Affairs.

EC-9014. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-506, "Deed Transfer and Recordation Clarification Temporary Amendment Act of 2006" received on November 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9015. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-505, "Uniform Disclaimers of Property Interests Revision Act of 2006" received on November 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9016. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-504, "Domestic Violence Amendment Act of 2006" received on November 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9017. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-503, "District of Columbia Poverty Lawyer Loan Assistance Repayment Program Act of 2006" received on November 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9018. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-493, "Health Insurance Coverage for Habilitative Services for Children Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9019. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-492, "Library Procurement Amendment Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9020. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-523, "Digital Inclusion Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9021. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-509, "Anti-Tagging and Anti-Vandalism Amendment Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9022. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-502, "Crispus Attucks Park Indemnification Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9023. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-496, "Square 2910 Residential Development Stimulus Temporary Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9024. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-495, "Wisconsin Avenue Bridge Project and Noise Control Temporary Amendment Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9025. A communication from the Chairman, Council of the District of Columbia,

transmitting, pursuant to law, a report on D.C. Act 16-494, "Separation Pay, Term of Office and Voluntary Retirement Modifications for Chief of Police Charles H. Ramsey Amendment Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9026. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Inspector General's semiannual report for the period April 1, 2006 to September 30, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9027. A communication from the Special Inspector General for Iraq Reconstruction, transmitting, pursuant to law, the October 2006 Quarterly Report; to the Committee on Homeland Security and Governmental Affairs.

EC-9028. A communication from the Secretary, United States Commission of Fine Arts, transmitting, pursuant to law, a report relative to the Commission's strategic plan for the period 2006 to 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-9029. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Absence and Leave; SES Annual Leave" (RIN3206-AK72) received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9030. A communication from the Executive Director, Office of Navajo and Hopi Indian Relocation, transmitting, pursuant to law, a report relative to the findings of the Office's tenth financial audit; to the Committee on Homeland Security and Governmental Affairs.

EC-9031. A communication from the General Counsel, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the report of a rule entitled "Regulations Implementing the Freedom of Information Act" (29 CFR Part 2201) received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9032. A communication from the Secretary, Postal Rate Commission, transmitting, pursuant to law, the report of a vacancy in the position of Commissioner (Chairman), received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9033. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, its report for Fiscal Year 2005 on Veterans employment in the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

EC-9034. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, a report relative to corrections that need to be made in previously submitted documents; to the Committee on the Judiciary.

EC-9035. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of Embutramide into Schedule III" (Docket No. DEA-269F) received on November 6, 2006; to the Committee on the Judiciary.

EC-9036. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Illinois State Advisory Committee; to the Committee on the Judiciary.

EC-9037. A communication from the Administrator, United States Small Business Administration, transmitting, pursuant to

law, the three-year update of the Administration's Strategic Plan; to the Committee on Small Business and Entrepreneurship.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-430. A resolution adopted by the Senate of Pennsylvania relative to the Federal Aviation Administration's proposed air traffic diversion plan; to the Committee on Commerce, Science, and Transportation.

#### SENATE RESOLUTION

Whereas, the Senate of the Commonwealth of Pennsylvania recognizes the Federal Aviation Administration's plan to divert substantial air traffic from the Philadelphia International Airport over Delaware County, Pennsylvania; and

Whereas, Philadelphia International Airport air traffic presently travels over the Delaware River, with minimal impact on air pollution and noise pollution and minimal danger of catastrophic aircraft disaster to residents of Delaware County communities; and

Whereas, Delaware County comprises 49 municipalities and has an approximate population of 550,000 people; and

Whereas, Delaware County is the fourth most populous county in the Commonwealth of Pennsylvania; and

Whereas, diverting Philadelphia International Airport air traffic over Delaware County potentially increases air and noise pollution by 925% in residential areas, subjects residents to the danger of falling debris as a result of an aircraft disaster and threatens hundreds of wildlife species inhabiting the John Heinz National Wildlife Refuge; and

Whereas, over 4,000 residents of Delaware County have signed petitions objecting to the Federal Aviation Administration's plan to divert air traffic over their homes and schools; and

Whereas, the Federal Aviation Administration has not fully provided residents and government officials an opportunity to offer meaningful comment or input on its plan to change flight patterns over Delaware County; Now, therefore, be it

*Resolved*, That the Senate of the Commonwealth of Pennsylvania call on the Federal Aviation Administration to conduct at least three public hearings throughout Delaware County to properly inform residents and government officials of the Federal Aviation Administration's proposed air traffic diversion plan, to explore the health, safety and impact on quality of life by diverting air traffic over a densely populated residential area, to afford residents and government officials an opportunity to provide meaningful comment on the plan and to obtain additional input on the environmental impact of its flight diversion plan; and be it further

*Resolved*, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania and to the Federal Aviation Administration's Eastern Region Air Traffic Division, 1 Aviation Plaza, Jamaica, NY 11434-4809.

POM-431. A concurrent resolution adopted by the Pennsylvania House of Representatives relative to the Federal Aviation Administration's proposed air traffic diversion plan; to the Committee on Commerce, Science, and Transportation.

#### HOUSE RESOLUTION NO. 836

Whereas, the House of Representatives of the Commonwealth of Pennsylvania recog-

nizes the Federal Aviation Administration's plan to divert substantial air traffic from the Philadelphia International Airport over Delaware County, Pennsylvania; and

Whereas, Philadelphia International Airport air traffic presently travels over the Delaware River, with minimal impact on air pollution and noise pollution and minimal danger of catastrophic aircraft disaster to residents of Delaware County communities; and

Whereas, Delaware County comprises 49 municipalities and has an approximate population of 550,000 people; and

Whereas, Delaware County is the fourth most populous county in the Commonwealth of Pennsylvania; and

Whereas, diverting Philadelphia International Airport air traffic over Delaware County potentially increases air and noise pollution by 925% in residential areas, subjects residents to the danger of falling debris as a result of an aircraft disaster and threatens hundreds of wildlife species inhabiting the John Heinz National Wildlife Refuge; and

Whereas, over 4,000 residents of Delaware County have signed petitions objecting to the Federal Aviation Administration's plan to divert air traffic over their homes and schools; and

Whereas, the Federal Aviation Administration has not fully provided residents and government officials an opportunity to offer meaningful comment or input on its plan to change flight patterns over Delaware County; therefore, Now, be it

*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania call on the Federal Aviation Administration to conduct at least three public hearings throughout Delaware County to properly inform residents and government officials of the Federal Aviation Administration's proposed air traffic diversion plan, to explore the health, safety and impact on quality of life by diverting air traffic over a densely populated residential area, to afford residents and government officials an opportunity to provide meaningful comment on the plan and to obtain additional input on the environmental impact of its flight diversion plan; and be it further

*Resolved*, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania and to the Federal Aviation Administration's Eastern Region Air Traffic Division, 1 Aviation Plaza, Jamaica, NY 11434-4809.

POM-432. A joint resolution adopted by the California Legislature relative to amending the Federal Railroad Safety Act; to the Committee on Commerce, Science, and Transportation.

#### SENATE JOINT RESOLUTION NO. 13

Whereas, the transportation of freight and passengers by railroad has been an integral part of California's economic infrastructure for nearly 150 years, and remains central to a vibrant economy that Californians hope to continue to enjoy in the 21st century; and

Whereas, the regulation of railroad operations is a major objective of California government in order to ensure and promote the health and safety of California's communities and its residents; and

Whereas, there has been a significant increase in the past 10 years in the number of derailments and accidents on California railways, resulting in injuries, death, and damage within communities where railways exist, and leading to growing attention and concern throughout the country; and

Whereas, the Federal Railroad Safety Act was intended to promote safety in every area of railroad operations and reduce railroad-re-

lated accidents and incidents, and has sharply restricted the authority of California and the other states to address rail safety issues, through a broad preemption of state laws; and

Whereas, the Federal Railroad Safety Act nevertheless was intended to provide for cooperative state and federal activity to prevent accidents and reduce their severity when they do occur, including allowing states to act where federal officials have not, providing concurrent state safety jurisdiction over railroads at essentially local safety hazards within states, and authorizing delegations of authority to state officials by the Federal Railway Administration; and

Whereas, Federal courts have consistently failed to find local safety hazards that would permit California to effectively regulate railway safety so as to anticipate and prevent accidents; and

Whereas, the Federal Railroad Administration has failed to institute the necessary rulemakings to develop safety regulations that fully protect California's communities and their residents from railroad derailments, hazardous materials spills, and highway-rail crossing accidents that result in injuries, death, and damage within communities where railways exist; and where the Federal Railroad Administration has exercised jurisdiction, it has precluded states from providing the public with greater safety protections and from reducing the number and severity of railroad derailments, hazardous materials spills, and highway-rail crossing accidents within their jurisdictions; and

Whereas, the Federal government has failed to develop comprehensive plans to protect the public health and safety and to effectively fund railway safety programs; and

Whereas, California has a history of working with the Federal Railroad Administration in coordinating inspections, and has established and funded extensive railway safety programs; and

Whereas, there now exists a clear need to amend federal law in order to empower California officials to protect the public health and safety and to continue to build on the cooperation between California and federal rail safety officials; Now, therefore, be it

*Resolved*, by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California urges the President and the Congress of the United States to amend the Federal Railroad Safety Act to increase the authority of state and local governments to enact railroad safety regulations providing greater protection for their residents from railroad derailments, hazardous materials spills, and highway-rail crossing accidents, so long as the state enactments, rules, or regulations do not conflict with federal law and do not impose an unreasonable burden on interstate commerce; and be it further

*Resolved*, That the Federal Railroad Administration is urged to work cooperatively with California and the railroad corporations by increasing its staff and funding, and by delegating additional authority to California officials to promulgate and enforce standards relating to railway track, operations, and equipment that will prevent and reduce the severity of accidents, derailments, and hazardous materials spills; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, and to each Senator and Representative from California in the Congress of the United States.

POM-433. A concurrent resolution adopted by the Pennsylvania House of Representatives relative to urging the Pennsylvania



Congressional Delegation to support legislation calling for Federal approval of the extension of the Lewis and Clark National Historic Trail; to the Committee on Energy and Natural Resources.

#### HOUSE RESOLUTION NO. 676

Whereas, the Lewis and Clark Expedition was conceptualized by President Thomas Jefferson, who appointed his personal secretary, Meriwether Lewis, to lead the expedition; and

Whereas, Meriwether Lewis spent the early months of 1803 in southeastern Pennsylvania, where he trained with the official Surveyor of the United States, Andrew Ellicott, in Lancaster County and received instruction in celestial navigation; was tutored in botany by Benjamin Smith Barton, professor of natural history and botany at the University of Pennsylvania in Philadelphia; gained knowledge of latitude and longitude, botany and fossils from University of Pennsylvania's vice-provost and professor of mathematics and natural philosophy, Robert Patterson; received advice on health standards to maintain on the trail, diet and internal cleansing from Dr. Benjamin Rush, professor at the University of Pennsylvania's Institute of Medicine and Clinical Practice; and studied paleontology and anatomy with Caspar Wistar, another noted Philadelphian; and

Whereas, Meriwether Lewis purchased more than 3,500 pounds of equipment and merchandise from 28 Philadelphia merchants and artisan manufacturers providing life necessities for the 28-month venture, including portable shelter, clothing, illumination, Indian trading goods, weapons, powder and ball, health maintenance items, emergency food, navigational and cartographic instruments, construction tools and packing boxes, and all was loaded in a Conestoga wagon along with supplies requisitioned at the United States Arsenal, also known as Schuylkill Arsenal, for shipment to Pittsburgh; and

Whereas, renowned Philadelphia clock and gun maker Isaiah Lukens provided Meriwether Lewis with a compressed air rifle he made which became a showpiece of the expedition: the stock of the pneumatic rifle served as an air reservoir to shoot its .31 caliber bullet, producing no smoke and little noise and using no black powder, an astounding innovation during an era when "keep your powder dry" was a hallmark admonition to outdoorsmen; and

Whereas, after obtaining more equipment, including his iron frame boat, from the United States Army Arsenal in Harpers Ferry, Virginia, and hiring a wagon and horses in Fredericktown, Maryland, Meriwether Lewis traveled with his second wagon through Uniontown, Pennsylvania, and finally reached Redstone Old Fort (now Brownsville, Fayette County); and

Whereas, Meriwether Lewis arrived in Pittsburgh on July 15, 1803, where he received a letter from President Thomas Jefferson informing him that the United States had acquired the Louisiana Purchase from France; and

Whereas, on August 31, 1803, Meriwether Lewis departed Pittsburgh at 10 a.m. in a pirogue and a 55-foot masted keelboat built either by Captain John Walker at the Bayard's boat yard in Elizabeth, or by Eliphalet Beebe at a boatyard operated by John Tarascon and James Berthoud on land owned by William Greenough, near what is now the north end of the Liberty Bridge in Pittsburgh; and

Whereas, after launching the crafts with a party of 11 men, Meriwether Lewis traveled three miles down the Ohio River to Brunot Island where he demonstrated his air rifle, and then proceeded downriver to McKees Rock, where the water had fallen so low that

the crew was forced to raise the boat for 30 yards; and

Whereas, Meriwether Lewis and his party continued downriver until the pirogue began to leak, forcing him to purchase a canoe at Georgetown, Beaver County, before continuing to Wheeling, West Virginia, where supplies from Pittsburgh were loaded; and

Whereas, on October 15, 1803, Meriwether Lewis and William Clark met in Louisville, Kentucky, and continued their expedition west with their Corps of Discovery on a quest to find and map a transcontinental water route to the Pacific Ocean; and

Whereas, the expedition reached the Pacific Ocean in November 1805 and built Fort Clatsop on the south side of the Columbia River in Oregon; and

Whereas, Meriwether Lewis returned in April 1807 to Philadelphia where he commissioned John James Barralet to paint a likeness of the Great Falls of the Missouri; arranged for noted horticulturist William Hamilton to propagate seeds gathered in the West at the renowned greenhouses adjacent to Hamilton's residence, The Woodlands; sat for a portrait painted by Charles Willson Peale; worked with preeminent ornithologist Alexander Wilson, who arranged the painting of four birds the Corps of Discovery found in the West—Lewis's woodpecker, Clark's nutcracker, the western tanager and the black-billed magpie; and

Whereas, the expedition led by Meriwether Lewis and William Clark "from sea to shining sea" mapped a western route and resulted in the discovery of hundreds of species new to science and collection of natural history specimens; and

Whereas, the Academy of Natural Sciences in Philadelphia houses 226 of these original plant specimens, still mounted on the original sheets of linen paper and labeled in the handwriting of Meriwether Lewis; and

Whereas, a journal kept by Meriwether Lewis during the expedition, contained in 18 small notebooks, was edited by Philadelphia literary figure Nicholas Biddle, with the final revision completed by Paul Allen before its publication by the Philadelphia firm of Bradford and Inskeep in 1814 as "History of the Expedition under the Command of Captains Lewis and Clark to the Sources of the Missouri, Thence Across the Rocky Mountains and Down the River Columbia to the Pacific Ocean"; original journals of Meriwether Lewis and William Clark are held by the American Philosophical Society Library in Philadelphia; and

Whereas, while the Lewis and Clark National Historic Trail currently begins at Camp River Dubois near Hartford, Illinois, and continues through 11 states, ending in Oregon, the significant representation of the Commonwealth of Pennsylvania and many Pennsylvanians in the planning and preparations which launched the Lewis and Clark search for the Gateway to the West and in the expansion of knowledge from the expedition which is recognized as a foundation of our American heritage is not included in the Lewis and Clark National Historic Trail; and

Whereas, the General Assembly of the Commonwealth of Pennsylvania joins the Lewis and Clark Trail Heritage Foundation in supporting the recognition of a continuous Lewis and Clark National Historic Trail which would include nine additional eastern states of Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Kentucky, Indiana and Tennessee and the District of Columbia and would complete the story of the expedition and expose a broader base of Americans to the educational and cultural aspects of the expedition; Now, therefore be, it

*Resolved, (the Senate concurring),* That the General Assembly of the Commonwealth of

Pennsylvania memorialize the Pennsylvania Congressional Delegation to support legislation calling for Federal approval of the extension of the Lewis and Clark National Historic Trail; and be it further

*Resolved,* That a copy of this resolution be transmitted to each member of the Pennsylvania Congressional Delegation.

POM-434. A resolution adopted by the Pennsylvania House of Representatives relative to urging the President and Congress of the United States to enact bills that would add denatonium benzoate to antifreeze containing ethylene glycol; to the Committee on Energy and Natural Resources.

#### HOUSE RESOLUTION NO. 835

Whereas, each year a number of adults intentionally ingest antifreeze to commit suicide; and

Whereas, each year a number of children are accidentally exposed to antifreeze left unattended or in open containers; and

Whereas, pets and other animals can die from ingesting antifreeze that has leaked, spilled or been left in improperly secured containers in a garage or driveway; and

Whereas, the National Safety Council, the American Medical Association and the American Association of Poison Control Centers have noted that the addition of a nontoxic bittering agent can make antifreeze so unpalatable that adults, children and animals will reject these products upon tasting them, preventing injury and death; and

Whereas, legislation, in the form of S. 1110 and H.R. 2567, has been introduced in the 109th Congress to require the inclusion of denatonium benzoate at a minimum of 30 parts per million as a bittering agent to any engine coolant or antifreeze that contains more than 10% ethylene glycol; and

Whereas, the Doris Day Animal League, the Humane Society of the United States, the American Veterinary Medical Association, the Society for Animal Protective Legislation, the Pet Food Institute, the United States Conference of Mayors, the Consumer Specialty Products Association and the retail antifreeze industry have endorsed the proposed legislation with the goal of protecting consumers and animals and

Whereas, the House of Representatives of the Commonwealth of Pennsylvania supports protecting the health and safety of adults, children and animals through the inclusion of a bittering agent in ethylene glycol-based antifreeze; Now, therefore, be it

*Resolved,* That the House of Representatives of the Commonwealth of Pennsylvania urge the President and Congress of the United States to protect adults, children and animals by enacting legislation, S. 1110 or H.R. 2567, to require the addition of denatonium benzoate to antifreeze containing ethylene glycol; and be it further

*Resolved,* That the House of Representatives urge the Pennsylvania Congressional Delegation to protect adults, children and animals by supporting enactment of this legislation; and be it further

*Resolved,* That the House of Representatives urge the President of the United States to advance this legislation to protect adults, children and animals; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-435. A joint resolution adopted by the California Legislature relative to urging the Administrator of the Environmental Protection Agency to adopt federal regulations limiting emissions from marine vessels, locomotives, and aircraft; to the Committee on Environment and Public Works.

## SENATE JOINT RESOLUTION NO. 31

Whereas, California is a global gateway for trade, with more than 40 percent of all of the goods imported to the United States entering through California's ports; and

Whereas, growth in the movement of goods through California's ports is projected to double or triple over the next 25 years; and

Whereas, toxic diesel air pollution from goods movement sources, such as marine vessels and locomotives, will increase in the face of this growth, unless more protective control actions are undertaken; and

Whereas, the International Maritime Organization (IMO), and agency of the United Nations, has established initial smog-forming NO<sub>x</sub> emissions limitations and fuel sulfur specifications for oceangoing vessels, and the United States Environmental Protection Agency (EPA) has adopted emission standards for new locomotives, new trucks, and some vessels; and

Whereas, current international and federal standards governing air pollution from port-related sources are not sufficient to support attainment of federal health-based air quality standards in areas with growing emissions from port-related sources; and

Whereas, rules adopted by the EPA and the IMO have not adequately reduced emissions from sources associated with the ports; and

Whereas, the EPA has not regulated emissions from foreign flag vessels. The vast majority of oceangoing vessels calling on local ports, over 90 percent, are foreign flagged; and

Whereas, the EPA stated that it will consider adopting emission standards for foreign flag vessels in 2007; and

Whereas, the IMO emissions and fuel standards for foreign flag vessels are particularly weak. IMO smog-forming NO<sub>x</sub> standards for new "Category 3" vessels will achieve only a 6-percent reduction in emissions. IMO fuel rules allow extraordinarily high levels of sulfur content; and

Whereas, Federal emission standards for locomotives are relatively lenient. Even the newest locomotives must only achieve a 57-percent reduction in NO<sub>x</sub> emissions. In contrast, most onroad and stationary sources are controlled to over 90 percent. EPA has stated it intends to adopt more stringent locomotive emission standards in 2006; and

Whereas, port-related sources emit substantial and growing quantities of smog-forming nitrogen oxides and other air contaminants; and

Whereas, locomotives and marine vessels emit diesel exhaust, a toxic air contaminant; and

Whereas, diesel emissions are responsible for 70 percent of the cancer risk from air toxics emissions in California; and

Whereas, the EPA has stated that diesel exhaust is likely to be carcinogenic for humans; and

Whereas, part or all of 474 counties in 32 states are classified nonattainment for either failing to meet the new eight-hour federal ozone standard or for causing a downwind county to fail to meet that standard; and

Whereas, one hundred fifty-nine million people nationwide live in areas that do not meet the new eight-hour federal ozone standard; and

Whereas, all areas of the country could benefit from the reduction in emissions of toxic air contaminants from locomotives, and many areas would benefit from reduction in those emissions from marine vessels; and

Whereas, emissions from mobile sources, including locomotives, marine vessels, and aircraft, are preventing California from achieving state and federal clean air standards; and

Whereas, the EPA has authority to adopt regulations establishing emissions standards for marine vessels, locomotives, and aircraft; and

Whereas, Federal law mandates that the state adopt rules to attain national ambient air quality standards, but limits state and local authority to adopt certain regulations establishing emissions standards for aircraft, new locomotives, and new locomotive engines; and

Whereas, Federal regulations define new locomotives and new locomotive engines to include remanufactured locomotives and engines so as to restrict state authority to adopt some regulations establishing emissions standards for these older locomotives; and

Whereas, locomotives have extremely long useful lives and older locomotives emit air contaminants at relatively high rates; and

Whereas, State and local governments seeking to control emissions from marine vessels have faced arguments by vessel operators that state and local governments lack authority to adopt laws establishing emission limits for foreign flag vessels; and

Whereas, stringent regulations in California have reduced emissions by over 90 percent from most significant stationary sources and from motor vehicles and other mobile sources under the jurisdiction of state and local authorities in California, but locomotives, marine vessels, and aircraft have been controlled far less stringently by the Federal government, and have not achieved their fair share of emission reductions needed to meet State and Federal clean air standards; and

Whereas, until locomotives, marine vessels, and aircraft are required to achieve their fair share of emission reductions, other mobile sources such as passenger cars, buses, and commercial trucks, as well as stationary sources, including large and small businesses in California will have to make up the difference; and

Whereas, the ports have developed ambitious programs and plans but, to date, they have not rolled back emissions or even arrested emissions growth. Both the Port of Los Angeles and the Port of Long Beach have developed emission control programs and plans that will help mitigate air quality impacts, but the fact remains that the ports continue to be sources of singularly large and growing quantities of diesel emissions; Now, therefore, be it

*Resolved, by the Senate and the Assembly of the State of California, jointly,* That the Legislature respectfully memorializes the Administrator of the EPA urging the administrator to adopt Federal regulations limiting emissions from marine vessels, locomotives, and aircraft in order to achieve healthful air quality in California and other areas with air quality problems; and be it further

*Resolved,* That those Federal regulations mandate use and improvement of state-of-the-art emission control and prevention technologies at the earliest feasible date, be comparably stringent to State and local air pollution control requirements so that operators of locomotives, marine vessels, and aircraft contribute their fair share to support air quality attainment plans, and implement Congress' intent that State and local air quality authorities be allowed to adopt rules establishing emissions standards for remanufactured locomotives; and be it further

*Resolved,* That the Legislature respectfully encourages the EPA to pursue more protective regulations and incentive programs to reduce substantially the emissions from marine vessels, including domestic and foreign flagged vessels, locomotives, and aircraft, with the level of emissions sufficiently reduced to help regions polluted by trade-re-

lated diesel emissions attain Federal health-based standards by the dates required by the Clean Air Act, Federal regulations, and corresponding State implementation plans; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the United States Environmental Protection Agency, to the United States Coast Guard, and to the author for appropriate distribution.

POM-436. A resolution adopted by the Massachusetts State Senate relative to memorializing the fiftieth anniversary of the 1956 Hungarian Revolution for Freedom and Democracy; to the Committee on Foreign Relations.

## SENATE RESOLUTION

Whereas, following World War II, the Soviet Union occupied Hungary and forced an anti-democratic and brutal government upon the people of Hungary; and

Whereas, on October 23, 1956, Hungarian freedom fighters, the Time magazine 1956 "Man of the Year", took up arms in Hungary to establish a democratic government and free the people of Hungary from oppression by ending the political and economic domination by the communist government and the Soviet Union; and

Whereas, the people of Hungary fought valiantly but alone, and in the course of the uprising thousands gave their lives, thousands were imprisoned, and over 150,000 escaped, many to the United States, including Massachusetts; and

Whereas, in 1956, the brave Hungarians were the first to rebel against the totalitarian and oppressive communist government and their sacrifices exposed the weaknesses of the communist system; and

Whereas, the Hungarians in 1989 were again instrumental in the collapse of communism as they dismantled the Iron Curtain and allowed the East Germans to leave Eastern Europe through Hungary, actions that eventually led to the fall of the Berlin Wall; and

Whereas, the sacrifices of the Hungarians in 1956 were not in vain, as they ultimately led to the collapse of most of the communist systems of the world and freedom for hundreds of millions of people; and

Whereas, the Massachusetts Senate supports the current efforts of people of all nations to assert the right of self-determination and other basic human rights for which the Hungarian people bravely fought in 1956; and

Whereas, October 23, 2006, is the 50th anniversary of the ultimately successful uprising of the people of Hungary, which still serves as an example that sacrifices must be made for the freedom and democracy; now therefore be it

*Resolved,* that the Massachusetts Senate commends the people of Hungary for their sacrifices for freedom and democracy, and joins in celebrating October 23, 2006, as "Hungarian Freedom Fighters' Day" in the Commonwealth; and be it further

*Resolved,* that a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to Honorary Consul Gabor Garai, to each member of the Massachusetts Congressional Delegation, the Honorable George H. Walker, United States Ambassador to Hungary, and the Honorable Andras Simonyi, the Ambassador of Hungary to the United States.

POM-437. A resolution adopted by the Michigan Senate relative to urging Congress

to support the National Cancer Institute's plan to eliminate suffering and death from cancer by the year 2015; to the Committee on Health, Education, Labor, and Pensions.

#### SENATE RESOLUTION NO. 152

Whereas, each year more than 1.4 million Americans are diagnosed with cancer. One out of every two men and one out of every three women will be diagnosed with cancer in their lifetimes. In 1971, Congress began the battle against cancer with enactment of the National Cancer Act and creation of the National Cancer Institute within the National Institutes of Health. The foundation laid by their foresight puts the nation in position to aggressively enter the final stages of the fight against cancer. Sixty designated cancer research centers have been established across the country by the National Cancer Institute. These centers have the capacity to share knowledge with each other and solve problems in real time through advances in computer technology as well as work collaboratively with researchers in other disciplines, such as engineering, to develop the technologies needed to fight cancer; and

Whereas, scientific research on the human genome and proteins have led to breakthroughs in our understanding of the molecular changes that cause cancer and differences between the same cancers in different patients. This understanding makes it possible to design therapies that target the cancer and bypass healthy tissues that will eliminate the suffering caused by collateral damage to normal tissues from chemotherapy and radiation treatment. Therapies can also be modified to account for the cancer's response to a given treatment in individual patients. Doctors believe it is within their grasp to cure or manage cancer similar to other chronic diseases that a person can live with and not necessarily die from; and

Whereas, concurrent advances in imaging technologies and knowledge networking mean scientists and doctors will be able to see and assess the impact of treatment within days and not have to wait months or years to know the outcome. Imaging technologies now show not only the physical size, shape, and location of cancer tissue, but can also show the function of the tissue. Thus, doctors may apply a treatment targeting the abnormal cells that make up the cancer tissue and be able to see within 24 to 48 hours whether the treatment is altering function in the expected way. Knowledge networking through computers in real time means scientists and doctors working across the country at the 60 centers sponsored by the National Cancer Institute can share what they have learned. This will be particularly valuable with rare forms of cancer as doctors will pool their experience with patients being treated in different centers; and

Whereas, tremendous advances in the treatment and cure of cancer have been achieved in the past 35 years, and this nation has never shied away from bold goals to advance science and technology. The director of the National Cancer Institute has shown great leadership, enthusiasm, and optimism for being able to harness what we know and catapult the scientific and clinical communities forward through the final stage of the battle against cancer; Now, therefore, be it

*Resolved by the Senate*, That we memorialize Congress to support the National Cancer Institute's plan to eliminate suffering and death from cancer by the year 2015; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-438. A joint resolution adopted by the California Legislature relative to urging Congress and the President to enact the Microbicide Development Act; to the Committee on Health, Education, Labor, and Pensions.

#### SENATE JOINT RESOLUTION NO. 22

Whereas, microbicides are a promising new prevention tool that could slow down the spread of the HIV/AIDS epidemic in the United States and around the world; and

Whereas, women and girls are the new face of HIV/AIDS and account for almost one-half of the 37 million adults living with HIV and AIDS worldwide as of 2005, and approximately 7,000 women are infected with HIV each day; and

Whereas, in California, women comprise about 8 percent of all reported AIDS cases, yet are the fastest growing population with AIDS, and sex with an HIV-infected male is the most common route of transmission; and

Whereas, AIDS is now the number one cause of death among African-American women between the ages of 25 and 34 years; and

Whereas, the United States has the highest rates of sexually transmitted diseases of any industrialized nation, with more than 19 million new STD infections every year; and

Whereas, it is estimated that by age 25 one-half of all sexually active people in the United States can expect to be infected with a STD; and

Whereas, HIV and AIDS result in direct medical costs of more than \$15 billion per year and the pandemic undermines our economy and security; and

Whereas, microbicides may be formulated as gels, creams, or rings to inactivate, block, or otherwise interfere with the transmission of the pathogens that cause AIDS and other STDs, allowing women to protect themselves from disease; and

Whereas, unlike current HIV prevention methods, microbicides would allow women to both conceive children and protect themselves from HIV and STDs; and

Whereas, the microbicide field has achieved an extraordinary amount of scientific momentum, with several first-generation candidates now in large scale human trials around the world; and

Whereas, microbicides are a classic public health good, for which the social benefits are high but the economic incentive to private investment is low and, like other public health goods such as vaccines, public funding must fill the gap; and

Whereas, the federal government needs to make a strong commitment to microbicides research and development, and while three agencies—the National Institutes of Health (NIH), the Centers for Disease Control and Prevention (CDC), and the United States Agency for International Development (USAID)—have played important roles, further strong, well-coordinated, and visible public sector leadership is essential for the promise of microbicides to be fully realized; and

Whereas, in 2005, NIH spent less than 2 percent of its HIV/AIDS research budget on microbicides, and that funding level is inadequate; and

Whereas, HIV and STD prevention strategies must recognize women's unique needs and vulnerabilities if women are to have a genuine opportunity to protect themselves, and their best opinion is the rapid development of new HIV prevention techniques such as microbicides; Now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly*, That the Legislature memorializes the United States Congress and the President and the United States to enact the Microbicide Development

Act (S. 550 and H.R. 3854), which would amend the Public Health Service Act to facilitate the development of microbicides for preventing the transmission of HIV and other diseases, and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Majority Leader of the Senate, and each Senator and Representative from California in the Congress of the United States.

POM-439. A joint resolution adopted by the California Legislature relative to urging Congress to place a statue of former President Ronald Reagan next to the statue of Father Junipero Serra in the Congressional collection representing California; to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION NO. 3

Whereas, by act of the Congress of the United States, each state is invited to provide two statues of distinguished citizens for display in the United States Capitol; and

Whereas, California, in years past, provided two statues of notable citizens that have been displayed in the United States Capitol since 1931; and

Whereas, one of the those statues is of Thomas Starr King, known as "the orator who saved the nation." He spoke out fervently in favor of the union during the Civil War and is credited with saving California from becoming a separate republic; and

Whereas, Thomas Starr King can best be memorialized by locating his statute in a place of honor in the Capitol of California where citizens and visitors can enjoy it and be reminded of his significant historical impact upon our state; and

Whereas, California has a citizen, Ronald Wilson Reagan, who is exceptionally worthy of national commemoration. He stands alone in California history as beloved actor, President of the Screen Actors Guild, two-term Governor of California, and two-term President of the United States; and

Whereas, affectionately known as the "Great Communicator," Ronald Wilson Reagan served as the 40th President of the United States and was the first Governor of California to be elected President of the United States; and

Whereas, the people of California wish to place a statue of Ronald Wilson Reagan in Statuary Hall in the United States Capitol, with the statue being provided by the citizens of California through the efforts of the Ronald Reagan Presidential Foundation; and

Whereas, the Ronald Reagan Presidential Foundation shall select a commission to represent the state in selecting the sculptor or sculptors to sculpt the statue and obtain the necessary funds to carry out this resolution; and

Whereas, the Ronald Reagan Presidential Foundation shall be responsible for all of the following:

(a) Forming a commission to select the sculptor or sculptors.

(b) Paying the sculptor or sculptors to carve or cast the statue.

(c) Creating a pedestal and desired inscription.

(d) Transporting the statue and pedestal to the United States Capitol.

(e) Removing and transporting the replaced statue of Thomas Starr King back to the California State Capitol.

(f) Temporarily erecting the new statue of Ronald Wilson Reagan in the Rotunda of the United States Capitol for the unveiling ceremony.

(g) Paying the expenses related to the unveiling ceremony and any other expenses

that the commission may find necessary to incur in implementing this resolution; Now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States to place a statute of Ronald Wilson Reagan alongside the statute of Father Junipero Serra in the Congressional collection representing the State of California; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-440. A resolution adopted by the Tompkins County Legislature of the State of New York relative to urging the federal government to commence a humane, orderly, and comprehensive withdrawal of United States military personnel and bases from Iraq; to the Committee on Armed Services.

POM-441. A resolution adopted by the Lauderdale Lakes City Commission of the State of Florida relative to opposing the enactment of the Communications, Opportunity, Promotion, and Enhancement Act of 2006; to the Committee on Commerce, Science, and Transportation.

POM-442. A resolution adopted by the Macomb County Board of Commissioners of the State of Michigan relative to urging full federal funding to complete construction and ensure permanent operation and maintenance of both electrical barriers in the Chicago Sanitary and Ship Canal to protect the Great Lakes from Asian carp; to the Committee on Environment and Public Works.

## 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. INHOFE:

S. 4048. A bill to prohibit Federal funding for the Organisation for Economic Co-operation and Development; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FEINGOLD:

S. 4049. A bill to provide for the redeployment of United States forces from Iraq by July 1, 2007; to the Committee on Foreign Relations.

By Mr. ISAKSON (for himself and Mr. CHAMBLISS):

S. 4050. A bill to designate the facility of the United States Postal Service located at 103 East Thompson Street in Thomaston, Georgia, as the "Sergeant First Class Robert Lee 'Bobby' Hollar, Jr. Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SPECTER:

S. 4051. A bill to provide sufficient resources to permit electronic surveillance of United States persons for foreign intelligence purposes to be conducted pursuant to individualized court-based orders for calls originating in the United States, to provide additional resources to enhance oversight and streamline the procedures of the Foreign Intelligence Surveillance Act of 1978, to ensure review of the Terrorist Surveillance Program by the United States Supreme Court, and for other purposes; read the first time.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CRAPO (for himself, Mrs. CLINTON, Mr. LIEBERMAN, Ms. MURKOWSKI, and Mr. MENENDEZ):

S. Res. 612. A resolution designating the week of February 5 through February 9, 2007, as "National Teen Dating Violence Awareness and Prevention Week"; to the Committee on the Judiciary.

By Mr. SANTORUM (for himself and Mr. PRYOR):

S. Res. 613. A resolution honoring the life and work of William Wilberforce and commemorating the 200th anniversary of the abolition of the slave trade in Great Britain; to the Committee on the Judiciary.

## ADDITIONAL COSPONSORS

S. 382

At the request of Mr. ENSIGN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 382, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 713

At the request of Mr. ROBERTS, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 713, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 759

At the request of Mr. SCHUMER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 759, a bill to amend the Internal Revenue Code of 1986 to make higher education more affordable, and for other purposes.

S. 908

At the request of Mr. MCCONNELL, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 908, a bill to allow Congress, State legislatures, and regulatory agencies to determine appropriate laws, rules, and regulations to address the problems of weight gain, obesity, and health conditions associated with weight gain or obesity.

S. 919

At the request of Mr. BURNS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 919, a bill to amend title 49, United States Code, to enhance competition among and between rail carriers in order to ensure efficient rail service and reasonable rail rates, and for other purposes.

S. 1172

At the request of Mr. SPECTER, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of S. 1172, a bill to provide for programs to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers.

S. 1376

At the request of Mr. COCHRAN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1376, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 1508

At the request of Mr. COCHRAN, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 1508, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 1677

At the request of Mr. SCHUMER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1677, a bill to amend the Internal Revenue Code of 1986 to permanently extend the deduction for college tuition expenses and to expand such deduction to include expenses for books.

S. 1779

At the request of Mr. AKAKA, the name of the Senator from New York (Mr. SCHUMER) 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. 1915

At the request of Mr. ENSIGN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1915, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1948

At the request of Mrs. CLINTON, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1948, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of passenger motor vehicles, and for other purposes.

S. 2235

At the request of Mr. SCHUMER, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2235, a bill to posthumously award a congressional gold medal to Constance Baker Motley.

S. 2465

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2465, a bill to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes.

S. 2747

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2747, a bill to enhance energy efficiency and conserve oil and natural gas, and for other purposes.

S. 3238

At the request of Mr. CORNYN, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 3238, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration and the Jet Propulsion Laboratory.

S. 3654

At the request of Mr. JEFFORDS, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 3654, a bill to amend the Internal Revenue Code to allow a credit against income tax, or, in the alternative, a special depreciation allowance, for reuse and recycling property, to provide for tax-exempt financing of recycling equipment, and for other purposes.

S. 3696

At the request of Mr. BROWNBACK, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 3696, a bill to amend the Revised Statutes of the United States to prevent the use of the legal system in a manner that extorts money from State and local governments, and the Federal Government, and inhibits such governments' constitutional actions under the first, tenth, and fourteenth amendments.

S. 3718

At the request of Mr. ALLEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 3718, a bill to increase the safety of swimming pools and spas by requiring the use of proper anti-entrapment drain covers and pool and spa drainage systems, by establishing a swimming pool safety grant program administered by the Consumer Product Safety Commission to encourage States to improve their pool and spa safety laws and to educate the public about pool and spa safety, and for other purposes.

S. 3744

At the request of Mr. DURBIN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 3744, a bill to establish the Abraham Lincoln Study Abroad Program.

S. 3791

At the request of Mrs. HUTCHISON, the names of the Senator from Minnesota (Mr. DAYTON) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 3791, a bill to require the provision of information to parents and adults concerning bacterial meningitis and the availability of a vaccination with respect to such disease.

S. 3795

At the request of Mr. SMITH, the name of the Senator from South Da-

kota (Mr. JOHNSON) was added as a cosponsor of S. 3795, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

S. 3910

At the request of Mrs. CLINTON, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 3910, a bill to direct the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the Capitol.

S. 3913

At the request of Mr. ROCKEFELLER, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 3913, a bill to amend title XXI of the Social Security Act to eliminate funding shortfalls for the State Children's Health Insurance Program (SCHIP) for fiscal year 2007.

S. 3991

At the request of Mr. CONRAD, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 3991, a bill to provide emergency agricultural disaster assistance, and for other purposes.

S. 4014

At the request of Mr. LUGAR, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 4014, a bill to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of Albania, Croatia, Georgia, and Macedonia to NATO, and for other purposes.

S. 4042

At the request of Mr. DURBIN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 4042, a bill to amend title 18, United States Code, to prohibit disruptions of funerals of members or former members of the Armed Forces.

S. 4046

At the request of Ms. COLLINS, the names of the Senator from Florida (Mr. NELSON), the Senator from New Hampshire (Mr. GREGG), the Senator from Maryland (Ms. MIKULSKI) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 4046, a bill to extend oversight and accountability related to United States reconstruction funds and efforts in Iraq by extending the termination date of the Office of the Special Inspector General for Iraq Reconstruction.

S. CON. RES. 101

At the request of Mr. REID, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. Con. Res. 101, a concurrent resolution condemning the repression of the Iranian Baha'i community and calling for the emancipation of Iranian Baha'is.

AMENDMENT NO. 5123

At the request of Ms. COLLINS, the names of the Senator from Arizona

(Mr. MCCAIN), the Senator from Florida (Mr. NELSON), the Senator from New Hampshire (Mr. GREGG), the Senator from Maryland (Ms. MIKULSKI) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of amendment No. 5123 proposed to H.R. 5385, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes.

AMENDMENT NO. 5124

At the request of Mr. REID, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of amendment No. 5124 intended to be proposed to H.R. 5385, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes.

AMENDMENT NO. 5126

At the request of Mrs. BOXER, her name was added as a cosponsor of amendment No. 5126 proposed to H.R. 5385, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes.

AMENDMENT NO. 5128

At the request of Mr. AKAKA, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 5128 proposed to H.R. 5385, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes.

AMENDMENT NO. 5135

At the request of Mrs. HUTCHISON, the names of the Senator from Idaho (Mr. CRAIG) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of amendment No. 5135 proposed to H.R. 5385, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE:

S. 4048. A bill to prohibit Federal funding for the Organisation for Economic Co-operation and Development; to the Committee on Banking, Housing, and Urban Affairs.

Mr. INHOFE. Mr. President, the Paris-based Organisation for Economic Cooperation and Development, which receives 25 percent of its budget from the U.S., has used U.S. taxpayer money in turn to encourage and support higher taxes on the U.S. taxpayer, in addition to its support of U.N. global tax schemes.

The OECD has endorsed and encouraged higher taxes, new taxes, and global taxes no fewer than 24 times in reports with titles such as "Towards Global Tax Cooperation," in which the OECD identifies 35 nations guilty of "harmful tax competition."

They have advocated that the U.S. adopt a costly and bureaucratic value added tax, a 40-cent increase in the gas tax, a carbon tax, a fertilizer tax, ending the deductibility of State and local taxes from Federal taxes, new taxes at the State level, and a host of other new and innovative taxes on U.S. citizens.

It is not only the recommending of higher taxes which concerns us; the ultimate concern is the movement towards undermining U.S. sovereignty. Ecogroups such as the Friends of the Earth want the OECD to declare that dam-building for flood control and electronic power is unacceptable as "sustainable energy." In May, 2005 the OECD ministers endorsed a proposal at the U.N. to create a system of global taxes.

The OECD has stated explicitly that low-tax policies "unfairly erode the tax bases of other countries and distort the location of capital and services." What we have here are Paris-based bureaucrats seeking to protect high-tax welfare states from the free market.

That is why the OECD goes on to say that free-market tax competition "may hamper the application of progressive tax rates and the achievement of redistributive goals." Clearly, free market tax competition makes it harder to implement socialistic welfare states. The free market evidently hasn't been fair to socialistic welfare states. Well, it's a good thing that they have the OECD and nearly \$100 million in U.S. taxpayer money to protect them.

Noted economist Walter Williams clearly sees the direction in which this is headed when he says that "the bottom line agenda for the OECD is to establish a tax cartel where nations get together and collude on taxes." Treasury Secretary Paul O'Neill seconded that when he said that he was "troubled by the underlying premise that low tax rates are somehow suspect and by the notion that any country should interfere in any other country's" tax policy. And John Bolton argues that the OECD's approach "represents a kind of worldwide centralization of governments and interest groups." Who do you think bears the costs for all this? Mr. Bolton answers and you probably guessed it—the United States.

America's proud history of independence was driven in no small part by the desire for sovereignty over taxation powers. In this context, it makes no sense to relegate our sovereignty over tax policy, in any way, to international bureaucrats.

It is very simple. U.S. taxpayers are being forced to fund a bunch of international bureaucrats who write, speak, organize, and advocate in support of higher taxes, global taxes, and the gradual erosion of American sovereignty over its domestic fiscal policies. I think that most Americans would be outraged to learn that they are forced to subsidize these types of activities with their tax dollars. I think that they shouldn't have to any

longer. That's why I am introducing legislation today to remove the United State's contributions to the OECD. I ask you to join me in doing so, as the following individuals and their respective organizations have joined in helping us to combat un-American policies emanating from the OECD in the past: Andrew F. Quinlan, President, Center for Freedom and Prosperity Foundation; Daniel J. Mitchell, Senior Fellow, The Heritage Foundation; Veronique de Rugy, Research Fellow, American Enterprise Institute; John Berthoud, President, National Taxpayers Union; Grover Norquist, President, Americans for Tax Reform; Tom Giovanetti, President, Institute for Policy Innovation; Karen Kerrigan, President and CEO, Small Business and Entrepreneurship Council; Doug Bandow, Vice President of Policy, Citizen Outreach; Roland Boucher, Chairman, United Californians for Tax Reform; Daniel Clifton, Executive Director, American Shareholders Association; Rick Durham, President, Tennessee Tax Revolt, Inc.; Richard Falknor, Executive Vice President, Maryland Taxpayers Association; Kerri Houston, Vice President of Policy, Frontiers of Freedom; David A. Keene, Chairman, American Conservative Union; Matt Kibbe, President and CEO, FreedomWorks; Thomas P. Kilgannon, President, Freedom Alliance; Michelle Korsmo, Vice President, Americans for Prosperity Foundation; Charles W. Jarvis, Chairman, USA Next; James L. Martin, President, 60 Plus Association; Chuck Muth, President, Citizen Outreach; Karl Peterjohn, Executive Director, Kansas Taxpayers Network; George Pieler, Senior Fellow, Institute for Policy Innovation; John Pugsley, Chairman, The Sovereign Society; Don Racheter, President, Public Interest Institute; Amy Ridenour, President, The National Center for Public Policy Research; Terrence Scanlon, President, Capital Research Center; Thomas Schatz, President, Council for Citizens Against Government Waste; Bill Sizemore, Executive Director, Oregon Taxpayers United; David M. Stanley, Chairman, Iowans for Tax Relief; David M. Strom, President, Taxpayers League of Minnesota; Henry L. Thaxton, Director, West Virginians Against Government Waste; Pat Toomey, President, Club for Growth; Lewis K. Uhler, President, National Tax Limitation Committee; and Paul M. Weyrich, National Chairman, Coalitions for America.

By Mr. SPECTER:

S. 4051. A bill to provide sufficient resources to permit electronic surveillance of United States persons for foreign intelligence purposes to be conducted pursuant to individualized court-based orders for calls originating in the United States, to provide additional resources to enhance oversight and streamline the procedures of the Foreign Intelligence Surveillance Act of 1978, to ensure review of the Terrorist Surveillance Program by the

United States Supreme Court, and for other purposes; read the first time.

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation which I have captioned as the "Foreign Intelligence Surveillance Oversight and Resource Enactment Act of 2006." This is a modification of legislation which had been introduced by the Senator from California, Mrs. FEINSTEIN, and myself and passed out of the Judiciary Committee.

If it is in accordance with the rules, I ask that this bill be held at the desk.

The purpose of this legislation is to provide for oversight on the administration's electronic surveillance program which has been in effect for many years and which was publicly disclosed in mid-December last year. We now are at a state where the provisions of earlier legislation which I introduced, which would call for judicial review by the Foreign Intelligence Surveillance Court, are no longer necessary. Events have overtaken the situation, with litigation having been started in a number of district courts, and a decision has come out of the U.S. district court in Detroit. The issue is now on appeal to the Sixth Circuit, and there is no longer any need to provide for a referral to the Foreign Intelligence Surveillance Court because the matter is now in litigation and will be carried through on the appellate process.

The legislation which I am introducing tracks the Feinstein-Specter bill in that it provides additional resources to the administration. It expands the time when the administration can get approval for an electronic surveillance that has already been accomplished. With these additional resources, I am advised that the NSA will be in a position to have individual warrants for all calls which originate in the United States and go overseas. The bill does not touch the calls which originate overseas and come through checkpoints or transmission in the United States and go back overseas, where both the point of origin and the point of conclusion is overseas. And, we do not deal with calls which originate overseas and come into the United States.

The President has contended that notwithstanding the provisions of the Foreign Intelligence Surveillance Act that it is the exclusive way to get a wiretap warrant, he has article II power. And, there will be a test of that in the court system, which is now underway. That test will involve what the courts have said is the balancing test: the invasion of privacy versus the value for law enforcement and for national security. So that as to calls to repeat—when they originate overseas and come into the United States, that will be the issue which will remain to be tested.

This proposal does not deal with the existing language that the Foreign Intelligence Surveillance Act is the exclusive remedy, nor does it deal with any assertion about the article II power of the President.



It has been my view, expressed on the floor on a number of occasions, that the article II power is what it is, congressional power is what it is, and if there is genuine article II power, then it supersedes an act of Congress because the Constitution trumps an act of Congress. This legislation does not deal with those issues which had created what I thought was a needless controversy.

The bill further provides that there will be review by the Supreme Court of the United States. I think there doubtless would be review by the Supreme Court as a matter of course, but in order not to take any chance on that, Congress has the authority to mandate review with the Supreme Court, and this bill does that.

In addition, the legislation provides for expedited review so that there will be a judicial determination as to the constitutionality of what the President has done with respect to the calls originating overseas and ending in the United States. I think this bill is a significant advance in protecting civil liberties by having individualized warrants on calls which originate in the United States and which go overseas.

We have had this electronic surveillance in existence for a long time. The effort which I have made has been to have it subjected to judicial review, and it is my hope that this stripped-down legislation, which does enhance civil liberties by providing for individual warrants on calls originating in the United States and expedited review in the Federal courts and expedited review by the Supreme Court, would be acceptable.

We have time yet in this session this year to legislate on this important subject.

Mrs. FEINSTEIN. Mr. President, will the Senator yield for a question?

Mr. SPECTER. I yield.

Mrs. FEINSTEIN. Through the Chair.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I was trying, as the Senator from Pennsylvania spoke, to figure out exactly what bill it is he is speaking of. I gather this is his bill, not our bill, on which he is adding some of our bill's provisions, but he leaves out the critical part, which is reinforcing the exclusive authority of FISA; is that correct?

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, the exclusive authority of FISA remains. This bill does not touch that. FISA is now the law of the land, and FISA says that it is the exclusive remedy for wiretapping. This legislation which I am introducing does not alter that, so it remains as provided in FISA that the Foreign Intelligence Surveillance Act is the exclusive remedy for wiretapping.

Mrs. FEINSTEIN. If I may, a second question: Will this bill allow the President to use his plenary authority to wiretap outside of FISA, first, and sec-

ondly, will it allow for program authority for wiretaps?

Mr. SPECTER. It does not deal with program authority at all. That was in the original legislation that I introduced as a way of getting the Foreign Intelligence Surveillance Court to review the program. But this does not deal with that, and it does not give the President any enhanced authority at all to conduct warrantless wiretaps. The bill doesn't deal with that.

Whatever authority the President has under article II, he has. What this bill does is submit for expedited review by the Supreme Court a determination as to whether the President has article II power to have a warrantless wiretap with a call that originates overseas and ends in the United States.

Mrs. FEINSTEIN. Again, through the Chair, if the Senator will put up with this for a moment more, is that to handle the switching issue, or would this apply to all calls coming in from outside the United States are exempt?

Mr. SPECTER. To repeat, the bill I am introducing does not touch that point. The bill I am introducing leaves the status quo on that point, and that is where some contend that it is illegal to have a wiretap where the call originates outside the United States and comes inside. The contention is made that it's governed by the Foreign Intelligence Surveillance Act and is, therefore, illegal. The President has a different argument. He is asserting article II power as Commander in Chief, and he says that his article II power, constitutional power, supersedes or trumps a statute. Whether he is right or wrong depends upon a judicial interpretation. Only the court can weigh, as the existing law is in this area, whether the importance of national security outweighs the invasion of privacy, and that determination is reserved for the Federal courts.

We are now having that determination in the Detroit case, *ACLU v. NSA*, where the district judge says it is unconstitutional and the Sixth Circuit now has taken the case. They have issued a stay, in effect, but they will take up the case on the merits.

Once the litigation is this far advanced, we are not now in the situation we were in last December when the Judiciary Committee, as the Senator from California knows, had four hearings and I had a bill to submit to the Foreign Intelligence Surveillance Court. That is bypassed now. Events have overtaken it.

This will provide for judicial review. It is my thought—and the Senator from California and I have talked about this again and again and have worked on her bill which I supported, voted out of committee 10 to 8 with 2 Republicans and 8 Democrats—this will expedite a determination as to whether all those calls originating overseas and coming in are or are not constitutionally tapped. And, it will help out with what the Senator from California has been the leader on—and that is to

have individualized warrants for calls originating in the United States. That is a big advance on civil liberties if those calls are not tapped without a warrant.

Mrs. FEINSTEIN. I thank the Senator. He has been a very distinguished chairman of the committee. This is an issue in which, as a member of the Intelligence Committee and Judiciary Committee, I have had an intense interest. The Senator from Pennsylvania recognizes that. I appreciate that.

I am unsure whether this bill is for the purpose of judicial review of the President's article II authority—I think I understand what the Senator is doing. He is essentially exempting all those calls which come into the United States, not calls from point A to point B in the United States. I think that bears further discussion, but I trust no action will be taken on this bill in this session but that the Senator from Pennsylvania is submitting it as a marker for next year.

Mr. SPECTER. Mr. President, it would be my hope that we could act on it this session. I say that, subject to review by the Senator from California and by other Members and by the House of Representatives. The Senator from California and I and others have thought about this issue long and hard. This bill is a real effort to try to accommodate all of the concerns the Senator from California has raised. That is to maintain the status of the Foreign Intelligence Surveillance Act as the exclusive way to wiretap. That stands.

There is no statement about the authority of the President under article II, which had been objected to before. As I say, whatever the constitutional authority is, it is, regardless of what the bill says, but this bill says nothing about that. It says nothing.

The Senator from California and I have wanted to have individualized warrants wherever we could get them, and now the Senator from California took the lead on this. She has had access to this program, where I have not, because she is on the Intelligence Committee. It is anomalous that the chairman of the Judiciary Committee would not know the program, but I respect the division which gives that intelligence to the oversight committee. But she and I both wanted to have individualized warrants everywhere if we could get them. And, now we know we can get them on calls originating in the United States if we add the resources that were in the legislation crafted initially by the Senator from California, which I joined, which passed out of committee and onto the floor. And it does not deal with the ones overseas into the United States. Whatever authority the President has on that, he is going to have to assert in Federal court and satisfy ultimately the Supreme Court that he has that article II power. My view is the sooner we have this determination, the better off we are.

Mrs. FEINSTEIN. I thank the chairman. I would like to look very closely

at this bill. I am very reluctant to move right now. You have mentioned the case percolating up through the courts now. I am really unsure why passage of this bill now would achieve anything. It seems to me it would be better to wait and see what the court does. I would appreciate your response to that.

Mr. SPECTER. Mr. President, I am glad to respond, and I thank the Senator from California for the question. It would achieve individualized review of warrants on calls originating in the United States, and there are a lot of them. How many there are, I don't know, but the NSA officials have told us that if we give them the additional resources, which was suggested originally by the Senator from California and which I concur in on the Feinstein-Specter bill, that they could have individualized warrants. And, I think that would be a big step forward on civil rights.

Mrs. FEINSTEIN. Except what you are doing is effectively exempting, then, a call from outside into the United States because of the change in technology.

Mr. SPECTER. Mr. President, my bill does not exempt them. My bill just doesn't deal with them. Some say that FISA controls them and, therefore, they are illegal. The President says: No, he has article II power. And the only way that controversy can be resolved is in a Federal court, which will weigh them. And the Federal court in Detroit weighed them and said it was unconstitutional. And the Sixth Circuit has said they will review it. In the meantime, the program stands. But as the program stands, all of these warrantless wiretaps are going on and on and on. And we go one step further. We make sure the Supreme Court will take the case. We also have power in the Congress to expedite the review, set a timetable to get it done faster.

Mrs. FEINSTEIN. I will be very interested to look at the bill, and I thank you very much for this dialog. And this completes my questions. Thank you.

Mr. SPECTER. I thank the Senator from California for the colloquy which has further explained the bill.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 612—DESIGNATING THE WEEK OF FEBRUARY 5 THROUGH FEBRUARY 9, 2007, AS “NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK”

Mr. CRAPO (for himself, Mrs. CLINTON, Mr. LIEBERMAN, Ms. MURKOWSKI, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 612

Whereas 1 in 3 female teens in a dating relationship have feared for their physical safety;

Whereas 1 in 2 teens in serious relationships have compromised their beliefs to please their partner;

Whereas nearly 1 in 5 teens who have been in a serious relationship said their boyfriend or girlfriend would threaten to hurt themselves or their partner if there was a break-up;

Whereas 1 in 5 teens in a serious relationship report they have been hit, slapped, or pushed by a partner;

Whereas more than 1 in 4 teens have been in a relationship where their partner verbally abuses them;

Whereas 13 percent of Hispanic teens reported that hitting a partner was permissible;

Whereas 29 percent of girls who have been in a relationship said they have been pressured to have sex or engage in sex they did not want;

Whereas nearly 50 percent of girls worry that their partner would break up with them if they did not agree to engage in sex;

Whereas Native American women experience higher rates of interpersonal violence than any other population group;

Whereas violent relationships in adolescence can have serious ramifications for victims who are at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult revictimization;

Whereas the severity of violence among intimate partners has been shown to increase if the pattern has been established in adolescence;

Whereas 81 percent of parents surveyed either believe dating violence is not an issue or admit they do not know if it is an issue; and

Whereas the establishment of the National Teen Dating Violence Awareness and Prevention Week will benefit schools, communities, and families regardless of socio-economic status, race, or sex; Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of February 5 through February 9, 2007, as “National Teen Dating Violence Awareness and Prevention Week”; and

(2) calls upon the people of the United States, high schools, law enforcement, State and local officials, and interested groups, to observe National Teen Dating Violence Awareness and Prevention Week with appropriate programs and activities that promote awareness and prevention of the crime of teen dating violence in their communities.

#### SENATE RESOLUTION 613—HONORING THE LIFE AND WORK OF WILLIAM WILBERFORCE AND COMMEMORATING THE 200TH ANNIVERSARY OF THE ABOLITION OF THE SLAVE TRADE IN GREAT BRITAIN

Mr. SANTORUM (for himself and Mr. PRYOR) submitted the following resolution; which was referred to the Committee on the Judiciary:

Whereas William Wilberforce, born August 25, 1759, used his position as a Member of Parliament in the House of Commons to stop the slave trade in Great Britain, proclaiming, “I [will] never rest until I have effected [slavery’s] abolition.”;

Whereas William Wilberforce displayed remarkable perseverance in answering the call of social justice and fought the slave trade in Great Britain and slavery itself for 46 years, despite the national and personal financial interests aligned against him, the public criticism and slander he endured, and the stress and pain placed on his family;

Whereas William Wilberforce rested his political career on the ideals of stewardship, respect for the rights of others, advancing the views of others, and promoting the hap-

piness of others, and proclaimed, “Let every one . . . regulate his conduct by the golden rule . . . and the path of duty will be clear before him.”;

Whereas William Wilberforce defended the rights of slaves who had no voice in the legislature of Great Britain and committed himself to sweeping social reform in his country;

Whereas William Wilberforce joined with Sir Thomas Fowell Buxton, Thomas Clarkson, Olaudah Equiano, Harriet Martineau, Hannah More, and other great abolitionists in Great Britain;

Whereas William Wilberforce inspired abolitionists in the United States, including William Lloyd Garrison, John Greenleaf Whittier, Ralph Waldo Emerson, Henry David Thoreau, and Harriet Beecher Stowe;

Whereas William Wilberforce also influenced John Quincy Adams, James Monroe, John Jay, Abraham Lincoln, and Benjamin Franklin, along with many leaders in the African-American community, among them William Wells Brown, Paul Cuffe, and Benjamin Hughes;

Whereas Frederick Douglass said, “it was the faithful, persistent and enduring enthusiasm of . . . William Wilberforce . . . and [his] noble co-workers, that finally thawed the British heart into sympathy for the slave, and moved the strong arm of the government in mercy to put an end to his bondage.”; and

Whereas March 25, 2007 marks the 200th anniversary of the abolition of the slave trade in Great Britain: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the life and work of William Wilberforce; and

(2) commemorates the 200th anniversary of the abolition of the slave trade in Great Britain and its impact on similar efforts in the United States.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 5137. Mr. OBAMA (for himself, Ms. MIKULSKI, Mr. SALAZAR, Mr. AKAKA, Mr. LEAHY, Mr. ROCKEFELLER, Mrs. BOXER, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table.

SA 5138. Mr. OBAMA (for himself, Ms. MIKULSKI, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra.

SA 5139. Mr. OBAMA (for himself, Ms. MIKULSKI, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5140. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra; which was ordered to lie on the table.

SA 5141. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 5385, supra.

SA 5142. Mr. KERRY (for himself, Mr. KENNEDY, Mr. AKAKA, Mrs. BOXER, and Mr. JEFFORDS) submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra.

SA 5143. Mr. ALLEN submitted an amendment intended to be proposed by him to the bill H.R. 5385, supra.

SA 5144. Mr. CONRAD (for himself, Mr. COLEMAN, Mr. NELSON, of Nebraska, Mr. SALAZAR, Mr. HAGEL, Mr. JOHNSON, Mr. THUNE, Mr. DORGAN, Mr. ENZI, Mr. BAUCUS, Mr. REID, Mrs. CLINTON, Mr. OBAMA, Mr.

DURBIN, Mr. LEAHY, Mr. HARKIN, Ms. CANTWELL, Mr. BURNS, Mr. SCHUMER, Mr. ROBERTS, Mr. DAYTON, Mr. INOUE, and Mr. AKAKA) proposed an amendment to the bill H.R. 5385, *supra*.

SA 5145. Mr. SMITH submitted an amendment intended to be proposed to amendment SA 4920 submitted by Mr. BURNS and intended to be proposed to the bill H.R. 5385, *supra*; which was ordered to lie on the table.

SA 5146. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill H.R. 5385, *supra*.

SA 5147. Mr. WYDEN (for himself and Mr. SMITH) submitted an amendment intended to be proposed by him to the bill H.R. 5385, *supra*; which was ordered to lie on the table.

SA 5148. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill H.R. 5385, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 5137.** Mr. OBAMA (for himself, Mrs. MIKULSKI, Mr. SALAZAR, Mr. AKAKA Mr. LEAHY, Mr. ROCKEFELLER, Mrs. BOXER, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) ELIGIBILITY FOR MEDICAL CARE AND SERVICES FOR VETERANS OF FUTURE CONFLICTS FOR MENTAL HEALTH CONDITIONS FOR WHICH EVIDENCE IS INSUFFICIENT TO ESTABLISH A SERVICE-CONNECTION.—Paragraph (1) of section 1710(e) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(F) Subject to paragraphs (2) and (3), a veteran who served on active duty as described in subparagraph (D) during a period of war specified in that subparagraph, or after the date specified in that subparagraph, is also eligible for—

“(i) a mental health evaluation to be provided by the Secretary not later than 30 days after the date of the request of the veteran for such evaluation; and

“(ii) hospital care, medical services, nursing home care, and family and marital counseling for any mental health condition identified pursuant to such evaluation, notwithstanding that there is insufficient medical evidence to conclude that such condition is attributable to such service.”.

(b) LIMITATIONS.—

(1) CAUSATION.—Paragraph (2)(B) of such section is amended by striking “or (E)” and inserting “(E), or (F)”.

(2) DURATION AFTER SERVICE.—Paragraph (3) of such section is amended—

(A) in subparagraph (C), by striking “and” at the end;

(B) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(E) in the case of a veteran described in paragraph (1)(F)—

“(i) with respect to the evaluation described in clause (i) of that paragraph, after a period of 5 years beginning on the date of the veteran’s discharge or release from active military, naval, or air service; and

“(ii) with respect to the care, services, and counseling described in clause (ii) of

that paragraph, after a period of 2 years beginning on the date of the commencement of the provision of such care, services, and counseling to the veteran.”.

**SA 5138.** Mr. OBAMA (for himself, Mrs. MIKULSKI, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. \_\_\_\_\_. (a) STUDY ON COSTS OF COMPREHENSIVE SERVICE PROGRAMS FOR HOMELESS VETERANS.—The Secretary of Veterans Affairs shall carry out a study of costs associated with the Comprehensive Service Programs authorized by sections 2011 and 2012 of title 38 United States Code.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans’ Affairs and Appropriations of the Senate and the Committees on Veterans’ Affairs and Appropriations of the House of Representatives a report on the study required by subsection (a). The report shall set forth the following:

(1) The number of authorized and operational transitional housing beds and service centers under the programs referred to in subsection (a) in fiscal year 2006, and the number of such beds and centers in each State and in each Congressional District during such fiscal year.

(2) The cost in fiscal year 2006 of grants under section 2011 of title 38, United States Code, to authorized and operational transitional housing beds and service centers under the programs referred to in that subsection.

(3) The cost in fiscal year 2006 of per diem payments under section 2012 of title 38 United States Code, to authorized and operational transitional housing beds and service centers under the programs referred to in that subsection.

(4) An estimate of the costs in each of fiscal years 2007, 2012, and 2017 associated with an increase in the number of operational transitional housing beds under the programs referred to in that subsection to each of 10,000, 20,000, and 30,000 beds, and a description of the methodology used for making such estimates.

(5) The number of applications received, scored as qualified, and awarded pursuant to the Capital Grant Notice of Funds Availability published on April 20, 2006.

(6) The range of per diem payment rates, the average per diem payment rate, and the median per diem payment rate paid to recipients of grants under section 2012 of title 38, United States Code, in fiscal year 2006.

(7) The number and percentage of total recipients of grants under section 2011 of title 38 United States Code, in fiscal year 2006 being paid under section 2012 of title 38, United States Code, the rate authorized for State homes for domiciliary care under section 1741(a)(1)(A) of that title for fiscal year 2006.

**SA 5139.** Mr. OBAMA (for himself, Mrs. MIKULSKI, Ms. LANDRIEU,) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for

other purposes; which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following new section:

SEC. 229. Effective as of October 1, 2006, the authority provided by section 2064 of title 38, United States Code, shall continue in effect until September 30, 2007.

**SA 5140.** Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, add the following:

SEC. \_\_\_\_\_. (a) TERMINATION UNDER SERVICEMEMBERS CIVIL RELIEF ACT OF CONTRACTS FOR CELLULAR PHONE SERVICES.—

(1) INCLUSION OF CONTRACTS UNDER TERMINATION AUTHORITY.—Subsection (b) of section 305 of the Servicemembers Civil Relief Act (50 U.S.C. App. 535) is amended by adding at the end the following new paragraph:

“(3) CONTRACTS FOR CELLULAR PHONE SERVICE.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), a contract for a cellular phone used, or intended to be used, by a servicemember or a servicemember’s dependent for a personal or business purpose if—

“(i) the contract is executed by or on behalf of a person who thereafter and during the term of the contract enters into military service under call or order specifying a period of not less than 90 days (or who enters military service under a call or order specifying a period of 90 days or less and who, without a break in service, receives orders extending the period of military service to a period not less than 90 days);

“(ii) the servicemember, while in military service, executes the contract and thereafter receives military orders for a permanent change of station outside of the continental United States or to deploy with a military unit for a period of not less than 90 days; or

“(iii) the servicemember, while in military service, executes the contract and thereafter receives military orders for a permanent change of station to a location within the continental United States where the contract cannot be transferred at the same rate, terms, and quality of service.

“(B) APPLICABILITY TO DEPENDENTS.—Subparagraph (A) shall apply with respect to a contract, or portion of a contract, for a cellular phone used, or intended to be used, by a servicemember’s dependent only if the dependent—

“(i) relocates in accompanying the servicemember in the performance of the military service, or in a permanent change of station or deployment, described in that subparagraph; or

“(ii) otherwise relocates as a consequence of such military service or change of station or deployment.

“(C) APPLICABILITY TO GROUP PLANS.—If a servicemember or a dependent to whom this paragraph applies is not the primary account holder under a contract described in subparagraph (A), that subparagraph shall apply only to the extent of the obligations of the servicemember or dependent, as the case may be, in the contract.”.

(2) MANNER OF TERMINATION.—Subsection (c)(1) of such section is amended—

(A) in subparagraph (A), by striking “and” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(C) in the case of a contract for a cellular phone, by delivery by the contractee of written notice of such termination, and a copy of the servicemember’s military orders, to the contractor or to the contractor’s agent.”.

(3) EFFECTIVE DATE OF TERMINATION.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(3) CONTRACT FOR CELLULAR PHONE SERVICE.—In the case of a contract for a cellular phone described in subsection (b)(3), termination of the contract under subsection (a) is effective on the day on which the requirements of subsection (c) are met for such termination.”.

(4) ARREARAGES.—Subsection (e) of such section is amended—

(A) by striking “(e) ARREARAGES AND OTHER OBLIGATIONS AND LIABILITIES.—Rents or lease amounts” and inserting the following:

“(e) ARREARAGES AND OTHER OBLIGATIONS AND LIABILITIES.—

“(1) IN GENERAL.—Rents or lease amounts”;

(B) by designating the second sentence as paragraph (2), indenting such paragraph 4 ems from the left margin, and inserting before “In the case of the lease” the following:

“(2) LEASE CHARGES FOR MOTOR VEHICLES.—”; and

(C) by adding at the end the following new paragraphs:

“(3) TERMINATION CHARGES FOR CELLULAR PHONE CONTRACTS.—In the case of a contract for a cellular phone, the contractor may not impose an early termination charge, but may request the return of equipment provided to the contractee as part of the contract which would normally remain the property of the contractee at the end of the contract term if the contractee is given the option of paying a pro-rated amount to retain such equipment based on the original retail price of such equipment, the amount previously paid for such equipment by the contractee, and the time remaining on the contract.

“(4) REACTIVATION FEES.—In the event a contractor and contractee jointly agree to treat the termination of a contract for a cellular phone under this section as a suspension of such contract, the contractor may not impose any fee for reactivation of service under such contract at the completion of suspension of such contract.”.

(b) CONFORMING AMENDMENT.—Subsection (a)(1)(B) of such section is amended by striking “or (2)(B)” and inserting “, (2)(B), (3)(A)(ii), or (3)(A)(iii)”.

(c) CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

**“SEC. 305. TERMINATION OF RESIDENTIAL OR MOTOR VEHICLE LEASES OR CONTRACTS FOR CELLULAR PHONE SERVICE.”.**

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 305 and inserting the following new item:

“Sec. 305. Termination of residential or motor vehicle leases or contracts for cellular phone service.”.

**SA 5141.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the appropriate place insert the following:

“SEC. 126. (a) The amount available for ‘Military Construction, Air Force’ is hereby reduced by \$25,400,000 for ‘Basic Expeditionary Airmen Training Facility, Lackland AFB, Texas’.

“(b) The amount available for ‘Department of Defense Base Closure Account 2005’ is hereby increased by \$25,400,000.”

**SA 5142.** Mr. KERRY (for himself, Mr. KENNEDY, Mr. AKAKA, Mrs. BOXER, and Mr. JEFFORDS) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 106, between lines 12 and 13, insert the following:

SEC. 229. Of the amount appropriated by this title, up to \$18,000,000 may be available for necessary expenses, including salaries and expenses, for the provision of additional mental health services through centers for readjustment counseling and related mental health services for veterans under section 1712A of title 38, United States Code (commonly referred to as “Vet Centers”), to veterans who served in combat in Iraq or Afghanistan.

**SA 5143.** Mr. ALLEN submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 110, between lines 22 and 23, insert the following:

#### **TITLE V—DIGITAL AND WIRELESS TECHNOLOGY**

##### **SEC. 501. SHORT TITLE.**

This title may be cited as the “Minority Serving Institution Digital and Wireless Technology Opportunity Act of 2006”.

##### **SEC. 502. ESTABLISHMENT OF PROGRAM.**

Section 5 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3704) is amended by inserting the following after subsection (f):

“(g) MINORITY SERVING INSTITUTION DIGITAL AND WIRELESS TECHNOLOGY OPPORTUNITY PROGRAM.—

“(1) IN GENERAL.—The Secretary, acting through the Under Secretary, shall establish a Minority Serving Institution Digital and Wireless Technology Opportunity Program to assist eligible institutions in acquiring, and augmenting their use of, digital and wireless networking technologies to improve the quality and delivery of educational services at eligible institutions.

“(2) AUTHORIZED ACTIVITIES.—An eligible institution may use a grant, cooperative agreement, or contract awarded under this subsection—

“(A) to acquire equipment, instrumentation, networking capability, hardware and software, digital network technology, wireless technology, and infrastructure to further the objective of the Program described in paragraph (1);

“(B) to develop and provide training, education, and professional development programs, including faculty development, to increase the use of, and usefulness of, digital and wireless networking technology;

“(C) to provide teacher education, including the provision of preservice teacher train-

ing and in-service professional development at eligible institutions, library and media specialist training, and preschool and teacher aid certification to individuals who seek to acquire or enhance technology skills in order to use digital and wireless networking technology in the classroom or instructional process, including instruction in science, mathematics, engineering, and technology subjects; and

“(D) to foster the use of digital and wireless networking technology to improve research and education, including scientific, mathematics, engineering, and technology instruction.

“(3) APPLICATION AND REVIEW PROCEDURES.—

“(A) IN GENERAL.—To be eligible to receive a grant, cooperative agreement, or contract under this subsection, an eligible institution shall submit an application to the Under Secretary at such time, in such manner, and containing such information as the Under Secretary may require. Such application, at a minimum, shall include a description of how the funds will be used, including a description of any digital and wireless networking technology to be acquired, and a description of how the institution will ensure that digital and wireless networking will be made accessible to, and employed by, students, faculty, and administrators. The Under Secretary, consistent with subparagraph (B), shall establish procedures to review such applications. The Under Secretary shall publish the application requirements and review criteria in the Federal Register, along with a statement describing the availability of funds.

“(B) REVIEW PANELS.—Each application submitted under this subsection by an eligible institution shall be reviewed by a panel of individuals selected by the Under Secretary to judge the quality and merit of the proposal, including the extent to which the eligible institution can effectively and successfully utilize the proposed grant, cooperative agreement, or contract to carry out the program described in paragraph (1). The Under Secretary shall ensure that the review panels include representatives of minority serving institutions and others who are knowledgeable about eligible institutions and digital and wireless networking technology. The Under Secretary shall ensure that no individual assigned under this subsection to review any application has a conflict of interest with regard to that application. The Under Secretary shall take into consideration the recommendations of the review panel in determining whether to award a grant, cooperative agreement, or contract to an eligible institution.

“(C) MATCHING REQUIREMENT.—The Under Secretary may not award a grant, cooperative agreement, or contract to an eligible institution under this subsection unless such institution agrees that, with respect to the costs incurred by the institution in carrying out the program for which the grant, cooperative agreement, or contract was awarded, such institution shall make available, directly, or through donations from public or private entities, non-Federal contributions in an amount equal to one-quarter of the grant, cooperative agreement, or contract awarded by the Under Secretary, or \$500,000, whichever is the lesser amount. The Under Secretary shall waive the matching requirement for any institution or consortium with no endowment, or an endowment that has a current dollar value lower than \$50,000,000.

“(D) AWARDS.—

“(i) LIMITATION.—An eligible institution that receives a grant, cooperative agreement, or contract under this subsection that

exceeds \$2,500,000 shall not be eligible to receive another grant, cooperative agreement, or contract.

“(ii) CONSORTIA.—Grants, cooperative agreements, and contracts may only be awarded to eligible institutions. Eligible institutions may seek funding under this subsection for consortia which may include other eligible institutions, a State or a State educational agency, local educational agencies, institutions of higher education, community-based organizations, national nonprofit organizations, or businesses, including minority businesses.

“(iii) PLANNING GRANTS.—The Under Secretary may provide funds to develop strategic plans to implement such grants, cooperative agreements, or contracts.

“(iv) INSTITUTIONAL DIVERSITY.—In awarding grants, cooperative agreements, and contracts to eligible institutions, the Under Secretary shall ensure, to the extent practicable, that awards are made to all types of institutions eligible for assistance under this subsection.

“(v) NEED.—In awarding funds under this subsection, the Under Secretary shall give priority to the institution with the greatest demonstrated need for assistance.

“(E) ANNUAL REPORT AND EVALUATION.—

“(i) ANNUAL REPORT REQUIRED FROM RECIPIENTS.—Each institution that receives a grant, cooperative agreement, or contract awarded under this subsection shall provide an annual report to the Under Secretary on its use of the grant, cooperative agreement, or contract.

“(ii) INDEPENDENT ASSESSMENT.—Not later than 6 months after the date of enactment of this subsection, the Under Secretary shall enter into a contract with the National Academy of Public Administration to conduct periodic assessments of the program. The Assessments shall be conducted once every 3 years during the 10-year period following the enactment of this subsection. The assessments shall include an evaluation of the effectiveness of the program in improving the education and training of students, faculty and staff at eligible institutions that have been awarded grants, cooperative agreements, or contracts under the program; an evaluation of the effectiveness of the program in improving access to, and familiarity with, digital and wireless networking technology for students, faculty, and staff at all eligible institutions; an evaluation of the procedures established under subparagraph (A); and recommendations for improving the program, including recommendations concerning the continuing need for Federal support. In carrying out its assessments, the National Academy of Public Administration shall review the reports submitted to the Under Secretary under clause (i).

“(iii) REPORT TO CONGRESS.—Upon completion of each independent assessment carried out under clause (ii), the Under Secretary shall transmit the assessment to Congress along with a summary of the Under Secretary's plans, if any, to implement the recommendations of the National Academy of Public Administration.

“(F) DEFINITIONS.—In this subsection:

“(i) DIGITAL AND WIRELESS NETWORKING TECHNOLOGY.—The term ‘digital and wireless networking technology’ means computer and communications equipment and software that facilitates the transmission of information in a digital format.

“(ii) ELIGIBLE INSTITUTION.—The term ‘eligible institution’ means an institution that is—

“(I) a historically Black college or university that is a part B institution, as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)), or an institution de-

scribed in section 326(e)(1) of that Act (20 U.S.C. 1063b(e)(1));

“(II) a Hispanic-serving institution, as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5));

“(III) a tribally controlled college or university, as defined in section 316(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)(3));

“(IV) an Alaska Native-serving institution under section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)); or

“(V) a Native Hawaiian-serving institution under section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)).

“(iii) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(iv) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(v) MINORITY BUSINESS.—The term ‘minority business’ includes HUBZone small business concerns (as defined in section 3(p) of the Small Business Act (15 U.S.C. 632(p))).

“(vi) MINORITY INDIVIDUAL.—The term ‘minority individual’ means an American Indian, Alaskan Native, Black (not of Hispanic origin), Hispanic (including persons of Mexican, Puerto Rican, Cuban and Central or South American origin), or Pacific Islander individual.

“(vii) STATE.—The term ‘State’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(viii) STATE EDUCATIONAL AGENCY.—The term ‘State educational agency’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).”

#### SEC. 503. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Technology Administration of the Department of Commerce to carry out section 5(g) of the Stevenson-Wylder Technology Innovation Act of 1980 such sums as may be necessary for each of the fiscal years 2007 through 2010.

**SA 5144.** Mr. CONRAD (for himself, Mr. COLEMAN, Mr. NELSON of Nebraska, Mr. SALAZAR, Mr. HAGEL, Mr. JOHNSON, Mr. THUNE, Mr. DORGAN, Mr. ENZI, Mr. BAUCUS, Mr. REID, Mrs. CLINTON, Mr. OBAMA, Mr. DURBIN, Mr. LEAHY, Mr. HARKIN, Ms. CANTWELL, Mr. BURNS, Mr. SCHUMER, Mr. ROBERTS, Mr. DAYTON, Mr. INOUE, and Mr. AKAKA) proposed an amendment to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 110, between lines 22 and 23, insert the following:

#### TITLE V—EMERGENCY FARM RELIEF

##### SEC. 501. SHORT TITLE.

This title may be cited as the “Emergency Farm Relief Act of 2006”.

##### SEC. 502. DEFINITIONS.

In this title:

(1) ADDITIONAL COVERAGE.—The term “additional coverage” has the meaning given the term in section 502(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)(1)).

(2) DISASTER COUNTY.—The term “disaster county” means—

(A) a county included in the geographic area covered by a natural disaster declaration; and

(B) each county contiguous to a county described in subparagraph (A).

(3) HURRICANE-AFFECTED COUNTY.—The term “hurricane-affected county” means—

(A) a county included in the geographic area covered by a natural disaster declaration related to Hurricane Katrina, Hurricane Rita, Hurricane Wilma, or a related condition; and

(B) each county contiguous to a county described in subparagraph (A).

(4) INSURABLE COMMODITY.—The term “insurable commodity” means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(5) LIVESTOCK.—The term “livestock” includes—

(A) cattle (including dairy cattle);

(B) bison;

(C) sheep;

(D) swine; and

(E) other livestock, as determined by the Secretary.

(6) NATURAL DISASTER DECLARATION.—The term “natural disaster declaration” means a natural disaster declared by the Secretary during calendar year 2005 or 2006 under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)).

(7) NONINSURABLE COMMODITY.—The term “noninsurable commodity” means a crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(8) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

#### Subtitle A—Agricultural Production Losses

##### SEC. 511. CROP DISASTER ASSISTANCE.

(a) IN GENERAL.—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm that have incurred qualifying losses described in subsection (c).

(b) ADMINISTRATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-55), including using the same loss thresholds for quantity and economic losses as were used in administering that section, except that the payment rate shall be 50 percent of the established price, instead of 65 percent.

(2) NONINSURED PRODUCERS.—For producers on a farm that were eligible to acquire crop insurance for the applicable production loss and failed to do so or failed to submit an application for the noninsured assistance program for the loss, the Secretary shall make assistance in accordance with paragraph (1), except that the payment rate shall be 35 percent of the established price, instead of 50 percent.

(c) QUALIFYING LOSSES.—Assistance under this section shall be made available to producers on farms, other than producers of sugar beets, that incurred qualifying quantity or quality losses for the 2005 or 2006 crop due to damaging weather or any related condition (including losses due to crop diseases, insects, and delayed harvest), as determined by the Secretary.

(d) QUALITY LOSSES.—

(1) IN GENERAL.—In addition to any payment received under subsection (b), the Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make payments to producers on a

farm described in subsection (a) that incurred a quality loss for the 2005 or 2006 crop, or both, of a commodity in an amount equal to the product obtained by multiplying—

(A) the payment quantity determined under paragraph (2);

(B)(i) in the case of an insurable commodity, the coverage level elected by the insured under the policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); or

(ii) in the case of a noninsurable commodity, the applicable coverage level for the payment quantity determined under paragraph (2); by

(C) 50 percent of the payment rate determined under paragraph (3).

(2) **PAYMENT QUANTITY.**—For the purpose of paragraph (1)(A), the payment quantity for quality losses for a crop of a commodity on a farm shall equal the lesser of—

(A) the actual production of the crop affected by a quality loss of the commodity on the farm; or

(B)(i) in the case of an insurable commodity, the actual production history for the commodity by the producers on the farm under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); or

(ii) in the case of a noninsurable commodity, the established yield for the crop for the producers on the farm under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(3) **PAYMENT RATE.**—

(A) **IN GENERAL.**—For the purpose of paragraph (1)(B), the payment rate for quality losses for a crop of a commodity on a farm shall be equal to the difference between (as determined by the applicable State committee of the Farm Service Agency)—

(i) the per unit market value that the units of the crop affected by the quality loss would have had if the crop had not suffered a quality loss; and

(ii) the per unit market value of the units of the crop affected by the quality loss.

(B) **FACTORS.**—In determining the payment rate for quality losses for a crop of a commodity on a farm, the applicable State committee of the Farm Service Agency shall take into account—

(i) the average local market quality discounts that purchasers applied to the commodity during the first 2 months following the normal harvest period for the commodity;

(ii) the loan rate and repayment rate established for the commodity under the marketing loan program established for the commodity under subtitle B of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7931 et seq.);

(iii) the market value of the commodity if sold into a secondary market; and

(iv) other factors determined appropriate by the committee.

(4) **ELIGIBILITY.**—

(A) **IN GENERAL.**—For producers on a farm to be eligible to obtain a payment for a quality loss for a crop under this subsection—

(i) the amount obtained by multiplying the per unit loss determined under paragraph (1) by the number of units affected by the quality loss shall be reduced by the amount of any indemnification received by the producers on the farm for quality loss adjustment for the commodity under a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(ii) the remainder shall be at least 25 percent of the value that all affected production of the crop would have had if the crop had not suffered a quality loss.

(B) **INELIGIBILITY.**—If the amount of a quality loss payment for a commodity for the producers on a farm determined under this paragraph is equal to or less than zero, the

producers on the farm shall be ineligible for assistance for the commodity under this subsection.

(5) **ELIGIBLE PRODUCTION.**—The Secretary shall carry out this subsection in a fair and equitable manner for all eligible production, including the production of fruits and vegetables, other specialty crops, and field crops.

(e) **TIMING.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary shall make payments to producers on a farm for a crop under this section not later than 60 days after the date the producers on the farm submit to the Secretary a completed application for the payments.

(2) **INTEREST.**—If the Secretary does not make payments to the producers on a farm by the date described in paragraph (1), the Secretary shall pay to the producers on a farm interest on the payments at a rate equal to the current (as of the sign-up deadline established by the Secretary) market yield on outstanding, marketable obligations of the United States with maturities of 30 years.

#### SEC. 512. LIVESTOCK ASSISTANCE.

(a) **LIVESTOCK COMPENSATION PROGRAM.**—

(1) **USE OF COMMODITY CREDIT CORPORATION FUNDS.**—Effective beginning on the date of enactment of this Act, the Secretary shall use funds of the Commodity Credit Corporation to carry out the 2002 Livestock Compensation Program announced by the Secretary on October 10, 2002 (67 Fed. Reg. 63070), to provide compensation for livestock losses during calendar years 2005 and 2006 for losses due to a disaster, as determined by the Secretary, except that the payment rate shall be 75 percent of the payment rate established for the 2002 Livestock Compensation Program.

(2) **ELIGIBLE APPLICANTS.**—In carrying out the program described in paragraph (1), the Secretary shall provide assistance to any applicant for livestock losses during calendar year 2005 or 2006, or both, that—

(A)(i) conducts a livestock operation that is located in a disaster county, including any applicant conducting a livestock operation with eligible livestock (within the meaning of the livestock assistance program under section 101(b) of division B of Public Law 108-324 (118 Stat. 1234)); or

(ii) produces an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1));

(B) demonstrates to the Secretary that the applicant suffered a material loss of pasture or hay production, or experienced substantially increased feed costs, due to damaging weather or a related condition during the calendar year, as determined by the Secretary; and

(C) meets all other eligibility requirements established by the Secretary for the program.

(3) **MITIGATION.**—In determining the eligibility for or amount of payments for which a producer is eligible under the livestock compensation program, the Secretary shall not penalize a producer that takes actions (recognizing disaster conditions) that reduce the average number of livestock the producer owned for grazing during the production year for which assistance is being provided.

(b) **LIVESTOCK INDEMNITY PAYMENTS.**—

(1) **IN GENERAL.**—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make livestock indemnity payments to producers on farms that have incurred livestock losses during calendar years 2005 and 2006 for losses that occurred prior to the date of enactment of this Act (including wildfire disaster losses in the State of Texas and other States) due to a disaster, as determined by the Sec-

retary, including losses due to hurricanes, floods, anthrax, and wildfires.

(2) **PAYMENT RATES.**—Indemnity payments to a producer on a farm under paragraph (1) shall be made at a rate of not less than 30 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(c) **EWELAMB REPLACEMENT AND RETENTION.**—

(1) **IN GENERAL.**—The Secretary shall use \$13,000,000 of funds of the Commodity Credit Corporation to make payments under the Ewe Lamb Replacement and Retention Payment Program under part 784 of title 7, Code of Federal Regulations (or a successor regulation) for each qualifying ewe lamb retained or purchased during the period beginning on January 1, 2006, and ending on December 31, 2006.

(2) **INELIGIBILITY FOR OTHER ASSISTANCE.**—A producer that receives assistance under this subsection shall not be eligible to receive assistance under subsection (a).

#### SEC. 513. FLOODED CROP AND GRAZING LAND.

(a) **IN GENERAL.**—The Secretary shall compensate eligible owners of flooded crop and grazing land in—

(1) the Devils Lake basin; and

(2) the McHugh, Lake Laretta, and Rose Lake closed drainage areas of the State of North Dakota.

(b) **ELIGIBILITY.**—

(1) **IN GENERAL.**—To be eligible to receive compensation under this section, an owner shall own land described in subsection (a) that, during the 2 crop years preceding receipt of compensation, was rendered incapable of use for the production of an agricultural commodity or for grazing purposes (in a manner consistent with the historical use of the land) as the result of flooding, as determined by the Secretary.

(2) **INCLUSIONS.**—Land described in paragraph (1) shall include—

(A) land that has been flooded;

(B) land that has been rendered inaccessible due to flooding; and

(C) a reasonable buffer strip adjoining the flooded land, as determined by the Secretary.

(3) **ADMINISTRATION.**—The Secretary may establish—

(A) reasonable minimum acreage levels for individual parcels of land for which owners may receive compensation under this section; and

(B) the location and area of adjoining flooded land for which owners may receive compensation under this section.

(c) **SIGN-UP.**—The Secretary shall establish a sign-up program for eligible owners to apply for compensation from the Secretary under this section.

(d) **COMPENSATION PAYMENTS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), the rate of an annual compensation payment under this section shall be equal to 90 percent of the average annual per acre rental payment rate (at the time of entry into the contract) for comparable crop or grazing land that has not been flooded and remains in production in the county where the flooded land is located, as determined by the Secretary.

(2) **REDUCTION.**—An annual compensation payment under this section shall be reduced by the amount of any conservation program rental payments or Federal agricultural commodity program payments received by the owner for the land during any crop year for which compensation is received under this section.

(3) **EXCLUSION.**—During any year in which an owner receives compensation for flooded land under this section, the owner shall not



be eligible to participate in or receive benefits from the flooded land under—

(A) the Federal crop insurance program established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(B) the noninsured crop assistance program established under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); or

(C) any Federal agricultural crop disaster assistance program.

(e) **RELATIONSHIP TO AGRICULTURAL COMMODITY PROGRAMS.**—The Secretary, by regulation, shall provide for the preservation of cropland base, allotment history, and payment yields applicable to land described in subsection (a) that was rendered incapable of use for the production of an agricultural commodity or for grazing purposes as the result of flooding.

(f) **USE OF LAND.**—

(1) **IN GENERAL.**—An owner that receives compensation under this section for flooded land shall take such actions as are necessary to not degrade any wildlife habitat on the land that has naturally developed as a result of the flooding.

(2) **RECREATIONAL ACTIVITIES.**—To encourage owners that receive compensation for flooded land to allow public access to and use of the land for recreational activities, as determined by the Secretary, the Secretary may—

(A) offer an eligible owner additional compensation; and

(B) provide compensation for additional acreage under this section.

(g) **FUNDING.**—

(1) **IN GENERAL.**—The Secretary shall use \$6,000,000 of funds of the Commodity Credit Corporation to carry out this section.

(2) **PRO-RATED PAYMENTS.**—In a case in which the amount made available under paragraph (1) for a fiscal year is insufficient to compensate all eligible owners under this section, the Secretary shall pro-rate payments for that fiscal year on a per acre basis.

#### **SEC. 514. SUGAR BEET DISASTER ASSISTANCE.**

(a) **IN GENERAL.**—The Secretary shall use \$24,000,000 of funds of the Commodity Credit Corporation to provide assistance to sugar beet producers that suffered production losses (including quality losses) for the 2005 or 2006 crop year.

(b) **REQUIREMENT.**—The Secretary shall make payments under subsection (a) in the same manner as payments were made under section 208 of the Agricultural Assistance Act of 2003 (Public Law 108-7; 117 Stat. 544), including using the same indemnity benefits as were used in carrying out that section.

(c) **HAWAII.**—The Secretary shall use \$6,000,000 of funds of the Commodity Credit Corporation to assist sugarcane growers in Hawaii by making a payment in that amount to an agricultural transportation cooperative in Hawaii, the members of which are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)).

#### **SEC. 515. BOVINE TUBERCULOSIS HERD INDEN- NIFICATION.**

The Secretary shall use \$2,000,000 of funds of the Commodity Credit Corporation to indemnify producers that suffered losses to herds of cattle due to bovine tuberculosis during calendar year 2005.

#### **SEC. 516. NONINSURED CROP ASSISTANCE PRO- GRAM.**

Section 196(c) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(c)) is amended by adding at the end the following:

“(5) **LOSS ASSESSMENT FOR GRAZING.**—The Secretary shall permit the use of 1 claims adjuster certified by the Secretary to assess the quantity of loss on the acreage or allot-

ment of a producer devoted to grazing for livestock under this section.”.

#### **SEC. 517. REDUCTION IN PAYMENTS.**

The amount of any payment for which a producer is eligible under this subtitle shall be reduced by any amount received by the producer for the same loss or any similar loss under—

(1) the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148; 119 Stat. 2680);

(2) an agricultural disaster assistance provision contained in the announcement of the Secretary on January 26, 2006, or August 29, 2006;

(3) the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 418); or

(4) the Livestock Assistance Grant Program announced by the Secretary on August 29, 2006.

#### **Subtitle B—Small Business Economic Loss Grant Program**

#### **SEC. 521. SMALL BUSINESS ECONOMIC LOSS GRANT PROGRAM.**

(a) **DEFINITION OF QUALIFIED STATE.**—In this section, the term “qualified State” means a State in which at least 50 percent of the counties of the State were declared to be primary agricultural disaster areas by the Secretary in at least 2 of crop years 2004, 2005, and 2006.

(b) **GRANTS TO QUALIFIED STATES.**—

(1) **IN GENERAL.**—The Secretary shall use \$300,000,000 of funds of the Commodity Credit Corporation to make grants to State departments of agriculture or comparable State agencies in qualified States.

(2) **AMOUNT.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary shall allocate grants among qualified States described in paragraph (1) based on the average value of agricultural sector production in the qualified State, determined as a percentage of the gross domestic product of the qualified State.

(B) **MINIMUM AMOUNT.**—The minimum amount of a grant under this subsection shall be \$3,000,000.

(3) **REQUIREMENT.**—To be eligible to receive a grant under this subsection, a qualified State shall agree to carry out an expedited disaster assistance program to provide direct payments to qualified small businesses in accordance with subsection (c).

(c) **DIRECT PAYMENTS TO QUALIFIED SMALL BUSINESSES.**—

(1) **IN GENERAL.**—In carrying out an expedited disaster assistance program described in subsection (b)(3), a qualified State shall provide direct payments to eligible small businesses in the qualified State that suffered material economic losses in at least 2 of crop years 2004, 2005, and 2006 as a direct result of weather-related agricultural losses to the crop or livestock production sectors of the qualified State, as determined by the Secretary.

(2) **ELIGIBILITY.**—

(A) **IN GENERAL.**—To be eligible to receive a direct payment under paragraph (1), a small business shall—

(i) have less than \$5,000,000 in average annual gross income from all business activities, at least 75 percent of which shall be directly related to production agriculture or agriculture support industries, as determined by the Secretary;

(ii) verify the amount of economic loss attributable to weather-related agricultural losses using such documentation as the Secretary and the head of the qualified State agency may require;

(iii) have suffered losses attributable to weather-related agricultural disasters that equal at least 50 percent of the total economic loss of the small business for each year a grant is requested; and

(iv) demonstrate that the grant will materially improve the likelihood the business will—

(I) recover from the disaster; and

(II) continue to service and support production agriculture.

(3) **REQUIREMENTS.**—A direct payment to small business under this subsection shall—

(A) be limited to not more than 2 years of documented losses;

(B) be in an amount of not more than 75 percent of the documented average economic loss attributable to weather-related agriculture disasters for each eligible year in the qualified State; and

(C) not exceed \$80,000 per grant per year.

(4) **INSUFFICIENT FUNDING.**—If the grant funds received by a qualified State agency under subsection (b) are insufficient to fund the direct payments of the qualified State agency under this subsection, the qualified State agency may apply a proportional reduction to all of the direct payments.

#### **Subtitle C—Conservation**

#### **SEC. 531. EMERGENCY CONSERVATION PRO- GRAM.**

The Secretary shall use an additional \$30,000,000 of funds of the Commodity Credit Corporation to carry out emergency measures, including wildfire recovery efforts in Montana and other States, identified by the Administrator of the Farm Service Agency as of the date of enactment of this Act through the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.).

#### **SEC. 532. EMERGENCY WATERSHED PROTECTION PROGRAM.**

The Secretary shall use an additional \$70,000,000 of funds of the Commodity Credit Corporation to carry out emergency measures identified by the Chief of the Natural Resources Conservation Service as of the date of enactment of this Act through the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203).

#### **SEC. 533. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.**

The Secretary shall use an additional \$200,000,000 of funds of the Commodity Credit Corporation to carry out emergency measures identified by the Secretary through the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.), of which not less than \$50,000,000 shall be used to carry out wildfire recovery efforts (including in Montana and other States).

#### **Subtitle D—Farm Service Agency**

#### **SEC. 541. FUNDING FOR ADDITIONAL PER- SONNEL.**

The Secretary shall use \$20,000,000 of funds of the Commodity Credit Corporation to hire additional County Farm Service Agency personnel—

(1) to expedite the implementation of, and delivery under, the agricultural disaster and economic assistance programs under this title; and

(2) as the Secretary determines to be necessary to carry out other agriculture and disaster assistance programs.

#### **Subtitle E—Miscellaneous**

#### **SEC. 551. CONTRACT WAIVER.**

In carrying out section 101(a)(5) of the Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act, 2005 (Public Law 108-324; 118 Stat. 1233), the Secretary shall not require participation in a

crop insurance pilot program relating to forage.

#### SEC. 552. FUNDING.

The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title, to remain available until expended.

#### SEC. 553. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

#### SEC. 554. EARTHQUAKE DAMAGE IN THE STATE OF HAWAII.

(a) EMERGENCY WATERSHED PROTECTION PROGRAM.—The Secretary shall use an additional \$12,000,000 of funds of the Commodity Credit Corporation to carry out emergency measures on the Big Island in the State of Hawaii (referred to in this section as the “Big Island”) through the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203), of which \$7,000,000 shall be used to repair the Lower Hamakua Ditch and \$5,000,000 shall be used to repair the Waimea Irrigation System/Upper Hamakua Ditch.

(b) EMERGENCY CONSERVATION PROGRAM.—

(1) IN GENERAL.—The Secretary shall use an additional \$6,000,000 of funds of the Commodity Credit Corporation to repair broken irrigation pipelines and damaged and collapsed water tanks on the Big Island through the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.), of which \$2,000,000 shall be used to repair stone fences on cattle ranches in the Kona and Kohala areas and \$2,000,000 shall be used to provide emergency loans for losses of agricultural income due to the earthquake of October 15, 2006.

(2) ADDITIONAL FUNDS.—The Secretary may use an additional \$2,000,000 of funds of the Commodity Credit Corporation through the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.) to repair or replace historical stone fences on ranches on the Big Island damaged by the earthquake on October 15, 2006.

(c) KOHALA DITCH SYSTEM.—The Secretary shall use \$3,000,000 of funds of the Commodity Credit Corporation to provide a grant to the Big Island Resource Conservation and Development Council, Incorporated, to repair the Kohala Ditch system.

#### Subtitle F—Emergency Designation

#### SEC. 561. EMERGENCY DESIGNATION.

The amounts provided under this title are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

**SA 5145.** Mr. SMITH submitted an amendment intended to be proposed to SA 4920 submitted by Mr. BURNS and intended to be proposed to the bill H.R.

5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### SEC. —. REAUTHORIZATION OF THE SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.

(a) IN GENERAL.—The Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393) is amended in sections 101(a), 102(b)(2), 103(b)(1), 203(a)(1), 207(a), 208, 303, and 401 by striking “2006” and inserting “2007”.

(b) TERMINATION OF AUTHORITY.—

(1) SPECIAL PROJECTS ON FEDERAL LANDS.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393) is amended in the second sentence by striking “2007” and inserting “2008”.

(2) COUNTY PROJECTS.—Section 303 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393) is amended in the second sentence by striking “2007” and inserting “2008”.

(c) REDUCTION IN PAYMENTS FOR FISCAL YEAR 2007.—Notwithstanding any provision of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393), any payment authorized under section 102 or 103 of that Act for fiscal year 2007 shall be equal to the amount of the payment authorized under the applicable section of that Act for fiscal year 2006, reduced by 10 percent.

(d) EMERGENCY DESIGNATION.—The amount made available under this section and the amendments made by this section is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109-234.

**SA 5146.** Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Of the amount appropriated or otherwise made available by chapter 7 of title I of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148) under the heading “MILITARY CONSTRUCTION, NAVY AND MARINE CORPS” and available for the replacement of a Bachelor Enlisted Quarters at Naval Construction Battalion Center, Gulfport, Mississippi, \$13,400,000 may be available for the construction of an additional Bachelor Enlisted Quarters at Naval Construction Battalion Center, Gulfport, Mississippi.

**SA 5147.** Mr. WYDEN (for himself and Mr. SMITH) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following:

SEC. 229. Of the amount appropriated by this title under the heading “DEPARTMENTAL ADMINISTRATION”, up to \$500,000 may be available for the Secretary of Veterans Affairs to conduct an independent study on the community health resources in the 14-county catchment area of the Department of Veterans Affairs clinic in Walla Walla, Washington, including the capacity of the private health care facilities in such catchment area to serve veterans that currently receive inpatient care at such clinic.

**SA 5148.** Mrs. DOLE submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Section 2836(c)(3) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 2005) is amended to read as follows:

“(3) The Secretary may convey, without consideration, to the County all right, title, and interest of the United States in and to a parcel of real property (including improvements thereon), known as Tract No. 404-1, consisting of approximately 137 acres located at Fort Bragg for support of the construction of public school structures that may be used by the Harnett County School Board for the education of—

“(A) members of the Armed Forces stationed at Fort Bragg and Pope Air Force Base and their dependents; and

“(B) children who reside in the County.”

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON FINANCE

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, November 14, 2006, at 11 a.m., in 215 Dirksen Senate Office Building, to consider pending nominations.

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

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Tuesday, November 14, 2006, at 10 a.m. to consider the nominations of the Honorable James H. Bilbray to be Governor, U.S. Postal Service, Thurgood Marshall Jr. to be Governor, U.S. Postal Service, and the Honorable Dan G. Blair to be Chairman, Postal Rate Commission.

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

##### COMMITTEE ON THE JUDICIARY

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on “Competition in Sports Programming and Distribution: Are Consumers Winning?” on Tuesday, November 14, 2006 at 9 a.m. in Dirksen Senate Office Building Room 226.

## Witness List

Panel I: Roger Noll, Professor, Economics Department, Stanford University, Stanford, CA; Jeffrey Pash, Executive Vice President and General Counsel of the National Football League, New York, NY; Daniel M. Fawcett, Executive Vice President, Business and Legal Affairs and Programming Acquisition, DIRECTV, Inc., Washington, DC; Landel Hobbs, Chief Operating Officer, Time Warner, New York, NY.

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

## COMMITTEE ON THE JUDICIARY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on "Judicial Nominations" on Tuesday, November 14, 2006 at 2 p.m. in Dirksen Senate Office Building Room 226.

## Witness List

Panel I: The Honorable Arlen Specter, United States Senator [R-PA].

Panel II: Thomas Michael Hardiman to be United States Circuit Judge for the Third District.

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

## PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet on Tuesday, November 14, 2006, at 2:30 p.m., for a hearing entitled "Failure to Identify Company Owners Impedes Law Enforcement."

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

## PRIVILEGES OF THE FLOOR

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that Senator McCain's legislative fellow, Navy LCDR Damien Christopher, be granted floor privileges during the debate and any votes concerning H.R. 5384, as well as any related amendments.

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

## EXECUTIVE CALENDAR

## RECOMMITTAL OF NOMINATION

Mr. FRIST. As in executive session, I ask unanimous consent that Executive Calendar No. 995, the nomination of John Peyton, be recommitted to the Committee on Health, Education, Labor, and Pensions.

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

## MEASURE READ THE FIRST TIME

Mr. FRIST. Mr. President, I understand there is a bill at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 4051) to provide sufficient resources to permit electronic surveillance of United States persons for foreign intelligence purposes to be conducted pursuant to individualized court-issued orders, to enhance oversight and streamline the procedures of the Foreign Intelligence Surveillance Act of 1978, to ensure review of the Terrorist Surveillance Program by the United States Supreme Court, and for other purposes.

Mr. FRIST. I now ask for its second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my request.

The PRESIDING OFFICER. Objection is heard.

MEASURE PLACED ON  
CALENDAR—S. 4047

Mr. FRIST. Mr. President, I understand there is a bill at the desk due for its second reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

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

Mr. FRIST. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

## APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and in consultation with the Banking member of the Senate Committee on Finance, pursuant to Public Law 103-296, appoints Marsha Katz, of Montana, vice David Podoff, as a member of the Social Security Advisory Board.

REMOVAL OF INJUNCTION OF  
SECRECY—TREATY DOCUMENT NO.  
109-22

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on November 14, 2006, by the President of the United States:

Treaty with Malaysia on Mutual Legal Assistance, Treaty Document No. 109-22.

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty between the United States of America and Malaysia on Mutual Legal Assistance in Criminal Matters, signed on July 28, 2006, at Kuala Lumpur. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to counter criminal activities more effectively. The Treaty should enhance our ability to investigate and prosecute a wide variety of crimes. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Under the Treaty, the Parties agree to assist each other by, among other things: providing evidence (such as testimony, documents, items, or things) obtained voluntarily or, where necessary, by compulsion; arranging for persons, including persons in custody, to travel to the other country to provide evidence; serving documents executing searches and seizures; locating and identifying persons, items, or places; examining objects and sites; freezing and forfeiting assets or property; and identifying or tracing proceeds of crime.

I recommend that the Senate give early and favorable consideration to the Treaty, and give its advice and consent to ratification.

GEORGE W. BUSH.  
THE WHITE HOUSE, November 14, 2006.

ORDERS FOR WEDNESDAY,  
NOVEMBER 15, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2:15 p.m. on Wednesday, November 15. I further ask that following the prayer and the pledge, the morning hour be deemed to have expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and that there then be a period of morning business with Senators permitted to speak therein for up to 5 minutes each.

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

## PROGRAM

Mr. FRIST. Mr. President, today we did complete our work on the Military Construction and Veterans Affairs appropriations bill. Tomorrow afternoon, we hope to begin the Agriculture appropriations bill. We are also continuing our efforts to reach an agreement for the consideration of the U.S.-India Peaceful Atomic Energy Cooperation Act. We do expect votes in the afternoon, so Senators should plan their schedules accordingly. This week, we will also need to pass a short-term continuing resolution when received from the House.

# ADJOURNMENT UNTIL 2:15 P.M. TOMORROW

Mr. FRIST. 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 7:49 p.m., adjourned until Wednesday, November 15, 2006 at 2:15 p.m.

## NOMINATIONS

Executive nominations received by the Senate November 14, 2006:

### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 271:

#### *To be lieutenant commander*

RICARDO M. ALONSO, 0000  
DIRK N. AMES, 0000  
THOMAS B. BAILEY, 0000  
AGUSTUS J. BANNAN, 0000  
MATTHEW P. BARKER, 0000  
CHE J. BARNES, 0000  
IAN A. BASTEK, 0000  
MICHAEL W. BATCHELDER, 0000  
MICHAEL E. BENNETT, 0000  
ADAM G. BENTLEY, 0000  
KENNETH E. BLAIR, 0000  
AMY L. BLOYD, 0000  
JED R. BOBA, 0000  
KENNETH J. BODA, 0000  
SCOTT G. BORGERSON, 0000  
CAMILLA B. BOSANQUET, 0000  
DONALD C. BOYER, 0000  
DAVID L. BRADLEY, 0000  
RANDY L. BRADLEY, 0000  
NELSON J. BRANDT, 0000  
MATTHEW T. BROWN, 0000  
JAMES W. BUNN, 0000  
JOANN F. BURDIAN, 0000  
KAREN S. CAGLE, 0000  
RICHARD F. CALVERT, 0000  
ANDREW T. CAMPEN, 0000  
MICHAEL J. CAPELLI, 0000  
WILLIE L. CARMICHAEL, 0000  
SCOTT S. CASAD, 0000  
RENE X. CASAREZ, 0000  
CHRISTOPHER R. CEDERHOLM, 0000  
JOHN R. COLE, 0000  
TEALI G. COLEY, 0000  
ROBERT C. COMPHY, 0000  
DANIEL A. CONNOLLY, 0000  
CHAD W. COOPER, 0000  
NATHAN E. COULTER, 0000  
GREGORY L. CRETTON, 0000  
CORNELIUS E. CUMMINGS, 0000  
SHAWN E. DECKER, 0000  
MICHAEL E. DELURY, 0000  
JOHN T. DEWEY, 0000  
STEVEN J. DOHMAN, 0000  
JEFFREY T. DOIN, 0000  
KEITH M. DONOHUE, 0000  
ERIC D. DREY, 0000  
JEROME E. DURAY, 0000  
BRENT N. DURBIN, 0000  
REINO G. ECKLORD, 0000  
ARTHUR J. EDWARDS, 0000  
DAMON C. EDWARDS, 0000  
JEFFREY ELDRIDGE, 0000  
RAHSHAAN ENGRUM, 0000  
JANET D. ESPINOYOUNG, 0000  
MATTHEW R. FARNEN, 0000  
FRANCESANN B. FAZIO, 0000  
SARAH K. FELGER, 0000  
CHRISTINE FERN, 0000  
KEVIN B. FERRIE, 0000  
JASON B. FLENNY, 0000  
TED R. FOWLES, 0000  
JOSEPH FRANKLIN, 0000  
MICHAEL E. FRAWLEY, 0000  
CHRISTOPHER B. FRIESE, 0000  
GLENN J. GALMCM, 0000  
PAMELA F. GARCIA, 0000  
ROBERT G. GARDALI, 0000  
CHRISTOPHER L. GERMAN, 0000  
TANYA L. GILES, 0000  
PETRE S. GILES, 0000  
ERROL M. GLENN, 0000  
MICHAEL J. GOLDSCHMIDT, 0000  
DAVID V. GOMEZ, 0000  
RICHARD GONZALEZ, 0000  
MICHAEL D. GOOD, 0000  
HANS C. GOVERTSEN, 0000  
ROBERT T. GRIFFIN, 0000  
CHARLES M. GUERRERO, 0000  
FAY J. GUERRERO, 0000  
TIM A. GUNTER, 0000  
ROBERT E. HART, 0000  
HEATH A. HARTLEY, 0000  
JAMES F. HEDRICK, 0000  
JONATHAN N. HELLBERG, 0000  
JOHN HENNIGAN, 0000  
SCOTT C. HERMAN, 0000

MICHAEL L. HERRING, 0000  
ANNA W. HICKEY, 0000  
DARREN A. HOPPER, 0000  
CHRISTY L. HOWARD, 0000  
CHRISTOPHER M. HUBERTY, 0000  
JOEL A. HUGGINS, 0000  
CHRISTOPHER J. HULSER, 0000  
TANGELA F. HUMMONS, 0000  
AUSTIN R. IVES, 0000  
DAVID M. JOHNSTON, 0000  
DANIEL C. JONES, 0000  
PETER B. JONES, 0000  
JONATHAN P. JORGENSEN, 0000  
WARREN D. JUDGE, 0000  
KERRY G. KARWAN, 0000  
SEAN R. KATZ, 0000  
JARED E. KING, 0000  
LONNIE T. KISHIYAMA, 0000  
BRADLEY J. KLIMEK, 0000  
BRIAN G. KNAPP, 0000  
MICHAEL S. KRAUSE, 0000  
CHARLES F. KUEBLER, 0000  
KURT R. KUPERSMITH, 0000  
KEN KUSANO, 0000  
PAUL E. LAFOND, 0000  
ANDREW A. LAWRENCE, 0000  
ERIN M. LEDFORD, 0000  
CHRISTIAN A. LEE, 0000  
BRIAN J. LEFEBVRE, 0000  
JACQUELINE M. LEVERICH, 0000  
ANDREW H. LIGHT, 0000  
LEXIA M. LITTLEJOHN, 0000  
CHAD A. LONG, 0000  
KEVIN P. LYNN, 0000  
SIMON A. MAPLE, 0000  
ERIC D. MASSON, 0000  
JOSEPH S. MASTERSON, 0000  
HEATHER A. MCCAFFERTY, 0000  
JOHN F. MCCARTHY, 0000  
RUDY S. MCGWIN, 0000  
EMILY S. MCINTYRE, 0000  
CHRISTOPHER A. MCMUNN, 0000  
ELIZABETH A. MCNAMARA, 0000  
MICHAEL J. MCNEIL, 0000  
RANDY F. MEADOR, 0000  
JOSE E. MEDINA, 0000  
DWAYNE L. MEEKINS, 0000  
MATTHEW W. MERRIMAN, 0000  
ANDREW D. MEYERSEN, 0000  
TIMOTHY G. MEYERS, 0000  
TODD S. MIKOLOP, 0000  
KENNETH V. MILL, 0000  
RICHARD W. MINNICH, 0000  
MARCUS A. MITCHELL, 0000  
KIRK W. MONTGOMERY, 0000  
DONALD P. MONTORO, 0000  
ALAN H. MOORE, 0000  
ELLIS H. MOOSE, 0000  
ANNE M. MORRISSEY, 0000  
KENNETH T. NAGIE, 0000  
JOHN A. NATALE, 0000  
DAVID R. NEEL, 0000  
KENNETH E. NELSON, 0000  
CRAIG D. NEUBECKER, 0000  
DOUGLAS D. NORSTROM, 0000  
DAVID J. OBERMEIER, 0000  
SEAN J. OBRIEN, 0000  
TIMOTHY K. ORE, 0000  
REBECCA E. ORE, 0000  
ANTHONY K. PALMER, 0000  
LUIS C. PARRALES, 0000  
TIMOTHY A. PASEK, 0000  
SCOTT W. PEBODY, 0000  
LUKE A. PERCIAK, 0000  
PATRICK F. PESCHKA, 0000  
JUSTIN D. PETERS, 0000  
SANDRA J. PETERSON, 0000  
DOUGLAS C. PETRUSA, 0000  
HARPER L. PHILLIPS, 0000  
TRACY O. PHILLIPS, 0000  
SCOTT S. PHY, 0000  
FRANK A. PIERCE, 0000  
KEITH J. PIERRE, 0000  
SHANNON M. PITTS, 0000  
EDWARD H. PORMER, 0000  
JEFFREY M. POTENSKY, 0000  
ALISA L. PRASKOVICH, 0000  
PAUL T. PRIEBE, 0000  
STEVEN E. RAMASSINI, 0000  
JOSHUA T. RAMEY, 0000  
JACOB J. RAMOS, 0000  
JASON H. RAMSDELL, 0000  
TRAVIS J. RASMUSSEN, 0000  
ERIC A. REETER, 0000  
JAMES P. REID, 0000  
SEAN P. ROCHE, 0000  
RODRIGO G. ROJAS, 0000  
CHRISTOPHER A. ROSE, 0000  
CONSTANCE F. RUCKSTUHL, 0000  
MATTHEW A. RUDICK, 0000  
BELINDA C. SAVAGE, 0000  
DAVID J. SCHELL, 0000  
CLINT B. SCHLEGEL, 0000  
GREGORY J. SCHULTZ, 0000  
ANITA M. SCOTT, 0000  
HOLLY L. SHAFFNER, 0000  
DAVID M. SHERRY, 0000  
DANIEL J. SILVESTRO, 0000  
JENNIFER L. SINCLAIR, 0000  
LORING A. SMALL, 0000  
DEREK L. SMITH, 0000  
ERIC A. SMITH, 0000  
SHAD S. SOLDANO, 0000  
JAMES W. SPITLER, 0000  
DOUGLAS K. STARK, 0000  
JOHN M. STONE, 0000  
BENJAMIN F. STRICKLAND, 0000

DENNIS R. SVATOS, 0000  
VASILIOS TASIKAS, 0000  
ROMUALDUS M. TENBERGE JR., 0000  
BRADLEY K. TERRILL, 0000  
JAMES P. THOMPSON, 0000  
SOLOMON C. THOMPSON, 0000  
RUSSELL R. TORGERSON, 0000  
ANDRE P. TOWNER, 0000  
TERRY A. TREXLER, 0000  
CHRISTOPHER A. TRIBOLET, 0000  
CLINTON A. TROCCHIO, 0000  
MICHAEL A. TURDO, 0000  
BRYAN J. ULLMER, 0000  
TINA J. URBAN, 0000  
JAMES A. VALENTINE, 0000  
DANIEL W. VANBUSKIRK, 0000  
EVA J. VANCAMP, 0000  
STEVEN P. WALSH, 0000  
WILBORNE E. WATSON, 0000  
TYSON S. WEINERT, 0000  
BRENDA M. WHITE, 0000  
DIANA J. WICKMAN, 0000  
MOLLY A. WIKE, 0000  
NATHANIEL R. WILLIAMS, 0000  
SOLOMON J. WILLIAMS, 0000  
TARIK L. WILLIAMS, 0000  
KEVIN M. WILSON, 0000  
JOHN W. WINTER, 0000  
ANDREW J. WRIGHT, 0000

### IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

#### *To be lieutenant colonel*

NEVANNA I. KOICHEFF, 0000  
WATARU ODOMO, 0000  
PATRICK M. SHERER, 0000  
JEFFREY WEISER, 0000

#### *To be major*

OBIE A. AUSTIN, 0000  
GARY BARKER, 0000  
KAREN BARKER, 0000  
RITA BOBBROLLINS, 0000  
EDWARD S. CARROLL, 0000  
CECILIA M. CORRADO, 0000  
OTICE Z. HELMER, 0000  
JAMAL JANANIA, 0000  
HENRY J. KLEIN, 0000  
KURTIS G. KOBES, 0000  
WILLIAM A. MACNAUGHTON, 0000  
DANUTA MAJKRUSZYNSKI, 0000  
STANLEY MOODY, 0000  
SHAWN T. NESBO, 0000  
BRADDEN R. PYRON, 0000  
CHRISTOPHER RYAN, 0000  
PERLITA K. TAM, 0000

### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

#### *To be colonel*

DEBRA L. COHEN, 0000  
PETER S. GOLDBERG, 0000  
SCOTT J. STCLAIR, 0000  
DAVID H. TURK, 0000  
TRACEY L. ZANDER, 0000

#### *To be lieutenant colonel*

PAUL G. ANDREWS, 0000  
KEVIN K. BERRY, 0000  
JAMES H. BOOZELL, 0000  
TYLER L. BOSCO, 0000  
PATRICK J. CHRISTIAN, 0000  
PETER L. CONNELLY, 0000  
CHARLES F. CORSON, 0000  
ESME M. DAVIS, 0000  
STEVEN A. DAVIS, 0000  
ALAN D. ECKERSLEY, 0000  
GUY R. EDMONDSON, 0000  
PHILIP A. ESTEBAN, 0000  
RAFAEL GARCIA, 0000  
ROBERT A. GARY, 0000  
KERRY GLASS, 0000  
LARRY C. HAYES, 0000  
PAUL R. JONES, 0000  
ROBERT E. KOCH, 0000  
DAVID A. KONOP, 0000  
ODELL C. LEWIS, 0000  
KEVIN C. LOGAN, 0000  
FRANCINE D. MARTIN, 0000  
MICHAEL E. MASON, 0000  
ROBERT B. MAURIO, 0000  
MICHIO J. MONTAGUE, 0000  
KEITH A. MORRISON, 0000  
KEITH NEWSOME, 0000  
BILLY J. POWELL, 0000  
JORGE RANGEL, 0000  
DAVID M. ROBERSON, 0000  
RONNEL L. ROUSE, 0000  
MICHAEL E. SANDS, 0000  
KARL A. SCHWARTZ, 0000  
RICHARD A. SHAW, 0000  
PRATYA SIRIWAT, 0000  
EDWARD R. SMALLWOOD, 0000  
DAWN M. SMITH, 0000  
CYNTHIA K. SUMMERS, 0000  
JOHN H. WAGNER, 0000  
JOHN M. WALKER, 0000  
DIANE K. WATERS, 0000  
JAMES L. WELLS, 0000

HARRY W. WHIPPLE, 0000  
BRIAN C. WRIGHT, 0000  
HARRY O. YATES, 0000

*To be major*

JAMES ADAMS, 0000  
JEFFREY W. AGE, 0000  
JEFFREY W. ALLEN, 0000  
JOSE A. ALLESTER, 0000  
DANNY BANKS, 0000  
MARK J. BENEDICT, 0000  
KENNETH A. BLYLOCK, 0000  
SHAWN N. BROWER, 0000  
STEPHEN CAMPBELL, 0000  
GORDON R. CRAWFORD, 0000  
SHAWN B. CZEHOWSKI, 0000  
JEAN M. DAVIS, 0000  
JOSEPH DCOSTA, 0000  
ROLAND E. DIGGS, 0000  
JEROME C. DUFFY, 0000  
KRISTOFFER B. FALE, 0000  
PIERRE L. FENRICK, 0000  
DARRYL L. GILLIAM, 0000  
BRUCE S. GRIFFIN, 0000  
MATTHEW HACKATHORN, 0000  
JOHN A. HAGAN, 0000  
DWIGHT A. HALL, 0000  
JEANETTE L. HANKINS, 0000  
LULA B. HARTEVANS, 0000  
CHRISTOPHER L. HARTLEY, 0000  
CONRAD E. HARVEY, 0000  
PETER J. HEBERT, 0000  
SCOTT C. HENSLEY, 0000  
JEFFREY T. HOOVER, 0000  
DEAN A. HUARD, 0000  
BRUCE JENKINS, 0000  
DAVID A. JOHNSON, 0000  
RONALD D. JOHNSON, 0000  
LEON JONES, 0000  
ERIC W. KEMPFFER, 0000  
LAUREN KULINSKI, 0000  
FLOYD S. LIDDICK, 0000  
CURTIS LINDSEY, 0000  
RAJESH LOBRECHT, 0000  
JOSE P. LOPEZ, 0000  
PAUL E. MADSEN, 0000  
MATTHEW B. MCGREEVY, 0000  
DAVID P. MCHENRY, 0000  
CHRISTINA MOORE, 0000  
WILLIAM D. MOORE, 0000  
KEVIN R. NAIG, 0000  
WILLIAM S. OLIVA, 0000  
HANS F. OTTESEN, 0000  
RANDALL C. PAGE, 0000  
JOSEPH A. PAPERFUS, 0000  
EDWARD L. PEARCE, 0000  
ISAAC B. PEAY, 0000  
CURTIS PHELPS, 0000  
ERIK K. POOLE, 0000  
ROBERT T. QUINNITT, 0000  
GEORGE H. RINFRO, 0000  
LARRY J. ROBERTS, 0000  
JOHN G. ROGERS, 0000  
ROBERT SCHMIDT, 0000  
NANCY R. SERMONS, 0000  
ANNETTE S. SHORMAN, 0000  
ANTHONY W. SIPPET, 0000  
JAMES E. SMALLIDGE, 0000  
LAWRENCE E. SMITH, 0000  
LONNIE S. SPANGLER, 0000  
JOSHUA T. STEVENS, 0000  
DONALD W. SULLIVAN, 0000  
PETER J. TATE, 0000  
MICHAEL F. TREVETT, 0000  
MICHAEL N. TURNER, 0000  
MARY C. VOWELL, 0000  
REGINALD A. WARREN, 0000  
KEITH WASHINGTON, 0000  
ROBERT D. WILLIAMS, 0000  
KYLE J. ZABLOCKI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10,  
U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

NORMAN F. ALLEN, 0000  
STEPHEN J. BERG, 0000  
THOMAS D. COOK, 0000  
ROBERT J. COTTELL, 0000  
RICHARD J. GALVIN, 0000  
JAMES F. GARRETT, 0000  
CHARLES D. HAYES, JR., 0000  
WILLIAM R. KERN, 0000  
JAMES D. KEY, 0000  
CHERYL R. LEWIS, 0000  
CRAIG A. MEREDITH, 0000  
JEFFREY R. NANCE, 0000  
STUART W. RISC, 0000  
EDWARD J. SHEERAN, 0000  
SAMUEL J. SMITH, JR., 0000  
PAUL H. TURNEY, 0000  
DARIA P. WOLLSCHLAEGER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE RESERVE OF THE  
ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

MICHAEL R. ABERLE, 0000  
BRUCE S. ADKINS, 0000  
THOMAS W. AHRENDT, 0000  
JOHN T. AKERS, 0000  
PAUL L. ALBERTI, JR., 0000  
CLINT L. ALDAY, 0000

PHILLIP W. ALEXANDER, 0000  
ERIC S. ALFORD, 0000  
FRED W. ALLEN, 0000  
JOHN W. ALTEBAUMER, JR., 0000  
DANIEL U. ALVAREZ, 0000  
BRIAN E. ALVIN, 0000  
ARTHUR B. ANDERSON, 0000  
JAMES O. ANDERSON, 0000  
WESLEY R. ANDERSON, 0000  
THOMAS J. ANDREA, 0000  
JOHN K. ANDREW II, 0000  
PATRICIA M. ANSLOW, 0000  
MARK A. ANSPACH, 0000  
MARTIN R. APPRICH, 0000  
BILL R. AQUINO, 0000  
JEFFREY T. ARCHER, 0000  
NORBERT E. ARCHIBENQUE, 0000  
JULIA E. ARTHUR, 0000  
KRIS ATTARIAN, 0000  
CHARLES H. AUCCIN, 0000  
ARTHUR G. AUSTIN, JR., 0000  
SUSAN H. BAGLEY, 0000  
ANDREW S. BALDY, 0000  
THOMAS A. BALL, 0000  
ROBERT E. BANKS, 0000  
WILLIAM P. BANKS, JR., 0000  
JOHN J. BARANOWSKI, 0000  
KENNETH BARNETT, 0000  
ROBERT A. BARRETT, 0000  
AARON T. BARRIER, 0000  
BRIAN B. BARRONTINE, 0000  
JAMES D. BARTOLACCI, 0000  
JOHN K. BARTOLOTTI, 0000  
CHRISTOPHER J. BATES, 0000  
DERRICK J. BATISTE, 0000  
DIANE M. BATTAGLIA, 0000  
MATHEW M. BAUDEK, 0000  
ROBERT L. BAUMGARDNER, 0000  
DON B. BEARD, 0000  
ROBERT D. BENJAMIN, 0000  
DONALD A. BENNETT, 0000  
MICHAEL J. BENNETT, 0000  
MARVIN BENTON, 0000  
JOSHUA P. BERRISFORD, 0000  
GREY D. BERRIER II, 0000  
JET G. BIBLER, 0000  
BRUCE R. BIDDLE, 0000  
PAUL D. BISCHOFF, 0000  
CARLOS BLANCHARD, 0000  
STEVEN E. BLANTON, 0000  
CHARLES F. BLASCHKE III, 0000  
DEBRA A. J. BLYLOCK, 0000  
JOHN H. BOCK, JR., 0000  
THOMAS E. BOLAND, 0000  
FRED C. BOLTON, 0000  
PATRICK L. BOUCHER, 0000  
JANSON D. BOYLES, 0000  
ROBERT L. BRADSHAW, 0000  
WILLIAM S. BRANNAN, JR., 0000  
ROY C. BROCK, JR., 0000  
DONALD W. BROOKS, 0000  
JOHN J. BROSSART, 0000  
JEFFREY L. BROTHERTON, 0000  
CLIFFORD A. BROWN, 0000  
DAVID L. BROWN, 0000  
EDWARD L. BROWN, 0000  
MATTHEW J. BROWN, 0000  
PAUL P. BRYANT, 0000  
TONY A. BRYANT, 0000  
STEVEN J. BUETHE, 0000  
JAMES R. BUGGY, 0000  
BRUCE L. BULDHUPT, 0000  
JAMES BULLION, 0000  
THOMAS P. BUMP, 0000  
JOE L. BURCH, 0000  
ROBERT J. BURCH, 0000  
WAYNE L. BURD, 0000  
EDWARD G. BURLEY, 0000  
MALCOLM S. BURR II, 0000  
JON M. BYROM, 0000  
DENNIS J. CAHILL, 0000  
THOMAS B. CAIN, 0000  
MARK A. CALABRESE, 0000  
DENNIS M. CAMERON, 0000  
SCOTT A. CAMPBELL, 0000  
MARK K. CARLSON, 0000  
PATRICIA A. CARLSON, 0000  
KLEMENT J. CARON, 0000  
BRIAN R. CARPENTER, 0000  
DARREN H. CARPENTER, 0000  
SCOTTIE D. CARPENTER, 0000  
ROY D. CARRINGTON, 0000  
CHARLES A. CARSON, 0000  
RANDAL S. CARTER, 0000  
JORGE L. CASTRO, 0000  
BRIAN J. CATALANO, 0000  
THOMAS L. CATHY, 0000  
WAYNE M. CAVENDER, JR., 0000  
JOSE E. CEPEDA, 0000  
CLIFFORD B. CHICK, 0000  
NICHOLAS CHIMIENTI, 0000  
CARL L. CHURCHILL, JR., 0000  
PHILLIP M. CHURN, 0000  
RONALD P. CLAEYS, 0000  
MICHAEL H. CLANCY, 0000  
ROBERT A. CLARK, 0000  
JERRY A. CLINKSCALES, 0000  
CYNTHIA M. COATES, 0000  
BILLY F. COBB, 0000  
DANE L. COFFEY, JR., 0000  
JAMES A. COHN, 0000  
PATRICIA D. COLE, 0000  
RICHARD D. COLE, 0000  
ROBERT S. COLEMAN, 0000  
JAMES W. CONAWAY, 0000  
DAVID J. CONBOY, 0000  
JOHN W. CONLEY, 0000

VICKY J. CONNELL, 0000  
JEFFREY A. CONNELLY, 0000  
RUSSELL G. CONRAD, 0000  
CHRISTINA K. CONSTANT, 0000  
CHRISTINE D. COOK, 0000  
LOUIS L. COOLEY, 0000  
JEFFREY D. COONS, 0000  
BENJAMIN J. CORELL, 0000  
DONALD S. COTNEY, 0000  
BRIAN W. COTTER, 0000  
WALTER D. COUNTS III, 0000  
JOY L. CRAFT, 0000  
PAUL A. CRAFT, 0000  
MARK G. CRISCI, 0000  
GARY D. CROSS, 0000  
PETER L. CROTEAU, 0000  
JAMES H. CROUT, JR., 0000  
ROBERT E. CROWLEY, 0000  
LARRY M. CRUZ, 0000  
KURT S. CRYTZER, 0000  
STEPHEN K. CURDA, 0000  
MARSHA G. CURTIS, 0000  
JERRY R. CUSIC, 0000  
JONATHAN A. DAHMS, 0000  
SAMUEL B. DALMAN, 0000  
STEPHEN R. DALZELL, 0000  
DENNIS C. DAVENPORT, 0000  
RANDALL E. DAVIS, 0000  
STEPHANIE E. DAWSON, 0000  
AARON R. DEAN II, 0000  
TIMOTHY R. DEHAAS, 0000  
DARRYL E. DENNIS, 0000  
IVAN E. DENTON, 0000  
WILLIAM M. DERRICK, 0000  
DENNIS W. DEVERY, 0000  
MICHAEL DILLARD, 0000  
BRYAN M. DION, 0000  
MICHAEL P. DITTAMO, 0000  
JOHN P. DONOVAN, JR., 0000  
OLEN L. DORNEY, 0000  
STUART K. DRIEBACH, 0000  
RAPHAEL S. DUCKWORTH, 0000  
ERNEST L. DUNCAN, 0000  
JERRY D. DUNCAN, 0000  
DOUGLAS W. DUNKLIN, 0000  
DANIEL A. DUPONT, 0000  
PATRICK R. DWYER, 0000  
MARK G. DYKES, 0000  
SAMUEL I. EDMG, 0000  
GEORGE L. EDMONDS, 0000  
DAVID M. EDWARDS, 0000  
DEAN E. EKMANN, 0000  
ALLAN W. ELLIOTT, 0000  
ANDREA R. ELLIS, 0000  
ROBERT E. EMBREY, 0000  
HAROLD W. EMICK III, 0000  
VERN C. ERICKSON, 0000  
MICHAEL ERTMAN, 0000  
FRANCISCO A. ESSILLAT, 0000  
MICHAEL R. EVANS, 0000  
SCOTT D. EVANS, 0000  
JEFFREY J. FALCON, 0000  
STEPHEN J. FALCONE, 0000  
PAUL A. FANNING, 0000  
ROBERT M. FELLAND, 0000  
MORRISON J. FERNER, 0000  
TIMOTHY W. FERGUSON, 0000  
MICHAEL P. FERRIS, JR., 0000  
DARREL D. FEUCHT, 0000  
PATRICIA C. FIGURES, 0000  
JOHN D. FINK, 0000  
KELLY A. FISHER, 0000  
FITZJOHN C. FITZPATRICK, 0000  
STEVEN J. FORD, 0000  
WILLIAM H. FORD, 0000  
PATRICK C. FORTENBERRY, 0000  
MICHAEL D. FORTUNE, 0000  
CHRISTOPHER J. FOWLER, 0000  
MIKE FULFORD, 0000  
QUINTIN H. FULGHAM, 0000  
LARRY L. FULLER, 0000  
DARYL F. FUST, 0000  
HUMBERTO E. GALLARRAGA, 0000  
MICHAEL F. GALLAGHER, 0000  
DAVID A. GALLOWAY, 0000  
RAYMOND E. GALLUCCI, JR., 0000  
EDWARD C. GARDNER, 0000  
JULIE K. GARDNER, 0000  
DARYL R. GARNER, 0000  
LAWRENCE J. GARNER, 0000  
HOWARD B. GARTLAND, 0000  
KAREN D. GATTIS, 0000  
STEVEN M. GEISEN, 0000  
FLOYD R. GIFFORD II, 0000  
THOMAS M. GILHOOL, 0000  
ROBERT J. GINGRASS, 0000  
SUSAN GLENLEEE, 0000  
TERESA A. GODLASKY, 0000  
STEVEN J. GOFF, 0000  
PAMELA S. GONCE, 0000  
WALTER L. GOODWATER, 0000  
SUZANNE GORDY, 0000  
STEPHEN K. GOTO, 0000  
JANMICHAEL S. GRAINE, 0000  
JOHN H. GRASSO, 0000  
DARRELL K. GREEN, 0000  
JOHN R. GREEN, 0000  
MARK P. GREENWOOD, 0000  
KEVIN R. GRIESE, 0000  
RALPH H. GROOVER III, 0000  
FRANK GROSSKREUZ, 0000  
ANGELITO L. GUTIERREZ, 0000  
KEVIN G. GUTKNECHT, 0000  
MARK P. HABERSHAW, 0000  
MICHAEL W. HAERR, 0000  
BRETT W. HAEUSSLER, 0000  
BRETT M. HALE, 0000

JAMES R. HALL, 0000  
 ROY A. HALL, 0000  
 WILLIAM A. HALL, 0000  
 LAWRENCE E. HANNAN, 0000  
 ALLEN P. HARGIS, 0000  
 ELLEN L. HARING, 0000  
 ROBERT A. HARINGTON, 0000  
 CHARLES K. HARRIS, 0000  
 HARLAN D. HARRIS, 0000  
 WILLIAM M. HARRISON, 0000  
 RAYMOND C. HARTBARGER, 0000  
 DORI A. HASH, 0000  
 STEPHEN W. HEARN, 0000  
 MICHAEL J. HEFTY, 0000  
 JOHN J. HELLER, 0000  
 MARK G. HENDRICK, 0000  
 DARRYL W. HENSLEY, 0000  
 THOMAS F. HESLIN, JR., 0000  
 PAUL D. HESTAND, 0000  
 CORNELIUS K. HETHERINGTON, 0000  
 DANIEL J. HILL, 0000  
 RICHARD B. HOCHMAN, 0000  
 MARK J. HODD, 0000  
 JOSEPH P. HOFFMAN, 0000  
 DON R. HOFFMEISTER, 0000  
 STEPHEN R. HOGAN, 0000  
 DAVID J. HOGUE, 0000  
 GUY M. HOLLINGSWORTH, 0000  
 BRUCE E. HOLLOMAN, 0000  
 WAYNE L. HONEYCUTT, 0000  
 ROBIN S. HOOD, 0000  
 ROY D. HOUSE, 0000  
 ANTHONY HOWARD, 0000  
 JAMES T. HRDLICKA, 0000  
 ALAN C. HUFFINES, 0000  
 MARCUS K. HUGHES, 0000  
 FRIEDBERT J. HUMPHREY, 0000  
 WILLARD J. HUMPHRIES, 0000  
 ANTHONY J. HUNTER, 0000  
 PERCY G. HURTADO II, 0000  
 TIMOTHY A. HYBART, 0000  
 JOHNNY H. ISAAC, 0000  
 GEORGE K. ISHIKATA, 0000  
 BARTLEY J. IVES, 0000  
 LEE N. JACOBS, 0000  
 JEFFERY A. JAHNKE, 0000  
 LORIE T. JAVIER, 0000  
 JAMES L. JAWORSKI, 0000  
 JEROME F. JOCHEM, 0000  
 ERIC JOHNSON, 0000  
 GORDON R. JOHNSON, JR., 0000  
 CHRISTOPHER H. JONES, 0000  
 DOUGLAS JONES, 0000  
 MICHAEL J. JONES, 0000  
 RONALD L. JONES, 0000  
 THOMAS A. JONES, 0000  
 CATHERINE F. JORGENSEN, 0000  
 WILLIAM J. KALINOWSKI, 0000  
 GARY G. K. KAMAHOHA, 0000  
 KEVIN B. KEENAN, 0000  
 RICHARD F. KEENE, 0000  
 CHARLES D. KEITH, JR., 0000  
 DANIEL A. KENKEL, 0000  
 JAMES T. KENYON, JR., 0000  
 CORNELIUS J. KEOHANE, 0000  
 ERIC D. KERSKA, 0000  
 JERRY A. KIDRICK, 0000  
 VAN L. KINCHEN, 0000  
 ANTHONY L. KING, 0000  
 JOHN F. KING, 0000  
 RODERICK A. KING, 0000  
 ROBERT L. KIRBY, 0000  
 STEPHEN C. KISER, 0000  
 BRIAN G. KLEIN, 0000  
 TERRY L. KLINKER II, 0000  
 ROBERT D. KNAPP, 0000  
 DOUGLAS D. KOLSTOE, 0000  
 JOHN M. KRAEMER, 0000  
 TERRY G. KRISNAK, 0000  
 JOHN C. KUTTAS, 0000  
 CAROL A. LAAGE, 0000  
 CRAIG E. LAMBERT, 0000  
 ALAN M. LANE, 0000  
 RONALD J. LANE, 0000  
 BARRY M. LARRAIN, 0000  
 CHRISTOPHER A. LAUCHNER, 0000  
 JERRY W. LAW, 0000  
 KEVIN A. LAWRENCE, 0000  
 JOHN R. LEDDEN, 0000  
 SEAN K. W. LEE, 0000  
 DAVID H. LENT, 0000  
 MICHAEL A. LEONARDO, 0000  
 WESLEY J. LEWIS, 0000  
 JOHN R. LIGON, 0000  
 ROBERT W. LINDEMANN, 0000  
 DONALD G. LOCKARD, 0000  
 LYNN E. LOCKLEAR, 0000  
 LYNN E. LOEFSTEDT, 0000  
 MARK A. LONDON, 0000  
 JAMES C. LORD, 0000  
 JAMES M. LOWMAN, 0000  
 ROBERTA A. LUBA, 0000  
 TIMOTHY J. LUCHNER, 0000  
 JAIME LUGO, 0000  
 MARK A. LUMPKIN, 0000  
 KATHRYN K. LUNA, 0000  
 ROBERT S. LYMAN, 0000  
 ROBERT K. LYTLE, 0000  
 GARY W. MACHINA, 0000  
 STERLING D. MACLEOD, 0000  
 JAMES A. MACMILLAN, 0000  
 KELLY C. MACNEALY, 0000  
 DAVID L. MADISON, 0000  
 MARK G. MALANKA, 0000  
 DONNA M. MALLETT, 0000  
 DEBORAH L. MALONE, 0000  
 CHARLES T. MANSFIELD, 0000

ROLAND J. MANUEL, 0000  
 TIMOTHY G. MARLAR, 0000  
 MAIRI A. MARQUART, 0000  
 GREGORY M. MARTIN, 0000  
 STEVEN C. MARTINKA, 0000  
 MICHAEL J. MARX, 0000  
 JEFFREY M. MASCOLL, 0000  
 MICHAEL E. MASON, 0000  
 PIERRE E. MASSAR, 0000  
 ELIZABETH C. MASTERS, 0000  
 CURTIS A. MATCHETT, 0000  
 HORACE R. MATTHEWS, JR., 0000  
 DAREL C. MAXFIELD, 0000  
 CHARLES T. MAY, 0000  
 ROSEMARIE D. MCCABE, 0000  
 BILLY D. MCCARROLL, 0000  
 PHILLIP L. MCCLUSKEY, 0000  
 JOHN M. MCCOLLUM, 0000  
 HARRY S. MCCORKLE, 0000  
 DENNIS F. MCFADDEN, 0000  
 CRAIG M. MCGALLIARD, 0000  
 PHILIP S. MCGRATH, JR., 0000  
 EDWARD B. MCKEE, 0000  
 LAURA J. MCKNIGHT, 0000  
 MARK E. MCCLAUGHLIN, 0000  
 MICHAEL R. MCCLAUGHLIN, 0000  
 MARK F. MCMULLEN, 0000  
 MICHAEL B. MCNAMARA, 0000  
 DAVID M. MCVEY, 0000  
 RICHARD A. MEADOR, 0000  
 DAVID J. MEDEIROS, 0000  
 MITCHELL K. MEDIGOVICH, 0000  
 MICHELE A. MELTON, 0000  
 JOHN G. MELVILLE, 0000  
 VINCENT F. MERCADANTE, 0000  
 WILL G. MERRILL III, 0000  
 KARL L. MERRITT, 0000  
 DAVID B. MEYERS, 0000  
 PAUL R. MEYERS, 0000  
 STEVEN E. MILES, 0000  
 DONALD E. MILLER, 0000  
 GREGORY A. MILLER, 0000  
 JOHNNY R. MILLER, 0000  
 MARVIN G. MILLER, 0000  
 SAMUEL K. MILLETT, 0000  
 TIMOTHY MITCHELL, JR., 0000  
 DANIEL MONREAL, 0000  
 JUDITH E. MONTVOYA, 0000  
 JAMES M. MOODY, 0000  
 DONALD J. MOORE, 0000  
 RICHARD J. MOORE, 0000  
 TERRY F. MOORER, 0000  
 ANTONIO L. MORALES, 0000  
 BETANCOURT S. MORALES, 0000  
 LOIS MORALES, 0000  
 LAWRENCE D. MORELAND, 0000  
 AUSTIN T. MORGAN, 0000  
 ROBERT C. MOSCATI, 0000  
 MARK E. MUCCIARONE, 0000  
 CARL T. MURRAY, 0000  
 THOMAS T. MURRAY, 0000  
 RICHARD C. NAVRE, 0000  
 MICHAEL D. NAVRKAL, 0000  
 RANDOLPH F. NEAL, 0000  
 MARK P. NELSON, 0000  
 PETER S. NELSON, 0000  
 THRESAJAN NELSON, 0000  
 TRACY A. NELSON, 0000  
 CHRISTIE L. NIXON, 0000  
 JOSEPH F. NOONAN, JR., 0000  
 NANCY E. NOWOTNY, 0000  
 JOHN R. OATHOUT, 0000  
 WILLIAM S. OLIVA, 0000  
 JULI T. OLSON, 0000  
 WARREN C. OLSON, 0000  
 LEROY A. ONTIBEROS, 0000  
 JAY M. ORBIK, 0000  
 RUBEN ORDONEZ, 0000  
 PAUL A. ORECK, 0000  
 RICHARD L. OTT, 0000  
 MAURICE A. OTTINGER, 0000  
 PHILLIP M. OWENS, 0000  
 STEPHEN B. OWENS, 0000  
 DAVID E. PAINTER, 0000  
 KIRK A. PALAN, 0000  
 RAYMOND W. PALMA, 0000  
 SCOTT F. PARADIS, 0000  
 GINA M. PARKER, 0000  
 RAYMOND D. PARKER, JR., 0000  
 MITCHELL G. PASSINI, 0000  
 BOBBY C. PATRICK, 0000  
 TIMOTHY S. PAUL, 0000  
 WILLIAM B. PEARLE, 0000  
 STEVEN R. PEARSON, 0000  
 DANIEL J. PERROTTA, 0000  
 BRIAN D. PERRY, 0000  
 WALESKA PIZARRO, 0000  
 DAVID T. POLZARD, 0000  
 JOHNNIE H. POPE, JR., 0000  
 JOHN B. POSEY, 0000  
 PAUL T. POST, 0000  
 DANIEL J. POWERS, 0000  
 VON C. PRESNELL, 0000  
 JOSEPH A. PRICE, 0000  
 JOHN M. PRINE, 0000  
 CHRISTOPHER J. PROSSER, 0000  
 THOMAS J. PURPLE, JR., 0000  
 MICHAEL R. RADCLIFF, 0000  
 JORGE RANGEL, 0000  
 JAY M. RASMUSSEN, 0000  
 CLARY J. READ, 0000  
 BOBBY K. REDMAN, 0000  
 BRIAN C. REDMON, 0000  
 MEREDITH S. REED, JR., 0000  
 STEPHEN J. REEDBERRY, 0000  
 JERRY L. REES, 0000  
 DAVID M. REINERT, 0000

WAYNE M. REISETTER, 0000  
 SCOTT A. REVAL, 0000  
 DENNIS E. RICE, 0000  
 JOSEPH R. RICE, 0000  
 ROBERT A. RIGSBY, 0000  
 GREGORY D. RILEY, 0000  
 KENNETH E. RING, JR., 0000  
 LARRY ROBINSON, 0000  
 STEPHEN A. ROBINSON, 0000  
 HOMER C. ROGERS, JR., 0000  
 WILLIAM ROLLERSON, JR., 0000  
 MARCELO ROLON, 0000  
 A. C. ROPER, JR., 0000  
 CHAD M. ROTZIEN, 0000  
 ELIZABETH RUCKWIED, 0000  
 LANNIE D. RUNCK, 0000  
 GARY D. RUSSELL, 0000  
 DONALD G. RUTHERFORD, 0000  
 EDWARD M. RYAN, JR., 0000  
 PATRICIA E. RYAN, 0000  
 SEAN A. RYAN, 0000  
 TIMOTHY A. RYAN, 0000  
 ALISON I. RYSCAVAGE, 0000  
 ALDEN F. SADDLEMIRE, 0000  
 DANIEL T. SAILER, 0000  
 WALTER M. SAIMON, 0000  
 STEVEN A. SANCHEZ, 0000  
 STEPHEN G. SANDERS, 0000  
 DANIEL L. SAUCIER, 0000  
 ROBERT A. D. SAUERS, 0000  
 MICHAEL J. SAUTER, 0000  
 JAMES B. SAYERS, 0000  
 RALPH G. SCHEFFERT, 0000  
 WILLIAM P. SCHERER, 0000  
 JOHN W. SCHROEDER, 0000  
 HARRY J. SCHUTE, JR., 0000  
 WILLIAM J. SCHUTZ, JR., 0000  
 JONATHAN G. SCOTT, 0000  
 KENNETH A. SCOTT, 0000  
 MARTIN D. SEIFER, 0000  
 TRACY L. SETTLE, 0000  
 ARTHUR F. SHAFFERMAN, 0000  
 KEITH A. SHARPLES, 0000  
 RICHARD D. SHATTO, 0000  
 TIMOTHY A. SHEARER, 0000  
 TIMOTHY J. SHERIFF, 0000  
 BRIAN S. SIECK, 0000  
 LESTER SIMPSON, 0000  
 LARRY R. SIMS, 0000  
 BENNETT E. SINGER, 0000  
 RICHARD B. SINGER IV, 0000  
 WAYNE P. SINIBALDI, 0000  
 GLENN M. SKAWSKI, 0000  
 DEBORAH S. SKILLMAN, 0000  
 RONALD A. SLAATHUG, 0000  
 PAUL H. SLINKERD III, 0000  
 EDWARD R. SMALLWOOD, 0000  
 CHARLES E. SMITH, 0000  
 GREGORY E. SMITH, 0000  
 DOUGLAS SNYDEL, 0000  
 CAROL R. SOLESEBE, 0000  
 CATHERINE D. SOPER, 0000  
 NANCY A. SOZA, 0000  
 ROBERT A. SPANO, 0000  
 THOMAS G. SPRAGUE, 0000  
 GARY L. SPRY, 0000  
 RICHARD C. STAATS, 0000  
 THOMAS H. STATON, 0000  
 DANIEL R. STEFANOWICH, 0000  
 LISA D. STEWART, 0000  
 MARK A. STOCKSTELL, 0000  
 JAMES E. STOKES, 0000  
 WILLIAM L. STOPPEL, 0000  
 JOHN P. STOREY, 0000  
 DARLETTE P. STOWERS, 0000  
 WILLIAM A. STROUD, 0000  
 MICHAEL C. SUDLA, 0000  
 CLARK H. SUMMERS, 0000  
 LEAH E. SUNTHEIMER, 0000  
 LESLIE N. SWARTZ, 0000  
 SCOTT A. SYME, 0000  
 STEPHEN D. TABLEMAN, 0000  
 BARRY K. TAYLOR, 0000  
 CHRISTOPHER D. TAYLOR, 0000  
 JULIA S. TAYLOR, 0000  
 KEITH H. TAYLOR, 0000  
 PETER J. TETRICK, 0000  
 PAUL G. THIBODEAU, 0000  
 LINDA A. THOMAS, 0000  
 GARY A. THOMPSON, 0000  
 ROBERT A. THOMPSON, 0000  
 VINCENT E. THOMPSON, 0000  
 STEPHEN L. THORSTED, 0000  
 RICHARD J. TORRES, 0000  
 FRANK T. G. TRAINOR, 0000  
 MICHAEL P. TRUELOVE, 0000  
 LORA L. TUCKER, 0000  
 MICHAEL D. TURELLO, 0000  
 BRADLEY TURNER, 0000  
 HAROLD W. TURNER, 0000  
 ARTHUR F. TURNIEL, 0000  
 BRYAN A. TUTKO, 0000  
 ROCKY J. TYLER, 0000  
 LUIS E. UMANAWILLIAMS, 0000  
 SUZANNE VALENTINGUZZMAN, 0000  
 JOHNNY J. VALENZUELA, 0000  
 JOHN W. VANDELOOP, 0000  
 BENNIE R. VAUGHAN, 0000  
 EDWARD G. VAUGHN, 0000  
 KENNETH R. VAUGHN, 0000  
 CHARLES R. VETT, 0000  
 PETER J. VERSTEEG, 0000  
 RODOLFO VILLARRREAL, JR., 0000  
 JOHN E. VITZTHUM, 0000  
 RICHARD L. VONSTEUBEN, JR., 0000



JEFFREY G. VORCE, 0000  
 STANLEY D. WAGSTAFF, 0000  
 ROBERTA B. WALKER, 0000  
 WILLIAM J. WALKER, 0000  
 MICHELE E. WALLACE, 0000  
 TERRENCE M. WALSH, 0000  
 SEAN D. WARD, 0000  
 THOMAS U. WASHINGTON, 0000  
 ALIKA G. WATTS, 0000  
 JAMES J. WEAVER, 0000  
 ROBERT D. WEBER, 0000  
 MARK A. WEEKS, 0000  
 THOMAS J. WEISS, 0000  
 SHAWN A. WELCH, 0000  
 KENNETH R. WELLONS, 0000  
 MICHAEL P. WHETSTON, 0000  
 ANITA A. WHITE, 0000  
 LARRY A. WILCOX, 0000  
 GREGORY L. WILCOXON, 0000  
 BILL WILLIAMS III, 0000  
 CARL WILLIAMS, JR., 0000  
 JEFFREY S. WILLIAMS, 0000  
 JOAN M. WILLIAMS, 0000  
 DONALD M. WINDHAM, 0000  
 SCOTT M. WINEGAR, 0000  
 LAURA B. WISCH, 0000  
 PHILIP W. WOJTALEWICZ, 0000  
 DAVID C. WOOD, 0000  
 JERRY L. WOOD, 0000  
 BRUCE D. WOOLPERT, 0000  
 KEVIN D. WRIGHT, 0000  
 JONATHAN W. WUNG, 0000  
 STACEY T. YAMADA, 0000  
 GARY S. YAPLE, 0000  
 ROGER D. YEARWOOD, 0000  
 DAVID A. YOUNGBERG, JR., 0000  
 STEPHEN J. ZEMPOLICH, 0000  
 MICHAEL R. ZERBONIA, 0000  
 RICHARD D. ZIERATH, 0000  
 JEFFREY J. ZIOL, 0000  
 CHARLES R. ZIPPERER, 0000  
 MARC L. ZUFFA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

ROBIN B. ALLEN, 0000  
 SCOTT A. ANGER, 0000  
 JOEL J. BERNER, 0000  
 GEORGE P. BLACK, 0000  
 KURT J. BOHN, 0000  
 ANTHONY G. BROWN, 0000  
 JOSEPH D. CERRETO, 0000  
 MITCHELL R. CHITWOOD, 0000  
 MICHAEL J. COUGHLIN, 0000  
 JAMES E. HARDIN, JR., 0000  
 JULIE K. HASDORFF, 0000  
 WILLIAM G. HASKIN, 0000  
 OLIVER F. JOHNSON, 0000  
 GARY A. LOXLEY, 0000  
 STEVEN G. MAHON, 0000  
 THOMAS C. MCLURKIN, 0000  
 BRUCE A. PAGEL, 0000  
 STEPHEN J. PRICE, 0000  
 DANIEL A. RICE, 0000  
 ROBERT R. RIGSBY, 0000  
 RONALD B. ROBINSON, 0000  
 SCOTT F. ROMANS, 0000  
 STEVEN A. ROSSO, 0000  
 JAMES M. SAWYERS, 0000  
 WILLIAM E. SCULLY, JR., 0000  
 JOHN J. SIEMIETKOWSKI, 0000  
 ROBERT C. SLAUGHTER II, 0000  
 GREGORY J. SUROVIC, 0000  
 ALEXANDER TAYLOR, 0000  
 CRAIG T. TREBILCOCK, 0000  
 ARTHUR D. WELLMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY

MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

JOHN G. ALVAREZ, 0000  
 DAVID A. BITTERMAN, 0000  
 MARILYN D. BREW, 0000  
 MITCHELL E. BREW, 0000  
 DENNIS C. BROWN, 0000  
 MARC L. CAQUETTE, 0000  
 VINCENT C. CARNAZZA, JR., 0000  
 CHRISTOPHER M. CASTLE, 0000  
 CARL A. CASTRO, 0000  
 DANIEL V. CHAPA, JR., 0000  
 LAWRENCE B. CONNELL, 0000  
 MARCUS W. CRONK, 0000  
 MUSTAPHA DEBBOUN, 0000  
 GREGORY D. EVANS, 0000  
 JOHN M. GAAL, 0000  
 MARY E. GARR, 0000  
 KAREN M. KELLEY, 0000  
 BERTHONY LADOUCEUR, 0000  
 TERRY J. LANTZ, 0000  
 SAMUEL G. MACK, JR., 0000  
 GREGORY A. MALVIN, 0000  
 RODGER K. MARTIN, 0000  
 CLEM D. MCDUFFIE, 0000  
 THERESA L. MOSER, 0000  
 MURIEL A. MOSLEY, 0000  
 DAVETTE L. MURRAY, 0000  
 DANIEL P. ORRICO, 0000  
 CHRISTOPHER V. ROAN, 0000  
 GORDON R. ROBERTS, 0000  
 JUDITH D. ROBINSON, 0000  
 LINDA C. ROSS, 0000  
 DEBRA M. STEWART, 0000  
 ALAN K. STONE, 0000  
 JACK K. TROWBRIDGE, 0000  
 JAMES T. WALSH, 0000  
 DONNA S. WHITTAKER, 0000  
 TRACY O. WYATT, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

JEFFREY S. ASHLEY, 0000  
 JUDITH A. BOCK, 0000  
 JENNIFER M. ECTOR, 0000  
 SHERI L. FERGUSON, 0000  
 ANNA R. IUNGERICH, 0000  
 CAROLYN M. JOLITZ, 0000  
 LISA M. LATENDRESSE, 0000  
 PATRICIA M. LEROUX, 0000  
 RITZA REESE, 0000  
 YOLANDA RUIZSALES, 0000  
 BRUCE A. SCHONEBOOM, 0000  
 KIMBERLY K. SMITH, 0000  
 DEBRA A. SPENCER, 0000  
 SHARON L. STERLING, 0000  
 DELLA W. STEWART, 0000  
 COLLEEN A. TAKAHASHI, 0000  
 HEIDI A. WARRINGTON, 0000  
 THOMAS G. WINTHROP, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be captain*

HARRY T. WHELAN, 0000

*To be commander*

WILLIAM K. BOTT, 0000  
 ERIC L. STALLWORTH, 0000

*To be lieutenant commander*

MICHAEL C. DEWALT, 0000

ROMIRO MUNOZ, 0000  
 WILLIAM G. RHEA III, 0000

BROADCASTING BOARD OF GOVERNORS

KENNETH Y. TOMLINSON, OF VIRGINIA, TO BE CHAIRMAN OF THE BROADCASTING BOARD OF GOVERNORS. (REAPPOINTMENT).

KENNETH Y. TOMLINSON, OF VIRGINIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2007. (REAPPOINTMENT).

NATIONAL MEDIATION BOARD

ELIZABETH DOUGHERTY, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2007, VICE EDWARD J. FITZMAURICE, JR., TERM EXPIRED.

ELIZABETH DOUGHERTY, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2010. (REAPPOINTMENT).

PETER W. TREDICK, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2009, VICE READ VAN DE WATER, TERM EXPIRED.

DEPARTMENT OF LABOR

PAUL DE CAMP, OF VIRGINIA, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR, VICE TAMMY DEE MCCUTCHEEN, RESIGNED.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

ARLENE HOLEN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2010, VICE ROBERT H. BEATTY, JR., TERM EXPIRED.

DEPARTMENT OF LABOR

RICHARD STICKLER, OF WEST VIRGINIA, TO BE ASSISTANT SECRETARY OF LABOR FOR MINE SAFETY AND HEALTH, VICE DAVID D. LAURISKI, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF JUSTICE

STEVEN G. BRADBURY, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE JACK LANDMAN GOLDSMITH III, RESIGNED.

WITHDRAWALS

Executive message transmitted by the President to the Senate on November 14, 2006, withdrawing from further Senate consideration the following nominations:

PETER W. TREDICK, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2007, VICE EDWARD J. FITZMAURICE, JR., TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON MARCH 27, 2006.

ELIZABETH DOUGHERTY, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2009, VICE READ VAN DE WATER, TERM EXPIRING, WHICH WAS SENT TO THE SENATE ON MAY 25, 2006.

PETER W. TREDICK, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2010. (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JULY 18, 2006.