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## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, September 19, 2006, at 12:30 p.m.

## Senate

MONDAY, SEPTEMBER 18, 2006

The Senate met at 2 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 Father, we thank You for Your presence in our midst. We thank You that You are a God who wants friendship with us. Forgive us for so often running away from You, for spurning Your kindness, for turning against the very love that gives us life.

Today, inspire the Members of this body. Give them the vision of a warless world, one in which Isaiah and Micah foresaw three millennia ago.

Help our lawmakers use their power to hasten the day when nations shall not lift up swords against nations, nor shall they learn war anymore. Let not hate or fear desolate this beautiful, blood-sustained Earth forever; rather, let the Earth increase its knowledge of You as the waters cover the sea.

We pray in Your sovereign 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.

### MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. FRIST. Mr. President, we are back this afternoon to return to the consideration of the United States-Oman trade agreement. Last week, we reached an agreement for debate on this past Friday and today, with the vote occurring tomorrow. On Tuesday, there will be 30 minutes for closing remarks prior to vote on passage. We expect the vote to occur prior to the Tuesday policy meetings.

Also on Tuesday, following the policy luncheons, the Senate will proceed to executive session for the consideration of the nomination of Alice Fisher to be an Assistant Attorney General. There will be 5½ hours set aside for the debate on this nomination, although we don't anticipate that all of that time will be necessary.

There are other legislative and executive items we will schedule this week in addition to those I just mentioned. We are consulting with a number of colleagues as we schedule these matters, and I will have more to say after those conversations are concluded.

### UNANIMOUS CONSENT AGREEMENT—H.R. 4954

AMENDMENT NO. 4997, AS FURTHER MODIFIED

Mr. FRIST. Mr. President, I ask unanimous consent that notwithstanding passage of H.R. 4954, the Menendez amendment No. 4997 be modified with the changes at the desk.

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

The amendment (No. 4997), as further modified, is as follows:

On page 18, between lines 22 and 23, insert the following:

(b) RISK MANAGEMENT PLAN.—

(1) IN GENERAL.—Under the direction of the Commandant of the Coast Guard, each Area Maritime Security Committee shall develop a Port Wide Risk Management Plan that includes—

(A) security goals and objectives, supported by a risk assessment and an evaluation of alternatives;

(B) a management selection process; and

(C) active monitoring to measure effectiveness.

(2) RISK ASSESSMENT TOOL.—The Secretary of the Department in which the Coast Guard is operating shall make available, and Area Maritime Security Committees shall use, a risk assessment tool that uses standardized risk criteria, such as the Maritime Security Risk Assessment Tool used by the Coast Guard, to develop the Port Wide Risk Management Plan.

On page 19, line 16, strike “and”.

On page 19, line 18, strike the period at the end and insert “; and”.

On page 19, between lines 18 and 19, insert the following:

“(3) is consistent with the Port Wide Risk Management Plan developed under section 111(b) of the Port Security Improvement Act of 2006.

On page 19, strike line 24 and insert the following:

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



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for Preparedness, may require.

“(h) REPORTS.—Not later than 180 days after the date of the enactment of the Port Security Improvement Act of 2006, the Secretary, acting through the Commandant of the Coast Guard, shall submit a report to Congress, in a secure format, describing the methodology used to allocate port security grant funds on the basis of risk.”

#### CONSTITUTION DAY AND DEMOCRATIC OBSTRUCTION

Mr. FRIST. Mr. President, yesterday, September 17, marked the 219th anniversary of one of the most significant events in U.S. history. On September 17, 1787, 219 years ago, 39 brave men signed the U.S. Constitution.

We are all familiar with the Preamble of the Constitution:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Today across the nation, children in each and every classroom are celebrating the birthday of our Constitution. Very likely, they are reciting this very same Preamble. Many are, no doubt, struggling through this seemingly archaic syntax to come to distill its purpose. These children are asking themselves the same questions we in the Senate face each day on the Senate floor: What does it mean to establish justice? What does it mean to ensure domestic tranquility; to provide for the common defense; to promote the general welfare; to secure the blessings of liberty to ourselves and our posterity?

In the midst of debate, it is temptingly easy to mire ourselves in the intricacies of legislation, and we spend hours in committees negotiating a phrase or a single word. But let's not forget the purpose behind our debates. Mr. President, 219 years ago, 39 men fulfilled the promise, fulfilled the vision of the Declaration of Independence by signing the Constitution. Today, the legacy depends on us. As citizens and as Senators, it is our duty to ensure that the values and purposes embodied by the Constitution continue to be the values that define our daily life.

Over the past few months, we have had many opportunities to do just that: the PATRIOT Act, Defense appropriations, border security, the Voting Rights Act, the Gulf of Mexico Energy Security Act, pension reform, and just last week, port security.

But too often my colleagues on the other side of the aisle have inhibited the fulfillment of our duty. They have relied on obstruction and thrown up roadblocks at every opportunity. They have let politics get in the way of sound policy and purpose. That is unacceptable.

We have only a few days left in this session. This week, we will vote on the nomination of Alice Fisher to be an Assistant Attorney General for the Crimi-

nal Division at the Department of Justice. But it has taken months and months to get to this point—months and months of obstruction. We have other key national security nominees who need to be confirmed. These are positions vital to our continued safety and security, but at every turn we find obstruction instead of confirmation.

As we move forward, I urge my colleagues to review our Constitution's Preamble, to consider anew our purpose here in the Senate, and to let that purpose guide our debate and action here on the Senate floor.

I yield the floor.

#### RECOGNITION OF THE DEMOCRATIC LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

#### THE ADMINISTRATION'S MISTAKES IN THE IRAQ WAR

Mr. REID. Mr. President, for more than 3 years, this Congress, which has been given the name of the “do-nothing Congress,” has turned a blind eye to the intractable war in Iraq, ignoring the administration's many mistakes and allowing it to stay on a failed course.

Here we are, with 6 days left in the 109th Congress, and the Republicans, who control the House and Senate and the White House, have not held one hearing—not one—into the President's wartime failures. During the Civil War, President Lincoln was faced continually with oversight hearings by his Congress. Of course, we know during World War II, there were a number of commissions. The most famous was that conducted by Senator Harry Truman of Missouri, which led to his becoming Vice President. Some say, but for that he would not have been chosen as Vice President. What was the Truman Commission? It was to determine what was going on with World War II. Was money being wasted? Were troop levels right? Korean war hearings were also held, and the same for the Vietnam war. But for this war, none—even though this war has taken longer than it took to settle the differences in the European theater in World War II. Soon it will be the same amount of time that we were able to beat Japan.

This Republican Congress has wasted 20 months on horse slaughtering; the Schiavo case, dealing with someone's personal relationship, which should not even have been before this body; gay marriage; the nuclear option; flag burning; repealing the estate tax. But they could not find a day for some time to look at the President's mistakes, missteps, and misconduct, which have hurt American security and plunged Iraq into a civil war—not a day.

Yesterday's Washington Post newspaper brought the latest indictment of the Bush incompetence in Iraq, in a front-page story entitled “Ties to GOP Trumped Know-How Among Staff Sent

to Rebuild Iraq.” Mr. President, this article says a lot of things, but here is some of it:

... applicants didn't need to be experts in the Middle East or in post-conflict reconstruction. What seemed most important was loyalty to the Bush administration.

It is interesting to note that the person selected to do this is a man by the name of O'Beirne. I saw that name and it flashed because I have been on programs with a woman by the name of Kate O'Beirne. And I'll be darned, it happened to be her husband who was chosen to find the people to take care of postwar Iraq.

Here are some of the questions that were asked of the applicants: “Did you vote for George W. Bush in 2000?” They even asked questions about how the applicant felt about *Roe v. Wade*. People being interviewed for purposes of helping rebuild war-damaged Iraq were asked questions on *Roe v. Wade*. The questions had nothing to do with one's competence, their educational background, or their experience. The article says that

... from April 2003 to June 2004 [it was clear that O'Beirne] lacked vital skills and experience

to do what he was required to do. It says:

A 24-year-old who had never worked in finance—but had applied for a White House job—was sent to reopen Baghdad's stock exchange. The daughter of a prominent neoconservative commentator and a recent graduate from an evangelical university for home-schooled children were tapped to manage Iraq's \$13 billion budget, even though they didn't have a background in accounting.

The article also says:

Interviews with scores of former CPA personnel over the past two years depict an organization that was dominated—and ultimately hobbled—by administration ideologues.

“We didn't tap—and it should have started from the White House on down—just didn't tap the right people to do this job,” said Frederick Smith, who served as deputy director of the DPA's Washington office. “It was a tough, tough job. Instead we got people who went out there because of their political leanings.”

But many CPA staff members were more interested in other things: in instituting a flat tax—

People were sent there with no background, no education, no academic experience, and set out to create a flat tax in Iraq.

They were interested “in selling off government assets, in ending food rations and otherwise fashioning a new nation that looked a lot like the United States. Many of them spent their days cloistered in the Green Zone, a walled-off enclave in central Baghdad with towering palms, posh villas, well-stocked bars and resort-size swimming pools.”

Mr. President, this picture says it all. Here is Paul Bremmer. They dumped General Garner after a few weeks and brought Bremmer in. Here he is, on his throne—on his throne. He is on a throne surrounded by Iraqis.

Mr. DURBIN. Will the Senator yield for a question?

Mr. REID. I will be happy to yield for a question.

Mr. DURBIN. Can the Senator refresh my memory? Was Mr. Bremmer the recipient of a gold medal or something from the President? Didn't he receive some high decoration or medal for his performance in Iraq?

Mr. REID. The answer is, yes, he received that. I assume one would expect that from somebody who had a throne while he was over there.

Mr. DURBIN. Isn't it also true that George Tenet, who was responsible for the intelligence that was so bad that led us into the war in Iraq, got a medal from the President the same day?

Mr. REID. That is true.

Mr. DURBIN. Did Michael Brown with FEMA receive a gold medal from the White House before he was dismissed?

Mr. REID. I don't think he did. Even though he was doing a heck of a job, I don't think he obtained a medal from the White House.

Mr. DURBIN. Apparently, these gold medals were being awarded for incompetence. They missed Mr. Brown, but they did give one to Mr. Bremmer.

Mr. REID. The article goes on to say—and I say to my friend and anyone within the sound of my voice:

To recruit the people he wanted, O'Beirne sought resumes from the offices of Republican congressmen, conservative think tanks and GOP activists. He discarded applications from those his staff deemed ideologically suspect, even if the applicants possessed Arab language skills or postwar rebuilding experience.

Smith said O'Beirne once pointed to a young man's resume and pronounced him "an ideal candidate." His chief qualification was that had he worked for the Republican Party in Florida during the presidential election recount in 2000.

I am not making this up. This is hard to comprehend.

Mr. DURBIN. Will the Senator yield for another question?

Mr. REID. I will be happy to.

Mr. DURBIN. I am trying to recall the exact number—it was in the billions of dollars—that we gave to the President for the reconstruction of Iraq; is that not true?

Mr. REID. It started out at \$18 billion. But as the Senator from Illinois will remember, part of that money, stacks of one-hundred-dollar bills, was used by some of the contractors who were sent over there to play football games—some of these same people.

Mr. DURBIN. It is also true, is it not, that the Democratic policy conference has been holding hearings—in fact, I think it is the only agency on the Hill holding hearings—on this waste and abuse, this profiteering and corruption at the expense of American taxpayers and even, equally important—more importantly—at the expense of our troops?

Mr. REID. I say to my friend, this war is approaching 3½ years, and there has not been a single congressional

oversight hearing on the conduct of the war. This war has now cost us, the American taxpayers, about \$325 billion. There has not been a single congressional oversight hearing on the war.

Mr. DURBIN. I ask the Senator from Nevada if he might comment on this as well: Are we not in a situation where the President has told us that he wants to "stay the course" in Iraq, and Vice President CHENEY, when asked a week ago, said he wouldn't change a thing in the way they have done this war in Iraq? Is it very clear that unless there is a change in leadership in this town soon, we are going to continue down this disastrous course, exposing our soldiers to danger every single day, their families to the anxiety of separation, and the taxpayers of this country to billions and billions of dollars more being spent that don't make us any safer?

Mr. REID. I say to my friend, I spent the weekend reading a book. I did other things. I spent a lot of time on an airplane. The book is called "Fiasco," written by a man named Thomas Ricks who has spent his life covering the military. He has written books on the military. I don't know his political persuasion. This book is on the best seller's list of the New York Times.

In this book, he talks in such detail about what has happened as a result of the incompetence of this administration to our valiant fighting men and women over there. I recommend the book to anyone. It is a searing indictment of this administration. It is in keeping with what this article is all about.

Another paragraph:

One former CPA employee who had an office near O'Beirne's wrote an e-mail to a friend describing the recruitment process: "I watched resumes of immensely talented individuals who had sought out CPA to help the country thrown in the trash because their adherence to 'the President's vision for Iraq' (a frequently heard phrase at CPA) was 'uncertain.' I saw senior civil servants from agencies like Treasury, Energy . . . and Commerce denied advisory positions in Baghdad that were instead handed to prominent RNC (Republican National Committee) contributors."

One staffer said:

I'm not here for the Iraqis, I'm here for George Bush."

Mr. President, this is really a sad commentary. Important jobs, such as rebuilding the Iraq stock exchange, were given to applicants who agreed with the President on *Roe v. Wade*. Qualified individuals were turned down for jobs if they didn't vote for Bush in 2000. The children of the President's conservative friends were given authority over the country's \$13 billion budget.

Today in Iraq we are witnessing the terrible consequences of Bush cronyism, and it is our troops, the Iraqi people, and the American people who are paying the price.

Reconstruction has been a failure. The economy is a mess. Thousands are dying. Whole provinces have been lost.

One province, Anbar Province, makes up a third of the country. The military people said it is gone. And the political solution necessary to bring Americans home is nowhere to be found.

The testimony we hear from people such as the people in this newspaper article is unbelievable. We have heard it time and again. The only people who aren't listening are George Bush and this do-nothing Congress.

If the Iraq war has taught us anything, it is that Congress must take seriously its responsibility to hold the executive branch accountable, and it has not happened. For 2 years, Democrats have offered constructive solutions to change course in Iraq and give our troops and the Iraqi people the chance for some type of stability and success. We have said there must be a redeployment of forces this year to transition the mission, to change the mission.

We have said we must resolve the sectarian differences through a political settlement. That is called diplomacy. They need to amend their constitution.

We said they must regionalize the conflict with a contact group or conference to bring in those countries that said they will help.

We need to revitalize, and we can do that as I have indicated: get the countries that said they would help to come in and help. There needs to be a regional solution. We need to rebuild our badly strained U.S. military. There is not a single undeployed Army unit today that is battle ready. That says it all.

A number of generals have witnessed this administration's flawed Iraq policy firsthand, and they have repeatedly called for new civilian leadership at the Pentagon.

I say this with all due respect: I bet if those military personnel weren't working for Government defense contracts, we would have a few more speaking out. But we have had plenty.

In each instance, when the generals speak out, the Republican Congress blocks their efforts and puts their political interests ahead of America's safety.

The war in Iraq has been a diversion from the real war on terror. But this administration and this do-nothing Congress are content to stay the course, even as it makes America less safe and Iraq less stable.

We need a new direction. This Congress has failed.

I yield the floor.

(The remarks of Mr. WYDEN and Mr. BENNETT pertaining to the introduction of S. 3908 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from West Virginia.

Mr. BYRD. Madam President, what is the limitation on speeches at this point?

The PRESIDING OFFICER. We are currently in morning business, with

Senators allowed to speak for up to 10 minutes.

Mr. BYRD. Madam President, I ask unanimous consent that I may speak for no more than 30 minutes.

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

#### CONSTITUTION AND CITIZENSHIP DAY

Mr. BYRD. Madam President, yesterday, September 17, the Nation observed Constitution and Citizenship Day. Yesterday, on the Sabbath, the Nation observed Constitution and Citizenship Day. The day marked the 219th anniversary of the signing of the U.S. Constitution. On September 17, 1787, 219 years ago yesterday, an extraordinary convention of American statesmen met in Philadelphia's Independence Hall to adopt our fledgling Nation's fundamental governing principles, codified in the new Constitution. I am happy to glory in my good fortune, the blessing of living in this Nation and under this Constitution—this Constitution which I hold in my hand. I have long been a student of the Constitution, and I do carry it with me, close to my heart. Alexander the Great slept with a copy of the Iliad, written by Homer in the 800s before Christ—a copy of the Iliad under his pillow, they say. I do not sleep with a copy of the Constitution under my pillow, but I carry it close to my heart.

Over the years, I have read deeply about our Founding Fathers and the great national debate that accompanied the development, the adoption, and the ratification of this critical document. This history is enlightening, revealing the lessons of our Founding Fathers, the great lessons of our Founding Fathers and the lessons they learned from ancient history as well as from their own experience as colonists subject to the British King.

As a Member of the Senate, I have many good reasons to want to know more about the Constitution. Yes, I am 89, but I want to know more. The Constitution affects all Americans, and I urge all Americans to learn more about the Constitution. Why? Because it remains as vital to our lives today as it was 219 years ago. That was a long time ago, 219 years. This Constitution affects the structure and operation of our government, a government of laws, not a government of men. Yes, this Constitution, this is the roadmap, this is the cornerstone of our Republic. It dictates who is eligible to run for office and hold office. It dictates who may elect government officials and how those officials—like me, like myself—must conduct themselves while in office. It outlines who does what within the Federal Government and between the Federal Government and these United States. It requires the President, the Chief Executive in the White House—who is he? He is the Chief Executive, but it requires that he, the President of the United States, report. To whom? To the people and to Congress.

The Constitution decides who may declare war. It says, "The Congress shall have the power to declare war." Yes, the Congress. It decides who may appoint Ambassadors, who may levy taxes, who may decide how Federal dollars will be spent. If all of that does not affect every American, I do not know what does.

I firmly believe that our Constitution deserves greater awareness in our national life and in our everyday lives. A distressing number of studies have shown a profound ignorance of and, yes, even indifference to this fundamental document of government. This is it. I hold it in my hands. Of course, more than the Constitution is included in this fine little document that I have and carry in my pocket, but the title of this little book is the "United States Constitution." That is it. This is the pillar of my liberties, the pillar of your liberties, and it is the roadmap by which those who govern shall govern.

Too many citizens have little or no knowledge of this Constitution, from the functions of government to the scope of their own rights and liberties. Did you realize that, every one of you who is within the sound of my voice throughout this great Nation? You may revere the Constitution—and most people do. Yes, they are proud of the Constitution. They revere it. But they do not know what is in it; too many do not know what is in it. Many do.

I think that may also be true of many Members of Congress, many Members of this body. As you know, there are two bodies of Congress. Two bodies make up the Congress, not one body. It may be true of many Members of these two Houses. It may be true of many Members of this House, the Senate of the United States. It may be true of the executive branch officials. Did you hear that it may be true of executive officials, many of them? It may be true of military officials, many military officials and personnel, and members of the news media. Hear me now, yonder on the back benches, those who write, those who question, those who explain: members of the news media.

Few people know why the Constitution was designed the way it was. Few people may understand what the checks and balances contained in our governmental structure are meant to do.

When the Constitutional Convention sent to the States this Constitution for ratification, in 1787, it stimulated an active political debate out there—in the mountains, the hills, and the valleys of this land. It was not a political debate such as we see today—a cacophony of short sound bites and slogans that do not answer the questions or which are aimed only at attacking a political opponent—but a real debate, a real discussion, a real looking at the structure, at the parts of the structure, at the words, at the sentences—yes, a real debate and discussion.

Supporters and opponents wrote pamphlets and published essays that were widely read. Can you imagine

that? They wrote pamphlets, essays that were widely read, widely discussed? The Constitution became a topic of conversation around dinner tables and at public meeting places. Imagine, just imagine—hear me now, imagine that today.

Imagine that happening today. The Federalist Papers—may I say to the pages—read them. The Federalist Papers—not just the Constitution but also the Federalist Papers. Read them. The Federalist Papers, that great defense of the Constitution written by James Madison, Alexander Hamilton, and John Jay—read the Federalist Papers. They were widely printed in newspapers and still more widely read and discussed. The Federalist Papers served as the centerpiece for the debate over the form of government the Constitution created, the form of government this little Constitution created. Yes, I hold it in my hand. Sadly, today there are few people outside of college classes and history and politics who have read the Federalist Papers. They should be read by all Americans who want to understand the Constitution.

Read the Federalist Papers. If you have read them, read them again. It is like reading the Holy Bible. Each time you read it, you will see new things, you will understand new things, new words are being said, new sentences, new thoughts are being expressed, some that you had not seen before.

Madison, Hamilton, and Jay—those great men, Madison Hamilton, and Jay—turned to the mass-communication system of their day, the newspapers. Now, in the 21st century, we have the ability to promote better knowledge and better understanding of the Constitution through the newest form of mass communication—think about that—the Internet. As an excellent resource for Americans on this vital topic, I draw attention to the considerable information about the Constitution that the United States is making available—get that—the United States is making available to the public on the Senate Web site. You hear me. It is there.

By publishing articles in newspapers, Madison, Hamilton, and Jay reached out and touched an audience of thousands. Through the World Wide Web, the Senate's Web site, material on the Constitution can be accessed by an audience of millions, millions of citizens, teachers, and students—people from all around, the world.

In honor of this year's celebration of Constitution Day, the U.S. Senate has included a variety of features on its Web site—at [www.senate.gov](http://www.senate.gov)—to promote a more thorough understanding of our Constitution, the blueprint—here it is—for the Federal Government that still defines and guides us today, I say to the President who sits in the chair. Visitors to the Senate Web site will find many items related to the Constitution. The full text of the Constitution can be viewed, along with annotations and Senate-specific clauses.

There is also a feature on the Federalist Papers and a special section featuring books about the Constitution for children. There is a beautiful color reproduction of the mural unveiled in the Senate wing of the Capitol Building just a few days ago. The mural depicts the authors of the Connecticut Compromise of 1787—also known as the Great Compromise—that led to creation of the Senate and the House of Representatives. There is also a Virtual Reference Desk that can guide visitors to further reading and resources to help them learn more about our—our, our—Constitution.

I commend the Secretary of the Senate, the Sergeant at Arms, and their staffs, who collected and posted this array of constitutional material in such an attractive and easy-to-use format. Their work reflects well on the Senate and offers a real service to the Nation. It embodies the spirit of Constitution Day, which I am proud to have had a hand in establishing. I also commend the many other organizations that have made an abundance of educational material available to all those seeking greater knowledge of the Constitution. Notable among these are the Web sites of the National Constitution Center in Philadelphia, Justice Learning, the Center for Civic Education, the Constitutional Rights Center, the Constitution Project, and the Freedom Forum. They have all done fine work that deserves widespread attention.

Our Constitution is what sets the United States—yes, our Constitution is what sets the United States, a star, above other nations. Our Constitution is what makes the United States such a shining beacon, such a shining star for the people of other nations, for those still struggling to establish democratically elected representative governments.

Our Constitution empowers our leaders but also places limits on our leaders to prevent autocratic rule. “If men were angels, no government would be necessary.” James Madison wrote in the Federalist Papers, “If men were angels, no government would be necessary.” “If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty is this: You must first enable the government to control the governed; and in the next place, oblige it to control itself.”

The self-control mechanism in our Constitution and therefore in our governmental structure comes first from the competition between and among the three branches of Government, the famous “checks and balances.” Ultimately, the self-control mechanism in our Government comes from the powers and the responsibilities placed by the Constitution upon the people of the United States. In order to effectively play our safeguarding role as citizens, we each—each of us; you, Mr. Presi-

dent, me, each of us—has an obligation to be informed. The system of checks and balances between and among the three branches of Government and the ideals of freedom and of rights and liberties set forth and realized in our Constitution are our greatest contributions to the world—our greatest contributions to the world.

My hope is that observances of Constitution Day—yesterday, today, this year, and in future years—will encourage all citizens, all citizens high and mighty and low, to learn more about our Constitution and Government. Certainly there is no better way for people to start than by clicking on the U.S. Senate’s Web site. I hope many people listening today, many people watching today, will be inspired to use the Internet today—yes, today—to visit the Senate’s Web site and see the marvelous collection of information about the most marvelous document, the Constitution of the United States.

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

The PRESIDING OFFICER (Mr. ENZI). 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. The Senator from North Dakota.

Mr. CONRAD. I thank the Chair.

#### OMAN FREE TRADE AGREEMENT

Mr. CONRAD. Mr. President, I come to the floor today to oppose the so-called Oman Free Trade Agreement. There are two primary reasons that I oppose this agreement. First, the Oman agreement is a continuation of an utterly failed trade policy. I believe we must change direction, and we need to change direction now before our record trade and budget deficits cripple our economy.

Mr. President, this chart shows the trend in the U.S. trade deficit. This chart shows the trade deficit per month, and if we go back to 1992, we can see the trade deficit was running about \$3 billion a month—a little over that. The total trade deficit that year for the entire year was \$40 billion.

Now we fast track to this year. After 10 trade agreements and 14 years, we are now at a trade deficit, as of last year, of \$718 billion. And we are headed for a trade deficit of over \$800 billion based on the most recent trade deficit. In July, we saw a trade deficit approaching \$70 billion for the month.

When are we going to conclude that we are on a course that is leading nowhere?

Mr. President, NAFTA provides one vivid example of how these trade deals have affected our trade deficits. In 1993, the year before NAFTA took effect, we had a small trade surplus with Mexico—as this chart shows, about \$1.7 billion. Last year, after 12 years of

NAFTA, our trade deficit with Mexico exceeded \$50 billion. In other words, before NAFTA, we had a trade surplus, albeit a small one. Now we have a massive trade deficit, and some say this is a success. I would hate to see a failure. If this is a success, what would be a failure?

Agriculture provides another clear example. When this administration took office, we had a trade balance in agriculture of a positive \$15 billion. That was in 2001. Every year, this balance has gone down: to \$13 billion in 2002, \$10 billion in 2003, just under \$10 billion in 2004, last year it slipped to under \$5 billion, and this year they are now anticipating a trade balance in agriculture of only \$2 billion. That is stunning, absolutely stunning. We used to run a trade surplus in agriculture of over \$25 billion a year. Now we are very close to having no trade balance in agriculture. Yet we keep going down the same path, trumpeting every one of these trade deals as another great success.

I do not think there is much credibility left in that argument. I would be the first to admit I have voted for some of these trade agreements. I voted against NAFTA, and I voted against the CAFTA agreement, the most recent agreement entered into here. I voted against the so-called Canadian Free Trade Agreement, but I supported the agreement with China, I supported WPO, and I believed that it would advance the cause that is so important to the international economy.

At some point we have to deal with facts. We have to deal with reality. We have to deal with what is really happening, not some academic argument. We have to deal with the reality that our country is going deeper and deeper into debt. We are now the world’s largest debtor nation, and by a large margin.

I believe the Oman agreement continues that failed trade policy. We are now getting more than we are giving. When you read the fine print in the study that was done by the U.S. International Trade Commission, the non-partisan U.S. agency in charge of analyzing trade agreements, you discover that this agreement will increase our trade deficit with Oman. So here we go again, one more time of failed negotiations leading to more deficit, more debt, and the United States borrowing more money.

In the fine print of the analysis that has been done what you find is that imports of apparel from Oman will increase by more than \$42 million a year, but the exports of all products to Oman will increase only between \$14 to \$41 million. So, once again, we are asked to approve a deal that is the product of a failed negotiation. Once again those who negotiated on behalf of the United States have brought back a loser, claiming all the while it is a great success.

At some point you have to check the record. At some point you look at what

has actually happened, and you compare the claims to the results. When we do that on the trade agreements, what we find is that they have been a miserable failure for this country. Perhaps it should not be surprising that this agreement would increase our trade deficit. It is produced by the administration, an administration that has said at various times that outsourcing is a good thing. It is produced by an administration that does not believe in having other countries improve their labor standards so that it is fair competition. In fact, this administration has repeatedly rebuffed the efforts of the House of Representatives to strengthen labor laws in Oman so that they meet the core international standards.

I do not believe this is a good agreement on the merits. But in addition, this process is horribly flawed. The way this bill has been brought to the Senate floor makes a complete mockery of the fast-track process.

Why do I say that? Well, as every Member of this body knows, the Constitution gives the Congress, not the President, the responsibility for regulating foreign trade. Yet in recognition that we cannot have 535 trade negotiators—435 Members of the House and 100 Members here—Congress has agreed to the fast-track process for considering trade agreements.

In agreeing to fast track, each Senator gives up the most fundamental rights of a U.S. Senator. The most fundamental rights of any Senator are the right to amend and the right to extended debate. Those are the two things that distinguish this body from any other parliamentary body in the world. And most analysts have said it is a key to the importance of the U.S. Senate.

In return for our giving up those core rights of any Senator—the right to amend, the right to extended debate—there is supposed to be a detailed consultation with the Congress in negotiating trade agreements and developing the implementing legislation.

In practice, the Finance Committee, of which I am a member, is the focus of this consultation because the Finance Committee has jurisdiction over trade policy. In theory, the committee has extensive input during the process of negotiating agreements. Theoretically, it does not then need to amend the implementing bill once it is formally introduced.

When it comes to developing the implementing bill, this consultation occurs through what is known as the mock markup process. It is like a regular legislative markup, only it is a mock markup in that it is not proceeding under the regular legislative course. The mock markup is the Finance Committee's opportunity to amend the implementing bill before it is formally introduced and then cannot be amended under fast-track rules. This informal process has a long history. During consideration of previous

trade agreements, the process has lasted months and produced a host of changes.

On the Oman agreement, I offered an amendment to prevent products made with slave labor, or under sweatshop conditions so egregious as to be tantamount to slave labor, from benefiting from the agreement. I did so because of a sad history, a sad history with the agreement with Jordan that failed to prevent horrific sweatshops in that country. I did so because it is not free trade when foreign workers are locked in factories and forced to work 100 hours a week for pennies an hour. Can anybody argue that represents free trade? That is not what Members of this body support when they vote in favor of free trade, but a recent study in Jordan found that is precisely what is happening.

Workers from Bangladesh, China, and other parts of Southeast Asia were promised much greater pay than they could earn in their home countries. Not surprising, thousands went to Jordan. They paid hundreds of dollars to recruiters to get the jobs in the Jordanian apparel industry, but when they got to Jordan, their passports were taken away so they could not leave or change jobs. They were then forced to work 90 to 120 hours a week. They were paid far less than Jordan's minimum wage and were denied what they had been promised. And if they complained, they were beaten or jailed.

Now, these are unpleasant facts, but they are facts, and we can either choose to turn away or be condemned by history for allowing this to occur when we served in a position of responsibility.

Here is what the workers reported, according to the New York Times earlier this year:

We used to start at 8 in the morning, and we'd work until midnight, 1 or [even] 2 a.m., seven days a week. . . . When we were in Bangladesh they promised us we would receive \$120 a month, but in the five months I was there I only got one month's salary—and that was \$50."

These stories are repeated over and over and over.

Mohammed Saiful Islam, a Bangladeshi, said that several times the workers had to work until 4 a.m., then sleep on the factory's floor for a few hours, before resuming work at 8 a.m. "The workers got so exhausted they became sick," he said. "They could hardly stay awake at their machines."

Several workers said that when they were sick they did not receive medical care, but were instead punished and had their pay docked.

Hazrat Ali said he sometimes worked 48 hours in a row and received no pay for the six months. "If we asked for money, they hit us," he said.

Nasima Akhter said that the Western factory gave its workers a half-glass of tea for breakfast and often rice and some rotten chicken for lunch. "In the four months I was in Jordan, they didn't pay us a single penny," she said. "When we asked management for our money and for better food, they were very angry at us. We were put in some sort of jail for four days without anything to eat. And then they forced us to go back to Bangladesh."

These conditions are appalling, but they are all confirmed. This happened. And the question is, Are we going to allow this to continue? We would not ask American workers here at home to compete with these sorts of practices. Is it reasonable to expect our workers to compete with work conditions like these abroad? I think not. And we certainly—we certainly—should not be giving special trade benefits to products made under these conditions. That is immoral.

In the case of Oman, its labor laws fall far short of the core ILO standards, the International Labor Organization standards. Oman, like Jordan, relies heavily on guest workers who are often at a serious disadvantage in trying to assert their rights. Oman has been cited by our own State Department for human trafficking. And according to the International Trade Commission, the Oman Free Trade Agreement is expected to greatly increase apparel production and exports to the United States from Oman.

The warning signals are before us. Are we going to act? I hope we do. That is why I offered an amendment in the Finance Committee that clarified that goods produced with slave labor or de facto slave labor of the sort that occurred in Jordan will not benefit from this agreement. The administration raised objections at the time, but the committee rejected the administration's advice and unanimously adopted my amendment—unanimously adopted my amendment.

I believe it adopted my amendment because the members believe that products manufactured in these sorts of abusive conditions should not get special benefits under this free-trade agreement. The Finance Committee spoke loudly and clearly. By an 18-to-0 recorded vote, the committee disagreed with the administration and said that we need to add protections in this agreement because local labor laws and U.S. laws did not work in the case of Jordan and may well not work in the case of Oman.

Yet the bill before us today does not include these protections. It does not include an amendment passed unanimously in the Senate Finance Committee. This process is now so broken and such a sham that we can pass an amendment in the so-called mock markup by a unanimous vote and it means absolutely nothing. This process has lost its credibility. This process cannot be taken seriously.

Every Member of this body should know that in giving up their core rights—the right to amend, the right to extended debate—in return for a program that is supposed to include consultation between the Congress and the administration—consultation that is supposed to go through the Finance Committee, through the mock markup process that is our ability to change things, that is our ability to offer amendments to alter the final outcome—it means nothing—nothing.

Two years ago, we debated the Australian FTA, and the Finance Committee adopted an amendment I offered then to protect our ranchers. It went through procedural contortions to drop the amendment. I said at the time:

This precedent strikes me as dangerous. It opens the process to abuse, and it reduces the Committee's role in crafting trade policy and trade legislation. It may have been expedient. . . . But I believe that we will come to regret this precedent. It invites a future President to ignore any recommendations made by the Committee on future trade implementing legislation.

Unfortunately, that prediction has come true. Here we are with another trade agreement, this time a trade agreement which was amended in the Finance Committee, the committee of jurisdiction, by a unanimous vote, and that amendment appears nowhere in the final product.

This process has become a sham. It is a snare and a delusion for Members here to think that Congress has any effect. There is no need for a Congress of the United States if this administration or any administration arrogates to itself the full power of the Government of the United States. That is what has now happened with trade agreements. The Congress may as well not exist. We may as well not be here because we have no ability to alter the outcome.

The only ability we have remaining is to reject the agreement outright. I have reached the conclusion that is the proper course. I believe we ought to reject this agreement on two bases: No. 1, it is a continuation of a failed trade policy that is driving us deeper and deeper into debt; and second, it is the product of a process that has become a complete sham. The facts speak for themselves.

Let me conclude. The Oman Free Trade Agreement promises few, if any, benefits to the U.S. economy and will actually make our trade deficit worse. Moreover, the safeguards that were supposed to protect against imports made under abusive sweatshop conditions have been summarily dropped from the bill, despite a unanimous vote in the committee of jurisdiction.

Finally, the process the Finance Committee followed sets a terrible precedent. No Senator should welcome the precedent that the administration can simply ignore the will of the Finance Committee on a particular trade issue important to the people we represent, secure in the knowledge that the trade implementing bill can be pushed through as part of a larger take-it-or-leave-it package.

So I hope my colleagues, even those who generally support trade agreements, will think long and hard about how they cast this vote. This vote is going to set another precedent—one more precedent—that says the fast-track process is completely broken.

If you believe the Senate and the Finance Committee should not have a voice on trade agreements and trade implementing bills and you support the

use of slave labor, human trafficking, and egregious, abusive sweatshops, you should vote for this bill. But if you believe that consultation under fast track should be meaningful, if you believe the mock markup process should not be a mockery, and if you oppose slave labor, you should vote against this bill.

I urge my colleagues to stand for a new direction in trade policy, to stand for agreements that benefit the American economy, and to vote against the Oman Free Trade Agreement.

As someone who has supported many trade agreements, I come to this conclusion reluctantly. I come to this conclusion only after 20 years of service in the U.S. Senate, seeing one after another of these trade agreements entered into, each one of them heralded as another great success, only to find that we are on course to running up the greatest trade deficit in the history of the United States—\$700 billion of trade deficit last year, headed for \$800 billion this year. Mr. President, if this doesn't send a message that we are on the wrong course, I don't know what would.

Finally, this is a process that is completely bankrupt—absolutely, completely bankrupt. I entered into the chance as a member of the Finance Committee to offer amendments in good faith. I did so responsibly. My amendment passed unanimously. Yet it is summarily dropped by the administration for no good reason.

Mr. President, this fast-track process is fast track all right; it is a fast track to decline. It is a fast track to rising deficits and debt. It is a fast track to the centralization of power in this country in the hands of a few in the administration, without regard to congressional input.

That is not the history of this institution. That is not the constitutional history of our country. We were not designed to be a government of only one branch, the executive branch. Our constitutional history suggests that this is to be a government of shared powers, with an executive branch, a legislative branch, and judicial branch, all with their appropriate roles.

Increasingly, with respect to trade, the role of the Congress is the role of a rubber stamp. Our Founding Fathers would be spinning in their graves seeing how the fast-track process has been contorted into a process that allows the administration to make the decisions with respect to the trade policy of this country, without an ability of Members of Congress to alter its course. That is a profound mistake, and we will regret it in the future.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### PROUD TO FIGHT FOR OUR FREEDOMS

Mr. ENZI. Mr. President, every day when the Wyoming papers come out, my staff in Wyoming looks through them and makes sure that information that is in them reaches me here in Washington in a timely way so that action then can be taken or information can be received or questions can be answered or people's personal problems that have been caused by the Federal Government can be taken care of.

Recently, there was a letter to the editor from a young man in our military. It appeared in the Torrington Telegram. It has a very important message for our country that I wanted to share with the country. These are the feelings of a young man serving in the military. I appreciate his effort in putting this letter in a Wyoming paper. I hope it makes several papers in Wyoming. I am going to make sure the people across America hear the message he is delivering to Americans. It is an important message for Americans, but apparently it is one on which the media is reluctant to report. So I am going to work to help him deliver the message.

Here is his letter. It is from Lee Freeburg:

I am a U.S. Navy Corpsman, having returned home for some relax time. I was reading through the Telegram and came across a letter to the editor titled "Bush using fear tactics."

I am appalled by the disrespect to the president of the great nation and the U.S. troops in Iraq and Afghanistan.

The president is doing his best to guide our country and keep us free. He is not the only one who makes decisions, (hence we are not a dictatorship.) Have we forgotten that we also have a House of Representatives and a Senate? This collection of Americans is Congress. For the president to send our troops, our sons (me) and daughters to war, it takes an act of Congress.

Sailor Freeburg continues:

I am proud to serve my country and my president, defending and bringing freedom to people all around the world.

I am outraged by people's attitudes toward this war; have we so soon forgotten 9-11? They attacked us first on our soil. . . .

Have you ever seen the look of gratitude in people's faces for the liberation from a dictatorship?

Then you do not understand what we (the U.S. troops stationed abroad) are doing.

We as Americans take our freedom so lightly and we need to stop and think. How did we come about to have these freedoms? Well, war. War earned our freedom, and war has kept it, from the American War for Independence to Operation Iraqi Freedom. Men have fallen, paid the ultimate price so that we as Americans can enjoy living without dictators like Hitler, Stalin and Saddam Hussein.

Sailor Freeburg goes on to write:

While other countries are building fences to keep people in, we have to build fences to keep people out. Now if the president were a dictator, would people be trying to float 90

miles across rough water on a wooden door, drinking their own urine, just to set one foot on American soil?

Where are the iron gates and armed guards? Where are the mass graves of innocent citizens, murdered for disloyalty to the dictator? There are none to be found on our soil. They do not exist. Why? Because we do not live under a dictator. Was President Lincoln a dictator? No, he even had to go to war with the south for freedoms we still enjoy today.

In closing, if this was a war for oil, why haven't we just taken over the entire country of Iraq and added it as the 51st state? I am proud to say, I am a gun-carrying Republican, and honored to be a part of the great-nation on earth.

America, be thankful for the freedom we enjoy because freedom is never free.

That is one of many letters that I receive wondering why more things are not said about the way the war is going in Iraq from the perspective of our troops who are over there, who are talking to the people who are affected by it.

Our troops are affected by what they hear and read from over here. They get their local newspapers. They get letters, and they want their message out, too. This is a perspective from a young man serving in our military, one of many.

A few years ago, one of the TV stations that goes into schools across this country did a show called "Young Men Who Saved the World." It was about World War II. The reason they ran this show was because there were a lot of reunions happening among soldiers who had been a part of World War II, and they were all old guys. The people in the schools were getting the impression that the war had been fought by old guys. So this channel that goes into these schools did this special broadcast.

What they did was go back and find the pictures of these men when they actually served in the military. They were young men. It made a distinct impression on the kids of this country that there were young people out there recognizing the value of freedom, the value of democracy, and willing to put their lives on the line to see that it was shared around the world.

I thank you, Sailor Freeburg, for your letter and for the message that needs to be delivered to the United States.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. 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. DURBIN. Mr. President, I ask unanimous consent to be recognized in morning business.

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

#### FOOD SAFETY

Mr. DURBIN. Mr. President, last Friday the Nation's largest grower of organic produce announced a recall of fresh spinach products that they feared could be linked to the deadly e-coli outbreak. So far, the Food and Drug Administration has reported that a 77-year-old woman from Wisconsin has died, 14 persons have suffered from kidney failure, and at least 94 individuals have fallen ill after eating prepackaged spinach suspected of being contaminated with e-coli. That is a total of 109 people in 19 different States.

This is not the first time produce has been contaminated with e-coli. According to the Center for Science in the Public Interest, between 1998 and 2004, there were 492 e-coli outbreaks that were linked to fruits, vegetables, and fresh produce products such as prepackaged salads. In fact, there were 86 outbreaks in the year 2004 alone.

The Centers for Disease Control and Prevention, the CDC, estimates that as many as 76 million people suffer from food poisoning in our country each year. Of those individuals, 325,000 will be hospitalized, and more than 5,000 will die. Children and the elderly are especially vulnerable.

Despite these statistics, our food supply is still the safest in the world. However, there are widening gaps in our food safety system due to the fact that food safety oversight has evolved over time and has spread across so many different governmental agencies. Several Federal agencies, all with different and sometimes conflicting missions, work to ensure that the food we eat is safe. The U.S. Department of Agriculture's Food Safety and Inspection Service regulates meat, poultry, and processed egg products. The Food and Drug Administration Center for Food Safety and Applied Nutrition and Center for Veterinary Medicine regulate produce and other food products. Finally, the Centers for Disease Control and Prevention tracks food-borne illnesses.

One stark example of the inconsistencies in our food safety system is the lack of standardization for food inspection. Processed food facilities may be inspected by the FDA once every 5 or 6 years, while meat and poultry operations are inspected every single day by the U.S. Department of Agriculture. This mismatch, piecemeal approach to food safety could spell disaster if we don't act decisively and wisely. That is why, since the 105th Congress, I have been pushing for a single food safety program. It is not a new idea. In fact, one of my predecessors is U.S. Senator Charles Percy, of Illinois, who raised this same issue several decades ago—and he wasn't the first.

It doesn't take a person with an advanced degree in government to look at so many different agencies of our Federal Government doing some part of food safety and wonder why we don't put the whole responsibility under one roof, guided by science and an oper-

ation that is administered by true professionals. Instead, what we have done is watched as our food safety system has evolved. From Upton Sinclair's landmark novel "The Jungle," which shamed America through the Teddy Roosevelt administration into creating the first food safety standards for our country, to the most recent outbreak, we are reminded time and time again of our vulnerability.

We assume that the food we are eating and the food we are serving to our families and our children and our elderly parents is safe, and by and large it is the safest in the world. But we can do better, and this e-coli outbreak involving spinach is a reminder.

This bill that I push would give that single food agency the authority to protect the food supply based on science. This agency would provide our country with the greatest hope of reducing food-borne illness and preventing or minimizing the possible harm from any bioterrorist attack involving our food supply.

Former HHS Secretary Tommy Thompson told reporters, when he resigned in December 2004, that he worries "every single night" about a massive attack on the U.S. food supply. Here is what he said. Tommy Thompson, a member of President Bush's Cabinet, said this:

I, for the life of me, cannot understand why the terrorists have not, you know, attacked our food supply, because it is so easy to do. And we are importing a lot of food from the Middle East, and it would be easy to tamper with that.

We recognized the need for a unified Department of Homeland Security, but we have not taken the same step with our food supply.

I might say, parenthetically, that it has been my experience in Washington that when I raise this issue with people currently serving in an administration, either as Secretary of Health and Human Services or Secretary of Agriculture, they have real problems with the idea of bringing all of these responsibilities under one roof and coordinating this effort and stopping the duplication and mismanagement. It is not until they leave Government, in their farewell speech, that they all say: And you know, one thing we should have done is we should have brought all that food safety under one roof.

This is a problem for those who face the special interests groups that are afraid of change. But this change is a change America needs—to have food safety based on science and an agency administered by real professionals.

S. 729, the Safe Food Act of 2005, would create a single, independent Federal food safety agency to administer all aspects of Federal food safety, including inspections, enforcement, standards-setting, and research in order to protect the public.

The components of the agencies now charged with protecting the food supply, primarily housed at the Food and Drug Administration and the Department of Agriculture, would be transferred to this new agency.

The new Food Safety Administrator would be responsible for the safety of the food supply and would fulfill that charge by implementing the registration and recordkeeping requirements of the 2002 bioterrorism law.

We would also ensure that slaughterhouses and food processing plants have procedures in place to prevent and reduce food contamination; regularly inspect domestic food facilities, with inspection frequency based on risk; centralize the authority to detain, seize, condemn, and recall food that is adulterated or misbranded; examine the food safety practices of foreign countries and work with States to impose various civil and criminal penalties for the serious violations of food safety laws; and, finally, require food producers to code their products so those products can be traced easily in the event of a food-borne illness outbreak in order to minimize the health impact of an event like the spinach contamination we presently face.

In this most recent outbreak involving spinach, 22 days passed from the time the first illness was reported to the Centers for Disease Control to the time the Food and Drug Administration issued its warning. In this area of food safety, time is of the essence. It was 3 weeks from the first serious outbreak and illness until there was a warning issued by the FDA. That is too long. Too many people were exposed to serious e-coli contamination, which can be deadly.

It is time to create a single food safety agency in this country. The Government Accountability Office has been calling for it for more than 25 years. In February 2005, a GAO report showed that Government officials in seven other high-income countries who have consolidated their food safety systems consistently state that the benefits outweigh the costs.

In a 1998 study, the National Academies of Sciences concluded that "a model food safety system should have a unified mission and a single official who is responsible for food safety at the Federal level and who has the authority and the resources to implement science-based policy in all Federal activities related to food safety."

While I was speaking, a member of my staff handed me a note informing me that we now know there has been an Illinois case which has been reported of e-coli contamination, apparently from spinach. Now 20 States across our Nation have been affected. In this Illinois case, an elderly woman has been hospitalized with kidney failure related to tainted spinach, marking the first confirmed illness in my home State of Illinois linking the outbreak of e-coli in the leafy green vegetable. Illinois State public officials announced today that this woman lives in north-central Illinois. She became ill late in August and is now hospitalized with hemolytic uremic syndrome, a form of kidney failure which can be associated with this strain of e-coli

linked to the tainted spinach, according to this report from the Illinois Department of Public Health.

This is another example, and the numbers continue to grow. We are going to do our best to contain them and to inform the public to keep the food supply safe for everyone. But we can do better in Washington. It is time to sit down with the special interest groups who have stopped this change and to come up with a reasonable bipartisan approach. There isn't anything partisan about this issue, not in any way whatsoever.

One of my closest friends from Chicago went out and bought some hamburger at a local grocery store years ago, took it home, and gave it to her 5-year-old boy. That poor boy was exposed to e-coli and died a few days later, a gruesome, horrible death. She became an advocate for food safety. She took her grief and turned it into energy to try to spare some family in the future from a similar tragedy. I hope it doesn't take the families of those who have been hit by this e-coli to form a group and push Congress into action. It is time that we took the initiative.

Factors such as emerging pathogens, an aging population at high risk for food-borne illnesses, an increasing volume of food imports, and people eating outside their homes more than ever underscore the need for change.

We need to change and shed the old bureaucratic shackles that have tied us to the overlapping and inefficient ad hoc food safety system of the past.

I urge my colleagues who are undoubtedly going to hear about this e-coli contamination and wonder how they can respond to take a look at S. 729, the Safe Food Act of 2005. Please join me in cosponsoring this landmark legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### INTERROGATION OF DETAINEES

Mr. INHOFE. Mr. President, something happened last Thursday in the Senate Armed Services Committee that many of us tried to stop, but we were unsuccessful. The weekend is over now. All we have heard from the liberal media and from the Democrats is: Republican rebellion, Republican rebellion, Republican rebellion—it has kind of a ring to it—a rebellion against President Bush.

Well, nothing could be further from the truth. It is not a Republican rebellion against the President. It is a Democratic denial to the President of

that which he begged Congress for, and that was the ability to interrogate terrorists in order to save American lives, to use whatever methods available within the guidelines of the U.S. Supreme Court to get this stuff done.

I was at the White House when he made his presentation. I was sitting closer to him than I am to the Chair right now. I have never seen him with such an earnest plea in his heart pouring out because he wanted to have that ability to save American lives.

What passed the committee Thursday was the Democrats' program of leniency for the enemy, to be sure our interrogators don't get too aggressive with the terrorists, and also to tell the enemy what methods we will use so they can write their own manual.

Republican rebellion? Not hardly. It was the Democratic bill, and they got four Republicans to go along with it. But 100 percent of the Democrats voted for it. Nine of us Republicans on the committee spoke and voted against it—all Republicans. Clearly, this was a Democratic bill to undermine President Bush's plea to get the tools necessary to extract information from terrorists.

The High Value Terrorist Detainee Program, for all practical purposes, will stop, and I don't blame them. What rational interrogator would take a chance of going to prison, or even being executed himself, by trying to comply with the vague provisions of the Democratic bill passed out of the committee Thursday?

President Bush's bill would clearly define our Common article 3 obligations. No one is advocating torture. Torture is already illegal. The President never did that. Nobody wants to use cruel, unusual, inhumane, or degrading treatment that is against the law. It is already illegal. Nobody is advocating inhumane treatment that violates the U.S. Constitution. What the President wants is clarification under our Common article 3 obligations. The President's bill defines these obligations by equating the definition to last year's detainee treatment. The Democratic bill stays silent on this important topic. Their bill also makes it impossible in some cases to use classified information against the accused. Imagine that. We cannot use classified information against the accused when the terrorists are under our control.

It doesn't go far enough to protect our interrogators who may be accused of violating the vague definitions of article 3, especially as they pertain to degrading treatment. How do you define cruel, unusual, inhumane, or degrading treatment? Should we leave the definition up to the interpretation of the courts? Do you want to be an interrogator who is told not to worry, you will not be prosecuted even though what you are doing might be against the law? I don't. We owe it to them to clearly define the law by using the Detainee Treatment Act as the definition.

As the President said last week:

The bottom line is . . . the CIA program won't go forward if there are vague standards applied like those in Common Article 3 of the Geneva Convention.

Not having this program will put Americans at risk by leaving us unable to gather the vital intelligence needed to fight this enemy.

And where is the outrage of the American people? Do they have to "drag their naked bodies through the streets of Mogadishu" before there is a wake-up call?

I can't blame the American people. All they have heard all weekend is "Republican rebellion," and the Senate Democrats are celebrating. So they should. They won, we lost. They successfully picked off four Republicans and passed their "soft on terrorists" legislation. But the plump lady hasn't sung yet. We can still reject this on the floor this week and pass the President's bill. But to do this, Senators are going to have to hear from the folks back home—the folks who believe we need to quit worrying so much about the treatment of terrorists and get to the business of serious interrogation, even if it hurts someone's feelings. Wake up, America; she is about to sing.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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 (Mr. CORNYN). Without objection, it is so ordered.

#### RECOGNIZING THE 2006 DAVIDSON FELLOWS

Mr. GRASSLEY. Mr. President, it gives me great pleasure to pay tribute to 16 outstanding scholars who have recently been announced as 2006 Davidson fellows. The Davidson Institute scholarships promote and reward students under 18 years old who have undertaken invaluable projects and studies for the greater good of our country and the world. These individuals are more than deserving of this great honor. Allow me to introduce each of the scholars and describe a bit about them and their projects.

At the age of 12, Drew Petersen, of Oradell, NJ, is the youngest student ever accepted into the Manhattan School of Music Conducting Program. He hopes to become a performing pianist, composer, and conductor. Drew's project is entitled "Keeping Classical Music Alive." He hopes that he can reach audiences through his piano performances and inspire them to become more active and engaged listeners in all areas of their lives.

Shivani Sud, a 16-year-old from Durham, NC, discovered a technology to deliver chemotherapeutic molecules to cancerous cells with increased efficiency. Her project is entitled "HIV-1

Tat and IKG-Chain Secretion Based Protein Transduction: a Novel Strategy for Molecule Delivery." Shivani's research can help combat cancer and infectious diseases through more effective chemotherapy treatments. A senior at Jordan High School, Shivani hopes to eventually perform research in the field of medicine as a physician scientist.

Heather Engebretson is a 16-year-old from Tuscaloosa, AL, who views music as a method of communication and a tool for social progress. Heather's portfolio, "Music as a Universal Communication," showcases her wide range of prestigiously awarded musical talents. Heather will attend the University of Alabama this fall majoring in vocal performance, in hopes that the combination of this experience and the courses she has taken through the Johns Hopkins distance learning program will help her in someday fulfilling her dream of becoming an opera singer.

The discoveries of 17-year-old Michael Viscardi from San Diego, CA, can potentially aid in next-generation aircraft design, aerodynamics, medical imaging, astronomy, heat flow and fluid dynamics. Michael's project, "On the Solution of the Dirichlet Problem with Rational Holomorphic Boundary Data," portrays his solution of the thermal equilibrium of a heated metal plate. Michael will attend Harvard and the New England Conservatory in the fall, majoring in mathematics and violin performance respectively, and I have no doubt that he has the potential to become both a successful mathematics professor and a professional violinist.

As a 17-year-old woman from Austin, TX, Stephanie Chen has already established herself as an award-winning musician. Stephanie explores each piece in her piano portfolio, "A Musical Painting," by creating images in her mind then, in her performance, conveying this passion to the audience. Stephanie is entering her senior year at Westwood High School and would like to pursue medical studies in college and play the piano professionally.

Kyle Dacuyan is a 16-year-old young man from Sterling, VA, with a passion for writing. Kyle illustrates that he is able to empathize with other viewpoints throughout his portfolio entitled "What Have You Been, Where Have You Gone." Kyle's work examines familial relationships, complexities and oddities, and exhibits his unflinchingly honest look at pride, love, and social class. As he enters his senior year at Potomac Falls High School, Kyle hopes to continue his lifelong passion for writing through his pursuit of college degrees in English and writing. Kyle also hopes to someday teach at the college level.

Seventeen-year-old Varun Kumar, of Bellaire, TX, is determined to improve diagnostics in the field of medicine through more effective magnetic resonance imaging, MRI. The implications

of Varun's research, found in his portfolio entitled "Novel Properties in Europium DOTA—tetramide Complex for use in MRI Contrast Agent," could provide a more comprehensive and less invasive form of diagnosis in almost every field of medicine. Varun is a recent graduate of Bellaire High School and will be attending Rice University in the fall. He plans to major in biochemistry and pursue a career in medicine or medical research, and I wish him the very best of luck.

Sheela Krishnan is a 17-year-old young woman from Suffren, NY, who analyzed *Paenibacillus* larvae, the bacterium that causes American foulbrood disease, AFB, a fatal disease that attacks honeybee larvae. Sheela created a safe, non-invasive and inexpensive preventative measure to protect honeybees in vivo from AFB. Sheela portrays her work in her portfolio entitled "Isolation and Characterization of a Potential Probiotic Cocktail for the Control of American Foulbrood in Domestic Honeybees." Sheela is a recent high school graduate and will be attending Brown University as a member of the 8-year liberal medical education program. She hopes to major in both anthropology and biology and then go on to become a doctor.

The research of 17-year-old Adam Solomon, of Bellmore, NY, can help unlock clues about stellar evolution and formation, the history of our galaxy, and the formation of planetary systems. Displayed in his portfolio entitled "The Effects of Age on Brown Dwarf Spectral Features in the Near-Infrared" is Adam's creation of an analytical tool for estimating a brown dwarf's age and mass. Adam will attend Yale University where he plans to major in astronomy and physics and hopes to move on to the University of Cambridge for a master's then on to Caltech or Harvard for a doctorate degree.

At the age of 17, Yi Sun, of San Jose, CA, applied combinatorial mathematics to derive a formula for the expected winding number of a random walk on a unit lattice. Scientists can use this research to predict how many times the polymer will coil around an obstacle, or rod, thus, indicating the strength of the polymer. Yi's astounding research is displayed in his portfolio entitled, "Combinatorics: On the Expected Winding Number of a Random Walk on the Unit Lattice," and can be used in physics, computer science and material science. Yi recently graduated from The Harker School and will be attending Harvard in the fall. Yi plans to major in mathematics and physics and hopes to pursue careers in both fields.

Thirteen-year-old Travis Johnson, of Milwaukie, OR, has been studying classical guitar since he was 8. Travis is establishing himself as an award-winning musician, and his portfolio is entitled "Trails of Hope: The Importance of Adding New Music to the Classical Repertoire." Travis is currently home-

schooled and taught privately by teachers outside of the home. He studies music at Marylhurst University. Master guitar classes have played a large role in his life the past few years, and likely will play a role in his career ambition to become a classical guitarist.

Albert Shieh is a 16-year-old young man from Paradise Valley, AZ, who created a computational tool used to analyze genetic sequence variability in humans, which will help in developing a better understanding of gene sequence variations that occur when a single nucleotide in the genome sequence is altered. Albert's research portfolio, "A Novel Algorithm for Automated SNP Genotyping," holds the promise to find the genetic basis for Alzheimer's disease, autism, and bipolar disorder with highly targeted, personalized treatments. Albert recently graduated from Chaparral High School and will attend Harvard in the fall and major in mathematics. Albert aspires to have a career as an intellectual property lawyer.

Anna Stalker, a 15-year-old young woman from Birmingham, AL, addresses the persistent search for truth through different literary expressions and experiences in her portfolio, "The Reincarnation Journals." In imagistic works, Anna explores the search for truth and beauty through depictions of human interaction and the interactions of the larger cosmos. When Anna's individual pieces are gathered, a larger meaning emerges. Entering her junior year at The Alamont School, Anna's main source of academic and social enrichment is the Duke Talent Identification Program, TIP. Although she has no concrete career goals yet, she is sure of one thing—she wants her life to be a meaningful reflection of her passions.

A 17-year-old young woman from Beaverton, OR, Anarghya Vardhana worked in the field of number theory to develop new starting values for the Lucas-Lehmer primality test. Her theorem/method, found in her portfolio entitled "Novel Method of Computing Jacobi Symbols for Mersenne Numbers," can directly contribute to the pharmaceutical, chemical, materials, financial and information technology industries. Her theory also has broad implications in cryptography, specifically enhancing encryption systems to protect against identity theft. A recent high school graduate, Anarghya will attend Stanford University in the fall, and is leaning towards a major in physics or biology combined with a math major or minor.

Xin—Cindy—Wang is a 17-year-old from Geneva, IL, and is a recent graduate of the Illinois Math and Science Academy. Displayed in her portfolio, "nm2608A, A New Naturally Arising Mouse Model for Human Autosomal Recessive Achromatopsia 2," is Xin's identification of a gene responsible for complete colorblindness in mice. Spanning genetics and ophthalmology, her

results may one day be used to help people with achromatopsia 2, the most severe form of colorblindness, in which people can only see in shades of gray. I wish Xin much luck as she begins attending Harvard in the fall, where she will be working towards a major in a biology-related field and becoming a college professor.

At the age of 16, Steven Wu, of Folsom, CA, is contributing to the scientific world in a major way. Steven designed a computer simulation algorithm that produces superior results when compared with the current commercial software in terms of better simulation of ion movement due to more accurate electrical field data. Steven's project is entitled "Optimizing Quadruple Ion Trap Geometry by Computer Simulations." Advancements in ion trap geometry can improve all areas of laboratory science through mass spectrometry, as well as better monitoring of atmospheric pollutants and detecting hazardous chemical substances. Steven will be a senior at Mira Loma High School this fall. He plans to major in biomedical engineering/bioengineering, combining his interests in biochemistry and mathematics and eventually become a research physician/scientist.

As I said, these young men and women are more than deserving of the awards they have earned. Through hard work and determination, these individuals have already made changes in the fields of science, writing, and mathematics, which will no doubt improve the lives of the many others all over the world. As the President indicated in his State of the Union address, our country's future competitiveness in the global economy will depend on bright and promising young people. Learning about these 16 remarkable students makes me optimistic about our Nation's future. I thank the Davidson Institute for their efforts to encourage and nurture our future leaders in a variety of fields and I thank these young and talented scholars for all of their innovative contributions to society.

#### CRISIS OF DEMOCRACY IN THE MIDDLE EAST

Mr. LEAHY. Mr. President, I wish to share with the Senate an important analysis of the current crisis of democracy in the Middle East by one of Egypt's wisest and most courageous voices for democracy.

We all have an interest in supporting democracy. We also recognize that countries in the Middle East, including Muslim countries with which we have close relations, are confronting difficult and divisive social, religious, and political challenges. These challenges have no simple solutions. But we should be concerned with the support that the Bush administration, like many of its predecessors, gives to autocratic and corrupt regimes in this volatile part of the world. It has contributed to anger and disillusionment, par-

ticularly among Muslims, toward their own governments and toward the United States, and growing support for those who promote extremist political and religious agendas.

Saad Eddin Ibrahim is a respected Egyptian prodemocracy activist and sociologist. He founded the Ibn Khaldun Center for Development Studies at the American University of Cairo, one of the few independent research institutions in the Arab world. He has been wrongly imprisoned, and then acquitted, for his criticism of the Egyptian Government and for his relations with international organizations. Saad Ibrahim is a respected and principled advocate for human rights and democratic values, and he represents a voice of reason and tolerance in an increasingly polarized and antagonistic Muslim society.

His recent op-ed in the Washington Post should serve as a wake-up call for proponents of our current policies in support of repressive regimes around the world. He has had the courage to speak out against Muslim dictatorships, and he not only represents those who oppose authoritarianism but also those who oppose radical Islam and extremism.

All Senators should take the time to consider Saad Ibrahim's perspective, and I ask unanimous consent that his op-ed be printed in the RECORD.

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

[From the Washington Post, Aug. 23, 2006]

THE "NEW MIDDLE EAST" BUSH IS RESISTING  
(By Saad Eddin Ibrahim)

President Bush and Secretary of State Condoleezza Rice may be quite right about a new Middle East being born. In fact, their policies in support of the actions of their closest regional ally, Israel, have helped midwife the newborn. But it will not be exactly the baby they have longed for. For one thing, it will be neither secular nor friendly to the United States. For another, it is going to be a rough birth.

What is happening in the broader Middle East and North Africa can be seen as a boomerang effect that has been playing out slowly since the horrific events of Sept. 11, 2001. In the immediate aftermath of those attacks, there was worldwide sympathy for the United States and support for its declared "war on terrorism," including the invasion of Afghanistan. Then the cynical exploitation of this universal goodwill by so-called neoconservatives to advance hegemonic designs was confirmed by the war in Iraq. The Bush administration's dishonest statements about "weapons of mass destruction" diminished whatever credibility the United States might have had as liberator, while disastrous mismanagement of Iraqi affairs after the invasion led to the squandering of a conventional military victory. The country slid into bloody sectarian violence, while official Washington stonewalled and refused to admit mistakes. No wonder the world has progressively turned against America.

Against this declining moral standing, President Bush made something of a comeback in the first year of his second term. He shifted his foreign policy rhetoric from a "war on terrorism" to a war of ideas and a struggle for liberty and democracy. Through much of 2005 it looked as if the Middle East

might finally have its long-overdue spring of freedom. Lebanon forged a Cedar Revolution, triggered by the assassination of its popular former prime minister, Rafiq Hariri. Egypt held its first multi-candidate presidential election in 50 years. So did Palestine and Iraq, despite harsh conditions of occupation. Qatar and Bahrain in the Arabian Gulf continued their steady evolution into constitutional monarchies. Even Saudi Arabia held its first municipal elections.

But there was more. Hamas mobilized candidates and popular campaigns to win a plurality in Palestinian legislative elections and form a new government. Hezbollah in Lebanon and the Muslim Brotherhood in Egypt achieved similar electoral successes. And with these developments, a sudden chill fell over Washington and other Western capitals.

Instead of welcoming these particular elected officials into the newly emerging democratic fold, Washington began a cold war on Muslim democrats. Even the tepid pressure on autocratic allies of the United States to democratize in 2005 had all but disappeared by 2006. In fact, tottering Arab autocrats felt they had a new lease on life with the West conveniently cowed by an emerging Islamist political force.

Now the cold war on Islamists has escalated into a shooting war, first against Hamas in Gaza and then against Hezbollah in Lebanon. Israel is perceived in the region, rightly or wrongly, to be an agent acting on behalf of U.S. interests. Some will admit that there was provocation for Israel to strike at Hamas and Hezbollah following the abduction of three soldiers and attacks on military and civilian targets. But destroying Lebanon with an overkill approach born of a desire for vengeance cannot be morally tolerated or politically justified—and it will not work.

On July 30 Arab, Muslim and world outrage reached an unprecedented level with the Israeli bombing of a residential building in the Lebanese village of Qana, which killed dozens and wounded hundreds of civilians, most of them children. A similar massacre in Qana in 1996, which Arabs remember painfully well, proved to be the political undoing of then-Prime Minister Shimon Peres. It is too early to predict whether Prime Minister Ehud Olmert will survive Qana II and the recent war. But Hezbollah will survive, just as it has already outlasted five Israeli prime ministers and three American presidents.

Born in the thick of an earlier Israeli invasion, in 1982, Hezbollah is at once a resistance movement against foreign occupation, a social service provider for the needy of the rural south and the slum-dwellers of Beirut, and a model actor in Lebanese and Middle Eastern politics. Despite access to millions of dollars in resources from within and from regional allies Syria and Iran, its three successive leaders have projected an image of clean governance and a pious personal lifestyle.

In more than four weeks of fighting against the strongest military machine in the region, Hezbollah held its own and won the admiration of millions of Arabs and Muslims. People in the region have compared its steadfastness with the swift defeat of three large Arab armies in the Six-Day War of 1967. Hasan Nasrallah, its current leader, spoke several times to a wide regional audience through his own al-Manar network as well as the more popular al-Jazeera. Nasrallah has become a household name in my own country, Egypt.

According to the preliminary results of a recent public opinion survey of 1,700 Egyptians by the Cairo-based Ibn Khaldun Center, Hezbollah's action garnered 75 percent approval, and Nasrallah led a list of 30 regional

public figures ranked by perceived importance. He appears on 82 percent of responses, followed by Iranian President Mahmoud Ahmadinejad (73 percent), Khaled Meshal of Hamas (60 percent), Osama bin Laden (52 percent) and Mohammed Mahdi Akef of Egypt's Muslim Brotherhood (45 percent).

The pattern here is clear, and it is Islamic. And among the few secular public figures who made it into the top 10 are Palestinian Marwan Barghouti (31 percent) and Egypt's Ayman Nour (29 percent), both of whom are prisoners of conscience in Israeli and Egyptian jails, respectively.

None of the current heads of Arab states made the list of the 10 most popular public figures. While subject to future fluctuations, these Egyptian findings suggest the direction in which the region is moving. The Arab people do not respect the ruling regimes, perceiving them to be autocratic, corrupt and inept. They are, at best, ambivalent about the fanatical Islamists of the bin Laden variety. More mainstream Islamists with broad support, developed civic dispositions and services to provide are the most likely actors in building a new Middle East. In fact, they are already doing so through the Justice and Development Party in Turkey, the similarly named PJD in Morocco, the Muslim Brotherhood in Egypt, Hamas in Palestine and, yes, Hezbollah in Lebanon.

These groups, parties and movements are not inimical to democracy. They have accepted electoral systems and practiced electoral politics, probably too well for Washington's taste. Whether we like it or not, these are the facts. The rest of the Western world must come to grips with the new reality, even if the U.S. president and his secretary of state continue to reject the new offspring of their own policies.

#### SRI LANKA

Mr. LEAHY. Mr. President, I wish to take a moment to discuss the situation in Sri Lanka, which not long ago was one of promise after a cease-fire agreement was signed in 2002 between the former government and the LTTE "Tamil Tigers." The cease-fire was never perfect, but for several years negotiations on a political settlement offered a ray of hope for an end to the conflict. After April 2006, however, there was escalating violence and an increasing pattern of violations of the cease-fire agreement by both sides.

On July 20, the LTTE closed a reservoir sluice gate in an LTTE-controlled area near the eastern town of Trincomalee, cutting the water supply to about 60,000 people in Government-controlled territory. In response, Sri Lankan Government forces conducted airstrikes over several days against LTTE positions in the area and on July 30 began a ground offensive to capture the reservoir's control point. This increase in violence contributed to the more than 800 deaths reported between January and August, including some in which large numbers of civilians were killed in flagrant violations of international law by both sides, and hundreds more combatants and civilians have died since then.

Politically motivated killings, the recruitment of child soldiers, indiscriminate raids on civilians, targeting of international aid workers, and tor-

ture in police custody are only some of the human rights abuses that have been recently committed as reported by Amnesty International and Human Rights Watch. Additionally, a looming humanitarian crisis exists as the number of Sri Lankans displaced within the country by fighting this year has passed the 200,000 mark, and an estimated 8,700 citizens have fled to India. Road, air, and sea links to the Tamil population in the north have been cut, and food, water, and fuel shortages are severe.

We should be deeply concerned with the collapse of the peace process and escalating violence in Sri Lanka. Although it is apparent that neither the Government nor the LTTE can defeat the other militarily, nor have they demonstrated the political will to stop the fighting and resolve this conflict peacefully. A report on September 13 that the Government and the LTTE have proposed new peace talks is welcome. But the Sri Lankan people have been disappointed countless times before. Several steps should be taken immediately, most importantly to prevent further harm to civilians who have suffered disproportionately.

It is critical that humanitarian aid be allowed to reach those who have been displaced, whether as a result of the conflict or the lingering effects of the December 2004 tsunami. Relief agencies need unimpeded access to the affected populations, and civilians should be allowed to leave contested areas.

The LTTE has been designated a terrorist organization by the U.S. Government on account of its wanton attacks against civilians and forced recruitment of children. These abusive tactics, which flagrantly violate international law, should be universally condemned.

There is also the issue of U.S. support to Sri Lankan Government security forces, who have been responsible for violations of human rights. The Department of State needs to be doubly sure that the Leahy amendment, which prohibits U.S. assistance to units of foreign security forces who violate human rights, is being strictly complied with.

In addition, we should reaffirm our support for the Sri Lanka Monitoring Mission, which reports on violations of the cease-fire by both sides. A stronger monitoring presence would deter abuses, provide systematic documentation of violations, and help to address the problem of impunity that has contributed to the recurrent cycles of violence and reprisal in Sri Lanka.

Sri Lanka is a divided country, but its people, whether Sinhalese, Tamil, or Muslim, are as gentle, industrious, and peace loving as any in the world. The Tamils have legitimate demands, but the LTTE's tactics are deplorable. The Government has been divided, and it has not been able to provide the sustained leadership necessary to reconcile the interests of the conflicting parties.

The chairs of the Tokyo Donors' Conference—Japan, the European Union, Norway, and the United States—need to find more effective ways to convince both sides to return to the bargaining table. There is no other way to end this conflict. The longer it takes to resume a process of good faith negotiations, the more responsibility the LTTE and the Government will bear for the needless deaths of innocent civilians.

#### REMEMBERING MUNIR SAID THALIB

Mr. LEAHY. Mr. President, today we remember the life and work of Munir Said Thalib, Indonesia's foremost human rights defender, who on September 7, 2004, was fatally poisoned while on an airplane flight to the Netherlands where he planned to continue his legal studies. This despicable crime, in which the Indonesian Intelligence Service has been implicated, had repercussions throughout Asia and around the world and has particularly serious implications for Indonesia.

Munir was an outstanding human rights advocate best known as a founder and director of the highly respected Commission for "Disappeared" Persons and Victims of Violence. He was working as the director of the Jakarta-based human rights group Imparsial before his murder. In 2000, Munir received the Right Livelihood Award "for his courage and dedication in fighting for human rights and the civilian control of the military in Indonesia."

Two years after his untimely and tragic death, the Indonesian Government has failed to properly investigate and prosecute those responsible. Despite the conviction of an airline pilot for his role in the murder, the police and Attorney General's office continue to ignore the evidence and recommendations of a Presidential fact-finding team that has implicated senior Indonesian intelligence officers and airline officials in the crime. President Yudhoyono has rightly described this matter as a test case for whether Indonesia has changed from its authoritarian past. At this point, it appears that a culture of impunity remains deeply embedded in Indonesian society.

The fiscal year 2007 State, Foreign Operations appropriations bill that was reported by the Appropriations Committee on July 10, 2006, includes my amendment which requires a report on progress on human rights in Indonesia, including the investigation of the murder of Munir Said Thalib. If the Indonesia Government aspires to be seen as one that respects human rights and the rule of law, which is fundamental to any democracy, it is essential that whoever was responsible for ordering and carrying out this heinous crime be identified and brought to justice.

#### REMEMBERING ANN RICHARDS

Mr. DODD. Mr. President, I rise today to honor Governor Ann Richards, who died last week at the age of 73.

Humor is one of the chief democratic virtues. A good joke can wipe out dif-

ferences of rank, bring down the self-exalted, and join audience and speaker in a common bond. A sense of humor is an especially priceless quality in a political leader because it exposes the pretensions that always seem to accumulate around the state, and it reminds us that we are still a people's government.

Governor Richards is being remembered this week as an innovative leader, a pioneer for women, and, I might add, one tough cookie. But we should also take a moment, on the occasion of her sad death, to remember something else we have lost—her wonderful sense of humor. And if we could take a positive thing from her passing, it might be that we have had the opportunity to remind ourselves of all the many times she made us laugh. We all remember Ann's remark that "Ginger Rogers did everything Fred Astaire did—she just did it backwards and in high heels." And we all treasured her earthiness—for instance, when she allowed that she regretted her 1994 election defeat "Oh, for about five seconds."

Of course, there have always been people who have found a sense of humor threatening, especially when it is in their idea of the wrong hands. As Texas columnist Molly Ivins said of the Governor, "I mean, with Ann it was a real problem. . . . They just did not know what to make of her. . . . If they realize that a woman can be funny, I think men are afraid that tone can be used against them. And they don't like it."

The truth is that Ann Richards—the first woman to be elected Governor of Texas in her own right—had to fight against bias her whole political life. At every stage, she was more than a match. In the early 1960s, Ann was forced to help found the North Texas Democratic Women "basically to allow us to have something substantive to do." And asked at the end of her long career why she had entered politics, Ann replied: "I did not want my tombstone to read, 'She kept a really clean house.'" Instead of accepting others' ideas of what was best for her, Governor Richards opened her own path—and everyone who follows her, in Texas and in every other State, owes her thanks.

But there is another danger to humor. As she wrote in her 1989 autobiography, "I was always worried because there is a general feeling that if you're funny you're not serious." That pressure is particularly acute for a politician. But Ann taught us all that laughter draws on great honesty and insight—that depth and humor can exist in the same spirit. "Humor is a powerful tool," she continued. "It clears the air. Once you laugh, your mind is opened and then you are able to hear the other things that are being said to you."

Governor Richards showed her depth in 4 years of successful policies in Texas. She presided over the dramatic growth of her State's economy, and her audits on the State bureaucracy saved taxpayers \$6 billion. She reformed

Texas's prison system, pursued a truly egalitarian policy for education funding, and saw a dramatic increase in student achievement scores on her watch. And through all of her success, Governor Richards never forgot the prejudice she had faced—and so she worked tirelessly to include members of marginalized groups in the people's work. Ann Richards appointed more women and minorities than any of her predecessors. She was responsible for the first crime victim on the State Criminal Justice Board, the first disabled member of the human services board, the first teacher to chair the State board of education, the first Black regent at the University of Texas, and the first Black and female officers in the elite Texas Rangers.

And while many ex-politicians have a habit of fading into the sunset, Ann remained a dynamo. She worked in international law, taught at Texas and Brandeis, continued to write, and campaigned for members of her party across the country, right to the end—in fact, I am sure many of us in this Chamber owe Ann thanks for her help on the stump. What Ann accomplished after leaving the Governor's mansion could have been a full career for someone less ambitious or full of life. And her 2004 book had an exceedingly apt title—"I'm Not Slowing Down," a phrase that embodied the energy and Texas doggedness we loved in her.

It took cancer to stop Ann Richards. And though she has gone, we will remember her as one of the great political characters of the 20th century. We will miss her boldness and her silver tongue. But we will remember what she taught us over a five-decade life in politics: Jokes don't just make us laugh. They force us to see more clearly and sympathize more fully; and they bring us a little closer to the state of equality that is the whole reason our Nation is.

Mrs. CLINTON. Mr. President, I rise today to pay tribute to former Governor of Texas Ann Richards. She was a role model, an inspiration, and an abiding friend to me and to my husband. On Wednesday, she passed away in her home, surrounded by loved ones. I will truly miss her warm friendship, her guidance, and her inimitable sense of humor.

Ann Richards blazed a trail for women everywhere, and she did so without ever losing her spirit, grace, optimism, charm, and sense that we can all build a better world.

She was wonderful about giving guidance. She always made sure to take the time to give advice to new women candidates. When I was considering a run for the Senate, she told me that it would be hard, it would be tough, but if you want to make a difference, then you need to put yourself out there. And she was right.

She was born in 1933 in Lakeview, TX, to Ona and Cecil Willis. The family

moved into Waco so that she could attend Waco High School. She taught public school at Fulmore Junior High School in Austin, and she often said it was the hardest job she ever held. In 1982 she was elected State treasurer in Texas, making her the first woman elected statewide in almost 50 years. And she won an uphill battle to become the first woman in Texas history to win the race for Governor in her own right.

She often spoke about being motivated to enter politics in order to help others, particularly the women and minorities who traditionally had been shut out of positions of power. She once said, "I did not want my tombstone to read, 'She kept a really clean house.' I think I'd like them to remember me by saying, 'She opened government to everyone.'"

As Governor, she made it a priority to open positions of power to women and minorities and to advocate for what she called the "New Texas," a place where her daughters would never feel that they were held back because of their gender. Under her leadership, Texas student achievement scores rose and dropout rates fell. As Governor, she grew the economy, created an ethics commission, pursued insurance reform, established rehabilitation programs for prison inmates, and fought crime. And she even found the time to earn a motorcycle driver's license on the occasion of her 60th birthday.

Even after she left office, she never stopped working on new ways to encourage women to get involved. One of her last projects, the creation of the Ann Richards School for Young Woman Leaders, is slated to open in Austin in 2007. It will be a tribute to her legacy to see the remarkable new generation of leaders the school will nurture.

Today, her loving children Cecile, Daniel, Clark and Ellen, and her eight grandchildren, are testament in themselves to Ann's generosity of spirit and enduring influence.

Ann Richards had an ability to draw people to her with her warmth and good humor, and her sharp wit and homespun wisdom was legendary. She was never afraid to stick up for what she believed in. She will truly be missed.

#### ADDITIONAL STATEMENTS

##### HONORING JEAN SMITH

• Mr. THUNE. Mr. President, today I honor Jean Smith of Tiospaye Topa School in Howes, SD. Jean was named the 2006 Teacher of the Year by the National Indian School Board Association.

As the computer teacher and technology coordinator at Tiospaye Topa School, Jean has played an integral and unique role in furthering the education of South Dakota's students. Her initiative, expertise, and kind heart has created an exceptional learning en-

vironment at Tiospaye Topa School. Her selfless dedication to educating students for almost 20 years is truly commendable. I am proud to have such a fine teacher influencing our State's future leaders.

Jean is a graduate of the University of South Dakota. She resides in rural Gettysburg with her husband, Frank, and children, Lindsay and Kyle. Today I rise with Jean Smith's friends, family, and colleagues in honoring her selfless dedication and service to South Dakota's students.●

##### RECOGNIZING REVEREND STAN GRUNEICH

• Mr. THUNE. Mr. President, today I recognize the appointment of Reverend Stan Gruneich of Flandreau, SD, to the post of National Chaplain for the American Legion. I would like to take this opportunity to thank Reverend Gruneich for his years of service and congratulate him on his promotion to this prestigious post.

Reverend Gruneich was chosen as the National Chaplain after years of serving as Department Chaplain for the American Legion Department of South Dakota. He has graciously provided guidance and leadership to America's veterans and their families throughout his tenure, and will now continue to do so at the national level.

It gives me great pleasure to commemorate Reverend Stan Gruneich on this special occasion and to wish him continued success in the years to come.●

##### RAPID CITY WEED AND SEED

• Mr. JOHNSON. Mr. President, today I wish to recognize the hard work and amazing results of the Weed and Seed organization of Rapid City, SD.

The Rapid City group will cease operations later this month after nearly a decade of tireless efforts to rehabilitate a significant portion of the residential and business area in the community.

In partnership with organizations that included the Rapid City Police Department, the Center for Restorative Justice, Volunteers of America, the Project Safe Neighborhood/Gunwise Program and Good Housekeeping, dozens of individuals came together to address neighborhood crime, abuse, housing and aesthetic issues.

Primarily focused on the East North and East Boulevard neighborhoods, the Rapid City Weed and Seed organization worked with the Rapid City Police Department on a zero tolerance policy with an aggressive police presence in areas that were beset with crime, homelessness and urban blight issues.

The group worked with Rapid City leaders to aggressively enforce city codes involving housing. Vacated and rundown homes and businesses were torn down and replaced with new and thriving businesses and new homes. Other businesses, homes and apartment

complexes were expanded and renovated during this time frame. Efforts to revitalize Roosevelt Park resulted in the construction of a new ice arena and indoor swimming pool, as part of the city's 2012 economic development program. A business association was formed to bring together local business owners to discuss relevant issues of importance. The Weed and Seed organization also developed an "Adopt a Creek" program with 23 sections of Rapid Creek adopted by local companies, organizations and families. The first major cleanup of Rapid Creek since the tragic 1972 flood resulted in the collection of 18 tons of trash, including debris from the 1972 flood event.

Four townhall meetings were conducted with local residents and annual picnics were sponsored to develop a sense of camaraderie and connection between neighbors.

As a result of these efforts, the East North and East Boulevard areas have once again become a source of pride for the community. This sense of pride is now reflected in the residents and businesses located in the area. These results are due in large part to the collective work of the Rapid City Weed and Seed organization and the partnerships that were developed with city officials, law enforcement agencies and the local businesses.

Funded through a 5-year Weed and Seed grant of \$1.025 million, the local organization will cease operations later this month. I wish to recognize the vision and hard-working efforts of the dozens of Rapid City citizens and officials who have provided tireless efforts to rehabilitate and renovate a key part of the community.

I wish to recognize the help of executive director Patricia Pummel and board members Wayne Asscherick, Phyllis Boernke, Dave Bussard, Jim Castleberry, Patrick Clinch, Cynthia Clinch, Linda M. Colhoff, Richard Cooper, Lt. Ray Cornford, Darcy Dennison, Lee Dennison, Ken Edel, Fred Eisenbraun, Lawren Erickson, Dan Island, Adeline Kalmbeck, Jim Kinyon, Craig Kirsch, Eileen Leir, Burt Long, Carol Long, State legislator Alice McCoy, Jim McCoy, Dave Morgan, Lou Morgan, Sharon Oney, Kenneth Palmer, Gloria Pluimer, Alys Ratigan, Kerri Severson, Mickey Snook, Roberta Stevens, Betty Strobel, Raymond Summers, Patricia Trumble, William Trumble, Holli Vanderbeek, Jerry Walenta, Lt. David Walton, Les Wermers, Dexter Wittman, Rapid City Mayor Jim Shaw, former mayor Jerry Munson and Connie Ewing.

Thanks to the efforts of these individuals, other concerned and committed citizens, and officials in Rapid City, the East North and East Boulevard areas of Rapid City have been effectively rehabilitated. The efforts of this organization may serve as a model for other Weed and Seed organizations in the country. Although ceasing operations, the vision and tireless efforts of individuals in the Rapid City Weed and

Seed organization will be maintained. I wish to commend the energetic and innovative work of the Rapid City Weed and Seed organization and the individuals involved in their great work over the past several years.●

TRIBUTE TO DR. ESTELLE R. RAMEY

● Mrs. CLINTON. Mr. President, on September 8, our Nation lost a great American and my husband and I lost a wonderful friend of over 20 years. Dr. Estelle R. Ramey was a respected endocrinologist, physiologist, and feminist. She was a woman of great wit and wisdom who fought gender discrimination in the scientific professions and in the conduct of medical research. Dr. Ramey died of Alzheimer's disease at the age of 89.

Estelle Rubin Ramey was born in Detroit and raised in New York City. Her mother, a wise but impoverished and illiterate immigrant, insisted that her daughter be educated. At the age of 15 in the midst of the Great Depression, Dr. Ramey was able to attend Brooklyn College for the price of a library card. Ignoring the gender restrictions of his time, one of her professors made it possible for Estelle to have the opportunity to teach chemistry at the new Queens College while working for her master's in chemistry at Columbia. While at Columbia she met her husband, James Ramey, who was a student at the law school. Their love affair lasted for over 65 years. Estelle, with her trademark wit and self-deprecation, would attribute their successful marriage to never once having had a meaningful conversation.

Dr. Ramey earned her doctorate in physiology and biophysics at the University of Chicago and upon returning to Washington, she became a faculty member at Georgetown Medical School where she taught for over 35 years. Her decades of research in endocrinology brought her accolades and recognition in the world of medicine, while her ability to express the cause for gender equity with honesty and a rapier wit made her a popular speaker, and eminently quotable. However, as it was stated so well in her September 10 obituary in the Washington Post, "Her wit was rooted in statistics, scientific research and personal experience with discrimination." In 1971, she was a founder and second president of the Association for Women in Science, an organization dedicated to achieving equity and full participation for women in science, mathematics, engineering and technology.

Estelle was known to all of us who loved her as Stelle, and at Georgetown Medical School as "La Belle Estelle." These endearing nicknames are a testament to her boundless humanity. She and her husband Jim felt very strongly about how little, if anything, it took to extend a helping hand to someone else. She wrote in a book entitled "Letters to our Grandchildren": "If I could

leave you with any advice, it would be to speak words of caring not only to those closest to you, to all the hungry ears you encounter on your journey through a cold world. Stop on the mountain climb to bring along all those less lucky, less agile or well endowed. It will make the view even more beautiful when you get to the top. For my own epitaph, I ask that it be: 'I loved and was loved and all the rest was background music.'"

Dr. Ramey leaves her husband Jim and two children: attorney Drucilla Stender Ramey of New York and James Ramey of Bethesda, MD, a physician. Estelle Ramey will be missed greatly by those of us who had the benefit of her warmth and friendship, and she will be remembered for her dedication to her family, to science and her profession, and to all women.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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 including withdrawals which were referred to the appropriate committees.

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

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 18, 2006, she had presented to the President of the United States the following enrolled bills:

S. 2590. An act to require full disclosure of all entities and organizations receiving Federal funds.

S. 2784. An act to award a congressional gold medal to Tenzin Gyatso, the Fourteenth Dalai Lama, in recognition of his many enduring and outstanding contributions to peace, non-violence, human rights, and religious understanding.

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-8308. A communication from the Chief of the Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report relative to the Department's initiation of a standard competition of the 57th Maintenance Group; to the Committee on Armed Services.

EC-8309. A communication from the Chief of the Bureau of Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Government Securities Act Regulations: Applicability to

Over-the-Counter Derivatives Dealers" (RIN1505-AB70) received on September 11, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-8310. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Pennsylvania Regulatory Program" (PA-146-FOR) received on September 15, 2006; to the Committee on Energy and Natural Resources.

EC-8311. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Kentucky Regulatory Program" (KY-250-FOR) received on September 15, 2006; to the Committee on Energy and Natural Resources.

EC-8312. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Colorado Regulatory Program" (CO-031-FOR) received on September 13, 2006; to the Committee on Energy and Natural Resources.

EC-8313. A communication from the Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting, pursuant to law, a report relative to the CALFED Levee Stability Program; to the Committee on Environment and Public Works.

EC-8314. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Alabama: Final Authorization of State Hazardous Waste Management Program Revision" (FRL 8219-5) received on September 14, 2006; to the Committee on Environment and Public Works.

EC-8315. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Redesignation of the Huntington, West Virginia Portion of the Huntington-Ashland 8-Hour Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan" (FRL 8219-9) received on September 14, 2006; to the Committee on Environment and Public Works.

EC-8316. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Vermont; Negative Declaration" (FRL 8219-2) received on September 14, 2006; to the Committee on Environment and Public Works.

EC-8317. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Difenoconazole; Pesticide Tolerance" (FRL 8085-1) received on September 14, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8318. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Endosulfan, Fenarimol, Imazalil, Oryzalin, Sodium Acifluorfen, Trifluralin, and Ziram; Tolerance Actions" (FRL 8077-9) received on September 14, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8319. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant

to law, the USTR's fiscal year 2006 Performance Plan and its fiscal year 2004 Annual Performance Report; to the Committee on Finance.

EC-8320. A communication from the Regulations Coordinator, Center for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible for Calendar Year 2007" (RIN0938-A023) received on September 15, 2006; to the Committee on Finance.

EC-8321. A communication from the Regulations Coordinator, Center for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Part A Premiums for Calendar Year 2007 for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement" (RIN0938-A018) received on September 15, 2006; to the Committee on Finance.

EC-8322. A communication from the Regulations Coordinator, Center for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts for Calendar Year 2007" ((RIN0938-A019) (CMS-8029-N)) received on September 15, 2006; to the Committee on Finance.

EC-8323. A communication from the Director, Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Absence and Leave; Creditable Service" (RIN3206-AK80) received on September 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-8324. A communication from the Director, Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Temporary Assignments Under the Intergovernmental Personnel Act (IPA)" (RIN3206-AJ94) received on September 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-8325. A communication from the Director, Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Examining System" (RIN3206-AK85) received on September 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-8326. A communication from the Deputy Assistant Secretary, Office of Federal Contract Compliance Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors; Equal Opportunity Survey" (RIN1215-AB53) received on September 13, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-8327. A communication from the Chairman, the Labor Member, and the Management Member of the Railroad Retirement Board, transmitting, pursuant to law, a report relative to the Board's budget request for fiscal year 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-8328. A communication from the Acting General Counsel, Department of the Treasury, transmitting, a draft bill entitled "Yankton Sioux Tribe and Santee Sioux Tribe Equitable Compensation Act Amendments of 2006"; to the Committee on Indian Affairs.

## 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. DOMENICI (for himself and Mr. BINGAMAN):

S. 3907. A bill to direct the Secretary of the Interior to conduct a study of water resources in the State of New Mexico; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. BENNETT):

S. 3908. A bill to amend the Internal Revenue Code of 1986 to provide a credit for fuel-efficient motor vehicles and to require major integrated oil companies to amortize intangible drilling and development costs; to the Committee on Finance.

By Mrs. CLINTON:

S. 3909. A bill to amend the foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the achievement of universal basic education in all developing countries as an objective of United States foreign assistance policy, and for other purposes; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 267

At the request of Mr. CRAIG, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 267, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 713

At the request of Mr. ROBERTS, the name of the Senator from North Carolina (Mrs. DOLE) 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. 911

At the request of Mr. CONRAD, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 911, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 1174

At the request of Mr. FEINGOLD, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 1174, a bill to authorize the President to posthumously award a gold medal on behalf of Congress to Robert M. La Follette, Sr., in recognition of his important contributions to the Progressive movement, the State of Wisconsin, and the United States.

S. 1440

At the request of Mr. CRAPO, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1440, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 1934

At the request of Mr. SPECTER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1934, a bill to reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes.

S. 2154

At the request of Mr. OBAMA, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2154, a bill to provide for the issuance of a commemorative postage stamp in honor of Rosa Parks.

S. 2250

At the request of Mr. GRASSLEY, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Oklahoma (Mr. INHOFE), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 2250, a bill to award a congressional gold medal to Dr. Norman E. Borlaug.

S. 2491

At the request of Mr. CORNYN, the names of the Senator from Florida (Mr. MARTINEZ), the Senator from South Dakota (Mr. JOHNSON), the Senator from Missouri (Mr. BOND), the Senator from Colorado (Mr. SALAZAR), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 3035

At the request of Mr. SMITH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 3035, a bill to direct the Secretary of the Interior to conduct a study to determine the feasibility of establishing the Columbia-Pacific National Heritage Area in the States of Washington and Oregon, and for other purposes.

S. 3508

At the request of Mr. SUNUNU, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3508, a bill to authorize the Moving to Work Charter program to enable public housing agencies to improve the effectiveness of Federal housing assistance, and for other purposes.

S. 3651

At the request of Mr. DURBIN, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 3651, a bill to reduce child marriage, and for other purposes.

S. 3655

At the request of Mr. CRAIG, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 3655, a bill to amend

the Internal Revenue Code of 1986 to allow individuals eligible for veterans health benefits to contribute to health savings accounts.

S. 3737

At the request of Mr. LIEBERMAN, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 3737, a bill to amend the National Trails System Act to designate the Washington-Rochambeau Route National Historic Trail.

S. 3744

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 3744, a bill to establish the Abraham Lincoln Study Abroad Program.

S. 3800

At the request of Mr. HAGEL, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 3800, a bill to amend the Foreign Assistance Act of 1961 to require recipients of United States foreign assistance to certify that the assistance will not be used to intentionally traffic in goods or services that contain counterfeit marks or for other purposes that promote the improper use of intellectual property, and for other purposes.

S. 3837

At the request of Mr. AKAKA, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 3837, a bill to authorize the establishment of the Henry Kuualoa Giugni Kupuna Memorial Archives at the University of Hawaii.

S. 3880

At the request of Mr. INHOFE, the names of the Senator from Ohio (Mr. DEWINE) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 3880, a bill to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror.

S. CON. RES. 116

At the request of Mr. DODD, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. Con. Res. 116, a concurrent resolution supporting "Lights On Afterschool!", a national celebration of after school programs.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 3907. A bill to direct the Secretary of the Interior to conduct a study of water resources in the State of New Mexico; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, above-average rainfall in New Mexico this summer has led many to turn a blind eye to the grim water situation faced by our State only 2 months ago. New Mexico was fast approaching a disaster due to drought. Many of our municipalities' wells were running dry and

reservoirs were at dangerously low levels. Providence intervened; narrowly averting a crisis resulting from water scarcity.

The development of the centrifugal pump was an event of great significance in the history of the West. Windmill driven pumps provided enough water for a family and several livestock. The centrifugal pump, on the other hand, was capable of pumping 800 gallons of water a minute, making possible the habitation of what was previously barren desert. To a large extent, this invention provided the water for growing towns and agricultural industry. However, it also resulted in a great dependence on groundwater. As such, we need to fully understand the nature and extent of our groundwater resources. This bill will provide us with the information necessary to ensure that the water on which we have come to rely is available for years to come.

During times of drought, when surface water is scarce, we must be able to reliably turn to groundwater reserves. Approximately 90 percent of New Mexicans depend on groundwater for drinking water and 77 percent of New Mexicans obtain water exclusively from groundwater sources. While groundwater supplies throughout the State are coming under increasing competition, not enough is known about these resources in order to make sound decisions regarding their use.

Nearly 40 percent of the State's population resides in the Middle Rio Grande Basin. Once thought to contain vast quantities of water, we are now faced with the reality the Middle Rio Grande Basin contains far less water than originally thought. Between 1995 and 2001, the United States Geological Survey undertook a study of the basin which added greatly to our knowledge regarding the primary source of water for our largest population center. Had we proceeded with our water planning without the information provided by this study, I have little doubt that we would ultimately find ourselves in a dire situation. However, there is much more to be learned about this basin.

Roughly 65 percent of the State's population lives along the Rio Grande. Also located along the river are the four largest cities in New Mexico: Santa Fe, Albuquerque, Rio Rancho and Las Cruces. While the completion of the San Juan-Chama Diversion by the Albuquerque Bernalillo County Water Utility Authority will allow the county of Bernalillo and city of Albuquerque to take advantage of their allocation of San Juan-Chama water, the remainder of the cities and counties located along the Rio Grande will continue to receive the majority of their water from aquifers beneath the Rio Grande. Aside from the Middle Rio Grande Basin, we have limited knowledge of the amount of water contained in the aquifers below the Rio Grande, the rate at which they recharge, aquifer contamination, and the interaction between surface flows and ground water.

Elsewhere in the State, even less is understood regarding groundwater resources. While there is limited unallocated surface water in the State, there are significant quantities of untapped underground water in the Tularosa and Salt Basins. The Tularosa Basin is approximately 60 miles wide and 200 miles long. Making the conservative estimate that 10 percent of the water contained in that aquifer is available for use through desalination, it would provide 100 years of water for a city the size of Albuquerque. With the development of desalination technology, I anticipate that even a greater amount of the brackish water contained in the Tularosa Basin will be available for human use.

Another untapped water supply is the Salt Basin located in southern New Mexico. The basin lies in a geologically complex area and our understanding of the total resource is incomplete. However, initial estimates predict sustainable withdrawals on the order of 100,000 acre-feet per year of potable water from the New Mexico portion of the aquifer. This is enough water to support a city the size of our largest municipal area. Additional brackish resources in that basin are highly likely. Because the basin is located near expanding metropolitan areas near the U.S.-Mexico Border, it is a resource of critical importance.

The bill I introduce today would direct the United States Geological Survey, in collaboration with the State of New Mexico, to undertake a groundwater resources study in the State of New Mexico. A comprehensive study of the State's water resources is critical to effective water planning. Absent such a study, I fear that there is a significant likelihood that we may be depleting aquifers at an unsustainable rate.

I thank Senator BINGAMAN for being an original co-sponsor of this legislation. I also thank Representative HEATHER WILSON for introducing companion legislation in the House of Representatives and I look forward to working with them to ensure the bill's passage.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3707

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "New Mexico Aquifer Assessment Act of 2006".

#### SEC. 2. NEW MEXICO WATER RESOURCES STUDY.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the United States Geological Survey (referred to in this Act as the "Secretary"), in coordination with the State of New Mexico (referred to in this Act as the "State") and any other entities that the Secretary determines to be appropriate (including other Federal agencies and institutions of higher education),

shall, in accordance with this Act and any other applicable law, conduct a study of water resources in the State, including—

(1) a survey of groundwater resources, including an analysis of—

(A) aquifers in the State, including the quantity of water in the aquifers;

(B) the availability of groundwater resources for human use;

(C) the salinity of groundwater resources;

(D) the potential of the groundwater resources to recharge;

(E) the interaction between groundwater and surface water;

(F) the susceptibility of the aquifers to contamination; and

(G) any other relevant criteria; and

(2) a characterization of surface and bedrock geology, including the effect of the geology on groundwater yield and quality.

(b) **STUDY AREAS.**—The study carried out under subsection (a) shall include the Estancia Basin, Salt Basin, Tularosa Basin, Hueco Basin, and middle Rio Grande Basin in the State.

(c) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report that describes the results of the study.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this Act.

By Mr. WYDEN (for himself and Mr. BENNETT):

S. 3908. A bill to amend the Internal Revenue Code of 1986 to provide a credit for fuel-efficient motor vehicles and to require major integrated oil companies to amortize intangible drilling and development costs; to the Committee on Finance.

Mr. WYDEN. Mr. President, after years and years of congressional gridlock on the issue of automobile efficiency, I and Senator BENNETT of Utah are today bringing to the Senate legislation that is market oriented, bipartisan, and a bill that we believe will bring millions and millions of fuel-efficient automobiles, cars, and trucks to the streets of our country.

We put our Nation on the road to energy independence by rewarding drivers who buy more fuel-efficient cars, trucks, and SUVs. These rewards, under the legislation I have drafted with the distinguished Senator from Utah, Mr. BENNETT, are available on a sliding scale. The more fuel-efficient the vehicle, the greater the reward that the consumer would receive.

We also put the brakes on a needless subsidy to the major oil companies and use the savings that are derived from stopping that windfall to reward consumers in their wallets for helping to end our country's oil dependence. To his credit, the President of the United States has said: You don't need these incentives when oil is over \$55 a barrel, as it is today.

I asked the CEOs when the major oil companies came before a joint hearing—I see the distinguished Senator from Alaska in the chair. He will recall at our hearing, the joint Commerce and Energy hearing that was held, I asked the oil company executives of the

major companies whether they needed the various tax breaks that were currently offered, and to a person, they said they did not.

I see my good friend from Utah, and I thank him for his efforts to make this legislation bipartisan. What I will do, now that the Senator from Utah has arrived, is briefly describe how our bipartisan legislation works and why we think this will be a major transformation in terms of the cars, trucks, and SUVs on the roads of our country.

Under our bipartisan, market-oriented bill, consumers who buy vehicles that are at least 25 percent more fuel efficient than the applicable standards, called CAFE, would get a rebate of at least \$630 and as much as \$1,860 for the most fuel-efficient cars. We have separate standards for cars and trucks so the consumers can choose the type of vehicle they want and still get the rebate or the credit as long as they choose a fuel-efficient model.

In the past, the automobile industry has said that fuel economy standards are hard to achieve because car buyers place little value on fuel economy. The new program created by our bill directly addresses that concern by providing rebates to consumers for purchasing fuel-efficient vehicles.

Many in the automobile industry have also said that car buyers don't fully appreciate the value of lifetime fuel savings at the time of purchase. I and Senator BENNETT believe this will change that by providing the rebates or the credits through focusing consumer attention on fuel efficiency at the time of purchase.

It will be possible for consumers at the time of purchase to see the type of notice I am holding as a sticker on the window of the automobile. So right at the time of purchase, because of this sticker—I am holding a copy of it—it will be possible for purchasers to see the real value of fuel-efficient purchases in the automotive sector.

For vehicles that qualify, the rebate or credit amount would be printed on the window sticker, as I have described, and the consumer could claim the rebate as a tax credit on his or her tax return. Alternatively, I and Senator BENNETT conceived that the rebate could be transferred to automobile dealers, allowing dealers to provide the rebates to consumers as cash back at the time of purchase.

In our view, the legislation also builds on the incentives that were provided in the Energy bill specifically for hybrid gasoline/electric-powered cars. We believe the approach that we are advocating will be especially popular because it is simpler and fairer. For example, unlike the hybrid credit that is in the energy bill, there is no phaseout of the incentives we propose, based on when a hybrid carmaker sells its 60,000th car. Because our legislation eliminates the truly complicated phaseout of the credit that now exists, it is our view that consumers will not be confused as they are today about

when they can get a credit and how much it will be. Also, unlike the approach taken in the energy legislation, our bipartisan bill does not pick winners and losers among competitive technology. It takes a technology-neutral approach that allows any vehicle that has superior fuel efficiency to qualify for a rebate, whether it uses hybrid or conventional technologies.

I also want to emphasize why I think it is important that we take bolder action to jumpstart the markets for fuel-efficient vehicles. As I mentioned, there is a phaseout for the incentives today based on when a hybrid carmaker sells its 60,000th car. We have tried to get our arms around exactly how many of these alternative-fuel vehicles are going to be purchased this year. Many estimates seem to be just a bit over 100,000. But compare those 100,000 hybrids to the 1.8 million vehicles that could be purchased with the kind of incentives that I and Senator BENNETT are proposing. We are significantly increasing, through a marketplace approach, the chance to multiply many times over the number of fuel-efficient vehicles on the streets of our country. The distinguished Senator from Alaska who is in the chair has sat in on many of the debates with me on the Energy Committee where we have heard views expressed about what could be done through a regulatory approach. Those approaches have been fought to gridlock on the floor of the Senate.

What I and Senator BENNETT want to do is something very different. We want to use a marketplace approach to significantly jumpstart the market for these fuel-efficient vehicles over the next 5 years. Compare 100,000 hybrid vehicles that are likely to be purchased this year to the 1.8 million vehicles that could be purchased for each of the next 5 years under the legislation we are advocating and we get a sense of the difference in approach and why we think ours is very much needed and can make a break with the policies that have produced gridlock on the floor of the Senate.

Finally, I would wrap up by saying that the legislation I and Senator BENNETT are proposing is fully paid for. According to the Joint Committee on Taxation, our bill saves \$6.8 billion by limiting just one of the tax breaks that the major oil companies have said they no longer need. It is known as the expensing of intangible drilling costs, which includes land acquisition costs, development costs, and the costs of leasing equipment. The Congressional Research Service has called this special break economically inefficient. I looked very carefully at it after the hearing attended by myself and the distinguished Senator from Alaska and others, when I asked the major oil executives if they needed all of the tax breaks that were currently allowed under the code. They said they did not. The President, to his credit, said the major oil companies do not need tax

breaks when the price of oil is over \$55 a barrel.

So according to the analysis done by the Joint Committee on Taxation, the savings derived by limiting one tax break for major oil companies more than covers the \$1.3 billion-per-year cost of the marketplace-oriented rebate and credit program.

To finally sum up, I believe our legislation—we call it OILSAVE—is a winner for consumers, a winner for energy security, and a winner for taxpayers. It is a win for the consumer because it helps our Nation's energy security by the purchase of what could be millions of fuel-efficient cars and trucks and SUVs. It helps us kick our Nation's oil dependence by stimulating the purchase of a number of greener vehicles at home and by limiting a tax break the Congressional Research Service calls economically inefficient. Finally, it is a win for our taxpayers because after the major oil company executives said that they didn't need this break, and the President indicated that with oil at these prices you didn't need incentives, it is possible for us now to jumpstart the marketplace for these vehicles without any additional costs to the taxpayers.

So I hope my colleagues will reflect on the difference between this discussion and the ones we have had previously on the floor of the Senate. The decibel level got pretty high during those past debates. When Senator BENNETT and I launched our discussion, it was a different kind of discussion. It was a discussion about how we can find common ground in the Senate, how we can be significantly bolder in the area of automobile efficiency. We have zeroed in on this area, an area I know has been of interest to the Presiding Officer over the years, because automobile efficiency is the ball game as it relates to the issue of energy security. That is where our oil is going.

So I hope our colleagues will be interested in the legislation that we are bringing to the Senate today. The OILSAVE legislation is a departure from the polarized debates we have had in this body.

I want to say, wrapping up, that I don't think I could have a better partner for this particular effort than the distinguished Senator from Utah. He is the chair, as our colleagues know, of the Joint Economic Committee. He has been interested in energy legislation as a member of the Republican leadership for quite some time. I would note that today is his birthday, and he has decided to use this special day, when his family is clamoring for his time, to be part of this bipartisan effort with me. I am very grateful for his involvement in this task, and I would like to yield the floor, if I might.

I also see our distinguished friend from West Virginia here, and if it is acceptable, perhaps Senator BENNETT could wrap up for our legislation, and then I know the entire Senate wishes to here the remarks of the distin-

guished senior Senator from West Virginia.

I ask unanimous consent that the text of the OILSAVE bill introduced today be printed in the RECORD.

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

S. 3908

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Oil Independence, Limiting Subsidies, and Accelerating Vehicle Efficiency (OILSAVE) Act".

**SEC. 2. TAX CREDIT FOR FUEL-EFFICIENT MOTOR VEHICLES.**

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to other credits) is amended by inserting after section 30C the following new section:

**"SEC. 30D. FUEL-EFFICIENT MOTOR VEHICLE CREDIT.**

"(a) ALLOWANCE OF CREDIT.—There shall be allowed a credit against the tax imposed by this chapter for the taxable year an amount equal to the applicable amount for each new qualified fuel-efficient motor vehicle placed in service by the taxpayer during the taxable year.

"(b) NEW QUALIFIED FUEL-EFFICIENT MOTOR VEHICLE.—For purposes of this section, the term 'new qualified fuel-efficient motor vehicle' means a motor vehicle (as defined under section 30(c)(2))—

"(1) which is a passenger automobile or a light truck,

"(2) which—  
 "(A) in the case of a passenger automobile, achieves a fuel economy of not less than 34.5 miles per gallon, and

"(B) in the case of a light truck, achieves a fuel economy of not less than 27.5 miles per gallon,

"(3) the original use of which commences with the taxpayer,

"(4) which is acquired for use or lease by the taxpayer and not for resale, and

"(5) which is made by a manufacturer for model year 2007, 2008, 2009, 2010, or 2011.

"(c) APPLICABLE AMOUNT.—For purposes of this section, the applicable amount shall be determined as follows:

	In the case of a passenger automobile, the applicable amount is:	In the case of a light truck, the applicable amount is:
27.5 miles per gallon ..	\$0	\$630
28.5 .....	0	710
29.5 .....	0	780
30.5 .....	0	850
31.5 .....	0	920
32.5 .....	0	980
33.5 .....	0	1,040
34.5 .....	630	1,090
35.5 .....	700	1,140
36.5 .....	760	1,190
37.5 .....	820	1,240
38.5 .....	880	1,280
39.5 .....	940	1,320
40.5 .....	990	1,360
41.5 .....	1,040	1,400
42.5 .....	1,090	1,430
43.5 .....	1,140	1,470
44.5 .....	1,180	1,500
45.5 .....	1,220	1,530
46.5 .....	1,260	1,560

	In the case of a passenger automobile, the applicable amount is:	In the case of a light truck, the applicable amount is:
47.5 .....	1,300	1,590
48.5 .....	1,340	1,620
49.5 .....	1,370	1,640
50.5 .....	1,410	1,670
51.5 .....	1,440	1,690
52.5 .....	1,470	1,720
53.5 .....	1,500	1,740
54.5 .....	1,530	1,760
55.5 .....	1,560	1,780
56.5 .....	1,590	1,800
57.5 .....	1,610	1,820
58.5 .....	1,640	1,840
59.5 or more .....	1,660	1,860

**"(d) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—**

"(1) FUEL ECONOMY.—The term 'fuel economy' has the meaning given such term under section 32901(a)(10) of title 49, United States Code.

"(2) MODEL YEAR.—The term 'model year' has the meaning given such term under section 32901(a)(14) of such title.

"(3) OTHER TERMS.—The terms 'passenger automobile', 'light truck', and 'manufacturer' have the meaning given such terms in regulations prescribed by the Administrator of the Environmental Protection Agency for purposes of the administration of title II of the Clean Air Act.

"(4) REDUCTION IN BASIS.—For purposes of this subtitle, the basis of any property for which a credit is allowable under subsection (a) shall be reduced by the amount of such credit so allowed.

"(5) NO DOUBLE BENEFIT.—

"(A) COORDINATION WITH OTHER VEHICLE CREDITS.—No credit shall be allowed under subsection (a) with respect to any new qualified fuel-efficient motor vehicle for any taxable year if a credit is allowed with respect to such motor vehicle for such taxable year under section 30 or 30B.

"(B) OTHER TAX BENEFITS.—The amount of any deduction or credit (other than the credit allowable under this section and any credit described in subparagraph (A)) allowable under this chapter with respect to any new qualified fuel-efficient motor vehicle shall be reduced by the amount of credit allowed under subsection (a) for such motor vehicle for such taxable year.

"(6) PROPERTY USED OUTSIDE THE UNITED STATES, ETC., NOT QUALIFIED.—No credit shall be allowable under subsection (a) with respect to any property referred to in section 50(b)(1) or with respect to the portion of the cost of any property taken into account under section 179.

"(7) ELECTION NOT TO TAKE CREDIT.—No credit shall be allowed under subsection (a) for any vehicle if the taxpayer elects not to have this section apply to such vehicle.

"(8) INTERACTION WITH AIR QUALITY AND MOTOR VEHICLE SAFETY STANDARDS.—Unless otherwise provided in this section, a motor vehicle shall not be considered eligible for a credit under this section unless such vehicle is in compliance with—

"(A) the applicable provisions of the Clean Air Act for the applicable make and model year of the vehicle (or applicable air quality provisions of State law in the case of a State which has adopted such provision under a waiver under section 209(b) of the Clean Air Act), and

“(B) the motor vehicle safety provisions of sections 30101 through 30169 of title 49, United States Code.

“(e) CREDIT MAY BE TRANSFERRED.—

“(1) IN GENERAL.—A taxpayer may, in connection with the purchase of a new qualified fuel-efficient motor vehicle, transfer any credit allowable under subsection (a) to any person who is in the trade or business of selling new qualified fuel-efficient motor vehicles, but only if such person clearly discloses to such taxpayer, through the use of a window sticker attached to the new qualified fuel-efficient vehicle—

“(A) the amount of any credit allowable under subsection (a) with respect to such vehicle, and

“(B) a notification that the taxpayer will not be eligible for any credit under section 30 or 30B with respect to such vehicle unless the taxpayer elects not to have this section apply with respect to such vehicle.

“(2) CONSENT REQUIRED FOR REVOCATION.—Any transfer under paragraph (1) may be revoked only with the consent of the Secretary.

“(3) REGULATIONS.—The Secretary may prescribe such regulations as necessary to ensure that any credit described in paragraph (1) is claimed once and not retransferred by a transferee.”

(b) CONFORMING AMENDMENTS.—

(1) Section 1016(a) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of paragraph (36), by striking the period at the end of paragraph (37) and inserting “, and”, and by adding at the end the following new paragraph:

“(38) to the extent provided in section 30D(d)(4).”

(2) Section 6501(m) of such Code is amended by inserting “30D(d)(7),” after “30C(e)(5).”

(3) The table of section for subpart C of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 30C the following new item:

“Sec. 30D. Fuel-efficient motor vehicle credit.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

**SEC. 3. AMORTIZATION OF INTANGIBLE DRILLING AND DEVELOPMENT COSTS FOR MAJOR INTEGRATED OIL COMPANIES.**

(a) IN GENERAL.—Subsection (i) of section 263 of the Internal Revenue Code of 1986 is amended—

(1) by striking “INCURRED OUTSIDE THE UNITED STATES” in the heading,

(2) by inserting “or owned or operated by a major integrated oil company (as defined in section 167(h)(5)(B))” after “United States”, and

(3) by inserting “located outside the United States” after “nonproductive well” in the last sentence thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to costs paid or incurred after the date of the enactment of this Act.

Mr. BENNETT. Mr. President, I thank my friend from Oregon for his overly kind remarks. I have enjoyed working with him on this particular project. It is very clear he has the initiative on this legislation, but I am happy to respond to his initiative and lend what assistance I possibly can.

I want to make just a few additional comments about the presentation he has made. I have always been very nervous about CAFE standards. For those who are watching and don't know

what CAFE standards mean, it has nothing to do with lunch, but it comes from the acronym CAFE, or corporate aggregate fleet emissions, having to do with automobiles.

I have always thought that whenever government gets in the way of the market, government tends to make mistakes with the market. I think we can look back over the years of the CAFE standards, and in an effort to get lower emissions and more efficiency out of our automobiles, we have had a situation where manufacturers have had to make cars people don't want to buy, just to make the CAFE standard requirements. I am always nervous about that. That is one of the reasons I have been hesitant to support CAFE standards.

Here is a solution that will create incentives for people to buy lower emission automobiles, or more efficient automobiles, without dictating what those automobiles will be and without dictating a Federal target. It simply says: If you buy a car that gets higher mileage than the CAFE standard average, to a certain extent, as the Senator from Oregon has explained, the Federal Government will give you a rebate. Now, it is a tax rebate. It is a tax credit. So that is cash in your pocket if you pay income taxes, and 50 percent of American wage earners do not pay income taxes. This is one of the things we have to understand. The income tax is so constructed that it applies only to the top 50 percent of Americans, and the majority is paid by the top 5 percent of Americans.

So you can say: Well, the tax credit isn't really fair because only the people at the top get to take advantage of it. So in the bill that the Senator from Oregon has crafted and what I am cosponsoring, a car buyer can say: Instead of the tax credit, once the whole deal has been made, the price negotiated, I want my \$630 or my \$1,000 or my \$1,800 or whatever it might be on the deal to go against my responsibility for a downpayment.

Now, we very carefully have not put it in a situation where it can be part of a deal because we think the car dealer will say: Ok. I will simply raise the price by the amount of the rebate and do a little bait and switch and not give strong economic incentives for somebody who really understands what is going on to buy this particular car. The dealer doesn't know when the buyer comes in whether the buyer is going to take the amount as a tax rebate directly to the buyer or whether he is going to apply it to the downpayment. So the dealer cannot do any bait and switch or smoke and mirrors to try to take advantage of that. That is one of the talking points in favor of this particular approach.

But it means, as the Senator from Oregon has said, that the government now becomes technology neutral. The government says: We don't really care whether the increased mileage comes as a result of a hybrid or, as one auto

manufacturer said, improved diesel, or some other technology that no one has thought of. This means that someone who is working on additional technology that needs a little bit of a nudge to have people buy it doesn't have to put that aside and say: Well, I can't compete with the subsidy that is created for hybrid. I have something that will get just as good mileage as a hybrid, but I can't put it on the marketplace because the present law says you get so much of an advantage for hybrid but not for this new one that I have come up with. So the government stays technology neutral and tax neutral in terms of the impact on the people who get the advantage of it, and the manufacturer deals directly with the customer in producing the kinds of automobiles people want to buy. And if people say: I really don't want to buy that automobile, if CAFE standards disappear, the manufacturer can say: OK, if you don't want to buy it, we won't produce it. Whereas, now there is pressure; we have to produce it in order to meet the CAFE average, whether people want to buy it or not.

Economics is all about incentives. This is the right kind of government intervention to create incentives that I think ultimately will correct some of the wrong kinds of government intervention, however well intentioned, that we have seen.

So I am delighted with the leadership shown by my friend from Oregon. I am happy to work with him on this issue, as I am working with him on other issues. I think it is an example of the kind of bipartisan approach to solve the Nation's problems that we all need to follow. I congratulate him, salute him for his leadership, and I am happy to be part of the team.

By Mrs. CLINTON:

S. 3909. A bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the achievement of universal basic education in all developing countries as an objective of United States foreign assistance policy, and for other purposes; to the Committee on Foreign Relations.

Mrs. CLINTON. Mr. President, for several years now, I have been working to raise the profile of the issue of the more than 100 million children around the world who are out of school.

An April 2004 report authored by Barbara Herz and Gene Sperling, in conjunction with the Center on Universal Education at the Council on Foreign Relations, clearly demonstrated in striking fashion the overwhelming and incontrovertible evidence on the need to invest in girls' education. It catalogs literally hundreds of rigorous studies on the tangible economic, social, and political gains that come from giving a girl the opportunity to learn. Let me highlight a few of the report's findings: A single year of primary education correlates with a 10-20

percent increase in women's wages later in life. Academic studies find the return to a year of secondary education is even higher—in the 15 to 25 percent range.

An extra year of a woman's education has been shown to reduce the risk that her children will die in infancy by 5 to 10 percent.

Education offers what the World Bank has referred to as a window of hope in helping prevent the spread of AIDS among today's children. A recent study of a school-based AIDS education program in Uganda found a 75 percent reduction in the likelihood that children would be sexually active in their last year of primary school.

Girls' education is the best single policy for reducing fertility and therefore achieving sustainable families, according to a recent survey of the academic literature. In Brazil, for example, illiterate mothers have an average of 6 children while literate mothers choose to have less than 3 children, and are better able to care for an invest in their children's well-being.

A study of South Asia and Sub-Saharan Africa found that from 1960 to 1992, more equal education between men and women could have led to nearly 1 percent higher annual per capita GDP growth.

The report also documents in extensive detail what I have seen in many countries—that the most effective way to reach the goal of getting all girls in school is by encouraging countries to make a firm commitment to universal basic education for all children. When countries devise and adopt specific targeted strategies to address the unique obstacles girls face, they improve the reach and quality of education for all children, both girls and boys.

Two years ago, Representative NITA LOWEY and I introduced the Education for All Act, legislation that I am proud to reintroduce today. This bill would enable us to increase our spending on global education initiatives in order to help millions of children around the world have the opportunity to receive an education.

At the time we originally introduced this bill, we may have seemed like we were dreamers to expect a G8 nation like ours to take such a bold step on education in Africa and the rest of the developing world.

Yet earlier this year we saw the UK put forward \$15 billion over the next 10 years. This means that the UK, a nation with an economy about one-sixth our size, will be spending three times more than the U.S. to ensure that every boy—and particularly every girl—has a chance for a free education.

I know that our current commitment does not represent the generous heart or the wise minds of the American people. And they know that education—particularly the education of girls—is the best investment we can make to reducing global poverty; they know that education is our best social vaccine against the spread of HIV/AIDS.

There is no greater proof of such big hearts and wise minds as the young people from all over the United States, as well as around the world whom I have met, and who have shared with me their commitment to advocate for children thousands of miles away who they still consider to be their friends—their brothers and sisters who deserve the opportunity to learn.

I am proud to stand with these children in support of their friends around the world. They understand that in order to make our world more peaceful and secure in the long term, girls and boys must be given the chance to read, to write, and to get a basic education.

Education has to be the foundation of any strategy to secure peace and prosperity around the world, because when children can reach their potential, we are all better for it, and this bill will help provide a strong foundation for our efforts to help children around the world.

#### NOTICE OF HEARING

##### COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, September 20, 2006, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct an oversight hearing on the Tribal Self Governance: Obstacles and Impediments to Expansion of Self Governance.

Those wishing additional information may contact the Indian Affairs Committee at 202-224-2251.

##### SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that S. 3000, a bill to grant rights-of-way for electric transmission lines over certain Native allotments in the State of Alaska, has been added to the agenda of the hearing scheduled before the Subcommittee on Public Lands and Forests scheduled for Wednesday, September 27, at 10 a.m. in room SD-628.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510-6150.

For further information, please contact Frank Gladics at 202-224-2878, Dick Bouts at 202-224-7545, or Sara Zecher 202-224-8276.

#### SECURE FENCE ACT OF 2006— MOTION TO PROCEED

##### CLOTURE MOTION

Mr. FRIST. Mr. President, we will be closing down shortly, but I have a few items of business, and I have had a chance to talk to the Democratic leader about this next item.

Mr. President, I now proceed to Calendar No. 615, H.R. 6061. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

##### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 615, H.R. 6061, a bill to establish operational control over the international land and maritime borders of the United States.

Bill Frist, Ted Stevens, Robert Bennett, Lisa Murkowski, Mike Enzi, Pat Roberts, Jeff Sessions, Orrin Hatch, Wayne Allard, Thad Cochran, James Inhofe, Trent Lott, John Ensign, Jon Kyl, Tom Coburn, Mitch McConnell, John Cornyn.

Mr. FRIST. Mr. President, I ask that the mandatory quorum be waived.

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

Mr. FRIST. Mr. President, last week we passed the Port Security Improvement Act. Indeed, that means we are one step closer to plugging the hole in our port security. We are one step closer to securing America's more than 300 maritime ports of entry. That is progress.

This port security bill that we passed was about vigilance. We are in the midst of a war with radical ideologues, militant extremists who will stop at nothing to destroy our Nation. They search for our weak spots and they seek ways to exploit them. On 9/11 we learned just how creative our enemy can be. Just last month we saw it again with the plot in Great Britain among terrorists to carry out what has become known as Gatorade bombing; that is, the destruction of aircraft and human life by using liquids.

We share a 1,951-mile border with Mexico. It doesn't take much creativity to imagine how terrorists might seek to exploit that border. It is time to secure that border with Mexico. That is why just a few moments ago I filed cloture on the motion to proceed to the Secure Fence Act of 2006.

The overwhelming majority of people who violate our borders do so in search of jobs—but not all of them. Some cross to deal drugs and commit crimes. Intelligence reports show that even al-Qaida considers our borders a key vulnerability. Without effective border control, we can't tell those looking for honest work from those bent on mayhem. Under the Secure Fence Act, Customs and Border Protection will take responsibility for securing every inch of our border with Mexico. Engineers and construction workers will erect two-layer reinforced fencing along the entire border. Hundreds of new cameras and sensors will be installed. Unmanned aircraft will supplement existing air and ground patrols.

The resulting finished network will give us complete operational control over our entire border, and it will go a

long way toward stopping illegal immigration altogether.

But border barriers alone won't solve our problems. Congress still needs to address the illegal immigrants already in the country and provide a viable means to meet our Nation's labor needs. While I would have preferred coming to an agreement on a comprehensive solution this year, I have always said we need an enforcement-first approach to immigration reform—not enforcement only but enforcement first. This bill is that next step in strengthening our national security and the next step in making America safer and more secure.

#### VITIATION OF ACTION—H.R. 503

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate's action on H.R. 503 be vitiated and the Senate agree to the request of the House to return the papers.

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

#### ORDERS FOR TUESDAY, SEPTEMBER 19, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Tuesday, September 19. I further ask unanimous consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business for up to 30 minutes, with the first 15 minutes under the control of the Democratic leader or his designee and the final 15 minutes under the control of the majority leader or his designee; further, that following morning business, the Senate resume consideration of H.R. 5684, the Oman free-trade bill, for 30 minutes under the previous order, with a vote on passage to occur at 12 noon; further, that any additional time until the vote be counted on the bill, with the time equally divided between the two leaders or their designees. Further, I ask unanimous consent that the Senate stand in recess from 12:30 until 2:15 to accommodate the weekly policy luncheons.

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

#### PROGRAM

Mr. FRIST. Mr. President, tomorrow we will make final remarks on the Oman free-trade bill. The vote on passage of this bill will be at noon tomorrow. This is the first vote of the week. Tomorrow afternoon, at 2:15, we will take up the nomination of Alice Fisher to be Assistant Attorney General. Under the time agreement, there will be 5½ hours of debate; however, I do not believe all the time will be necessary. Senators will be notified once that vote has been scheduled.

Just a moment ago, I filed cloture on the motion to proceed to the Secure Fence Act. That vote will occur on Wednesday unless an additional agreement is reached.

I have reminded our colleagues off the floor and will continue to do so on the floor with regard to the fact that next week will be a very busy week. We will complete our business next week. It means in all likelihood that we will have votes on Monday and Friday of next week. Although I don't know exactly when we will finish next week, I think it is important for people to keep their schedules flexible on Saturday. Our intention is to finish—in fact, we will finish—our work by the end of next week.

#### ADJOURNMENT UNTIL 9:45 A.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 6:35 p.m., adjourned until Tuesday, September 19, 2006, at 9:45 a.m.

#### NOMINATIONS

Executive nominations received by the Senate September 18, 2006:

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be brigadier general

COL. JAMES T. COOK, 0000

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624, 1552 AND 531:

##### To be major

RANDALL J. REED, 0000

##### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203, AND 12211:

##### To be colonel

HERBERT B. HEAVNER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

##### To be lieutenant colonel

PAUL P. KNETSCHKE, 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

CRAIG N. CARTER, 0000  
MICHAEL E. FISHER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

##### To be major

LOUIS R. MACAREO, 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

DONALD A. BLACK, 0000  
MARY W. ERICKSON, 0000  
JOHANNA GABBARD, 0000  
LOUIS J. GASTON, 0000

JOHN R. KIRCHER, 0000  
RICHARD P. MYERS, 0000  
ROBIN C. RICHARDSON, 0000  
JAMES A. ROSE, 0000  
JOSEPH O. STREFF, 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

CAROL A. BOWEN, 0000  
JEROME C. CURETON, 0000  
PATRICK S. FOLEY, 0000  
BRUCE A. GASTON, 0000  
JOHN W. GEE, 0000  
THOMAS M. GOTSIS, 0000  
CHERYL Y. HARMON, 0000  
JOHN W. HORN, 0000  
JOHN T. ISAACS, JR., 0000  
LAURA E. KILGORE, 0000  
CORNELIUS C. LEHAN, 0000  
GLENN B. LUCAS, 0000  
VERONICAL MCCLURKIN, 0000  
MATTHEW A. MCLELLAN, 0000  
JAMES M. OLDHAM, 0000  
FRED R. PLACE, 0000  
WILLIAM A. RICKS, 0000  
RALPH P. RILEY, JR., 0000  
PAULA M. B. WOLFERT, 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

DIRETT C. ALFRED, 0000  
MARK R. BARNES, 0000  
MICHAEL A. BIMLER, 0000  
ODIS R. BLUETT, 0000  
WILLIAM J. BROWN, 0000  
DANA M. CAPOZZELLA, 0000  
ARLEN D. CHAPMAN, 0000  
SUSAN G. CUNNUP, 0000  
KATHERINE B. DEPPER, 0000  
BRADLEY P. DUNBAR II, 0000  
FRANK ELLISON, 0000  
JILL K. FARIS, 0000  
RICHARD D. FLINN, JR., 0000  
DEAN W. GOODSON, 0000  
DEMETRIO J. GUTIERREZ, 0000  
LARRY J. HEISLER, 0000  
ABE T. HOBSON, 0000  
LAURA A. JENNINGS, 0000  
HERBERT C. JONES, JR., 0000  
BONITA J. KEEFE, 0000  
NICOLE M. A. KEESEE, 0000  
BRYAN R. KELLY, 0000  
JOHN J. KELLY, JR., 0000  
DARWIN D. KUMPULA, 0000  
DOUGLAS E. LAWSON, 0000  
MARK A. LOSINSKI, 0000  
BEATRICE MAXEY, 0000  
GARY E. MCALLISTER, 0000  
RODNEY F. MCBRIDE, 0000  
CATHRYN A. MCDANIEL, 0000  
HARVEY MOUZON, 0000  
GLENN T. NISSLEY, 0000  
RICKY D. E. OTTO, 0000  
WILLIAM W. PICKARD, 0000  
ROBERT L. PORTER, 0000  
JOY B. REAM, 0000  
ROBERT F. REEDER, 0000  
KIMERLI J. REMPLAMB, 0000  
CORINNE M. RITTER, 0000  
DARLENE I. SANTOS, 0000  
SCOTT H. SCHOFIELD, 0000  
BRIAN K. SHAW, 0000  
JANET M. SHIPKO, 0000  
SHEILA A. SIDBERRY, 0000  
TERRANCE J. WICKMAN, 0000  
JOSEPH C. WINDHAM III, 0000  
WENDY B. YELDELL, 0000  
MICHAEL YOUNGBLOOD, 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

KAREN E. ALTMAN, 0000  
MARY F. BELMONT, 0000  
JOSEPH S. BLANSFIELD, 0000  
DIANE M. BROWN, 0000  
MARGARET A. BURCIE, 0000  
BRIAN D. CAMPBELL, 0000  
MARY L. CLIFFORD, 0000  
JOANNE B.W. CLOTHIER, 0000  
IRMA H. COOPER, 0000  
HAROLD R. DELAUGHDER, 0000  
SUSAN J. DURHAM, 0000  
SUSAN M. DUSZYNSKI, 0000  
LISA K. FARRELL, 0000  
SUSAN D. FAYERS, 0000  
JAMES H. FLESHER, 0000  
DERETHA E. FOY, 0000  
BRENDA L. GRIFFITH, 0000  
SUSAN M. GROVER, 0000  
CAROL L. HAIG, 0000  
ROSE ANN HAZLETT, 0000  
STEVEN L. HEMMING, 0000  
MARIE T. HILLARD, 0000  
SUSAN J. HOUSER, 0000  
TERESA C. LANNING, 0000  
GINA M. MASONHABERLIN, 0000  
SHARON A. L. MCKINNEY, 0000  
ODARKA MECHNYCZ, 0000

RAYDA V. NADAL, 0000  
 DIANNE L. NALL, 0000  
 JULIA A. PORTER, 0000  
 LOIS E. POTTER, 0000  
 ALICE E. RANDALL, 0000  
 GLENN A. SLIWINSKI, 0000  
 CARLA S. SOSA, 0000  
 DIANA M. STOUT, 0000  
 JANET E. THOMAS, 0000  
 BEVERLY E. VANDENBERG, 0000  
 CHARLOTTE J. WARREN, 0000  
 PATIENCE O. WENCK, 0000  
 DONNA J. WIBERG, 0000  
 BOBBY R. WILSON, 0000  
 RUTH A. YERARDI, 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*

ROBERT D. AKERSON, 0000  
 JAMES G. ARD, 0000  
 THOMAS F. BABCOCK, 0000  
 RICHARD U. BALDWIN, 0000  
 RAJAT BANNERJI, 0000  
 JOHN G. BERTOLINO, 0000  
 JOSEPH A. BETTENCOURT, 0000  
 MARTIN L. BLANK, 0000  
 MICHAEL J. BRANTLEY, 0000  
 ALAN R. BREWER, 0000  
 LYLE L. BROWN, 0000  
 BRIAN D. BUSCONI, 0000  
 CHARLES L. BUTTZ, 0000  
 NISSAGE CADET, 0000  
 JOHN A. CAMERON, 0000  
 DAVID J. CARLSON, 0000  
 WESLEY V. CARRION, 0000  
 TODD R. CHACE, 0000  
 LAURETTE A. CHANG, 0000  
 DIK S. CHEUNG, 0000  
 LAWRENCE E. CLAPP, 0000  
 STEVEN P. COHEN, 0000  
 MARCO COPPOLA, 0000  
 WARREN B. DAILEY, 0000  
 ROBERT C. DART, JR., 0000  
 HECTOR DAVILA, 0000  
 BOLIVIA T. DAVIS, 0000  
 HONORIO T. DISPO, 0000  
 TONY Y. L. ENG, 0000  
 NATHAN A. FOGT, 0000  
 GUY D. GOBER, 0000  
 KENNETH W. GRAF, 0000  
 DEREK I. GROSSMAN, 0000  
 GENE W. GROVE, 0000  
 ROBERT R. GUION, 0000  
 RONALD A. HAGEN, 0000  
 KATHRYN L. HALLBOYER, 0000  
 THOMAS R. HANSEN, 0000

JOSEPH J. HECK, 0000  
 ERIC R. HELLANDER, 0000  
 NATHAN J. HOELDTKE, 0000  
 PHILIP A. HORTON, 0000  
 LAURIE T. HUGHES, 0000  
 GREGORY P. HYMEL, 0000  
 KARL A. ILLIG, 0000  
 SETH D. IZENBERG, 0000  
 MARTIN W. JENYTER, 0000  
 CARLOS E. JIMENEZMARCHAN, 0000  
 MICHAEL W. JOHNSON, 0000  
 ANTON KEMPS, 0000  
 JEROME D. KIZZART, 0000  
 RICHARD L. KLINGLER, 0000  
 EDWARD W. LEONE, 0000  
 WILLIAM G. LYLE, 0000  
 FRANCISCO MARTINEZDEACRUZ, 0000  
 ROBERT J. MARK, 0000  
 PETER A. MATSUURA, 0000  
 GERALD A. MATTEUCCI, 0000  
 THOMAS R. MCCUNE, 0000  
 MICHAEL A. MORONE, 0000  
 GORDON S. MOSHMAN, 0000  
 ROBERT C. NATALONI, 0000  
 PASQUALE F. NESTICO, 0000  
 SISAR M. PADERES, 0000  
 ROB G. PARRISH, 0000  
 CARLOS G. PENALOZAARANIBAR, 0000  
 DANIEL V. PHAN, 0000  
 HARRY B. RAUCH, 0000  
 JOSEPHINE G. REYES, 0000  
 TERRY N. RIVERS, 0000  
 JOE D. ROBINSON, 0000  
 RAFAEL RODRIGUEZMERCADO, 0000  
 MICHAEL J. ROWLAND, 0000  
 CONRAD SALINAS, 0000  
 STEPHEN T. SAUTER, 0000  
 DONALD L. SAWYER, 0000  
 SCOTT C. SIMMONS, 0000  
 STEVEN R. SMITH, 0000  
 ALLAN K. STRYKER, 0000  
 BOLLIPALLI A. SUBBARAO, 0000  
 DAVID C. TELLER, 0000  
 DAVID W. TOWLE, 0000  
 ALAN R. TOWNE, 0000  
 JOHN M. TREVEN, 0000  
 DAVID A. VANBOCKEL, 0000  
 KERRY D. WELCH, 0000  
 KURT E. WERNER, 0000  
 GUY III WHITEHEAD, 0000  
 WILLIAM D. WHITLEY, 0000  
 ROBERT E. WILKINS, 0000  
 JEROME WILLIAMS, 0000

SHORT LIST OF NOMINATIONS RECEIVED AS OF  
 09/18/2006

PN2027 ARMY, COL. JAMES T. COOK, 0000.  
 PN2028 AIR FORCE, RANDALL J. REED, 0000.

PN2029 ARMY HERBERT B. HEAVNBER, 0000.  
 PN2030 ARMY, PAUL P. KNETSCHKE, 0000.  
 PN2031 ARMY (2 NAMES), CRAIG N. CARTER, 0000  
 THROUGH MICHAEL E. FISHER, 0000.  
 PN2032 ARMY, LOUIS R. MACAREO, 0000.  
 PN2033 ARMY (9 NAMES), DONALD A. BLACK, 0000  
 THROUGH JOSEPH O. STREFF, 0000.  
 PN2034 ARMY (19 NAMES), CAROL A. BOWEN, 0000  
 THROUGH PAULA M. B. WOLFERT, 0000.  
 PN2035 ARMY (48 NAMES), DIRETT C. ALFRED, 0000  
 THROUGH MICHAEL YOUNGBLOOD, 0000.  
 PN2036 ARMY (42 NAMES), KAREN E. ALTMAN, 0000  
 THROUGH RUTH A. YERARDI, 0000.  
 PN2037 ARMY (91 NAMES), ROBERT D. AKERSON, 0000  
 THROUGH JEROME WILLIAMS, 0000.

WITHDRAWALS

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

BARBARA BOXER, OF CALIFORNIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 15, 2006.

NORMAN B. COLEMAN, OF MINNESOTA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 15, 2006.

NED L. SIEGEL, OF FLORIDA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 15, 2006.

BARBARA MCCONNELL BARRETT, OF ARIZONA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 15, 2006.

CECIL E. FLOYD, OF SOUTH CAROLINA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 15, 2006.

# EXTENSIONS OF REMARKS

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 19, 2006, may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### SEPTEMBER 20

9:30 a.m.

#### Indian Affairs

To hold an oversight hearing to examine Tribal Self Governance.

SR-485

#### Judiciary

To hold hearings to examine preserving effective Federal law enforcement relating to reporters' privilege legislation.

SD-226

10 a.m.

#### Finance

To hold hearings to examine objectives, deficiencies, and options for reform relating to business tax system.

SD-215

#### Health, Education, Labor, and Pensions

Business meeting to consider S. 2322, to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly, S. 1531, to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls, S. 3771, to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act, S. 1325, to establish grants to provide health services for improved nutrition, increased physical activity, obesity and eating disorder prevention, H.R. 5074, to amend the Railroad Retirement Act of 1974 to provide for continued payment of railroad retirement annuities by the Department of the Treasury, and the nominations of Randolph James Clerihue, of Virginia, to be an Assistant Secretary of Labor, Jane M. Doggett, of Montana, to be a Member

of the National Council on the Humanities, Andrew von Eschenbach, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services, Stephen Goldsmith, of Indiana, to be a Member of the Board of Directors of the Corporation for National and Community Service, Roger L. Hunt, of Nevada, John E. Kidde, of California, and John Peyton, of Florida, each to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation, Lauren M. Maddox, of Virginia, to be Assistant Secretary for Communications and Outreach, Department of Education, Eliza McFadden, of Florida, to be a Member of the National Institute for Literacy Advisory Board, Sandra Pickett, of Texas, to be a Member of the National Museum and Library Services Board, Arthur K. Reilly, of New Jersey, to be a Member of the National Science Board, National Science Foundation, Peter W. Tredick, of California, to be a Member of the National Mediation Board, nominations in the Public Health Service Corps, and other pending nominations.

SD-430

#### Banking, Housing, and Urban Affairs

Housing and Transportation Subcommittee

#### Economic Policy Subcommittee

To hold joint hearings to examine assessing non-traditional mortgage products.

SD-538

#### Commerce, Science, and Transportation

Trade, Tourism, and Economic Development Subcommittee

To hold hearings to examine the future of ICANN relating to Internet governance.

SR-253

#### Veterans' Affairs

To hold hearings to examine the legislative presentation of the American Legion.

SD-106

2 p.m.

#### Judiciary

To hold hearings to examine the proposal to restructure the Ninth Circuit.

SD-226

2:30 p.m.

#### Commerce, Science, and Transportation

To hold hearings to examine the nomination of Mary E. Peters, of Arizona, to be Secretary of Transportation.

SR-253

#### Environment and Public Works

To hold hearings to examine approaches embodied in the Asia Pacific Partnership.

SD-406

#### Homeland Security and Governmental Affairs

To hold hearings to examine assessing Spiral 1.1 of the National Security Personnel System.

SD-342

3:30 p.m.

#### Intelligence

To receive a closed briefing regarding intelligence matters.

SH-219

## SEPTEMBER 21

9:30 a.m.

#### Foreign Relations

To hold hearings to examine the purpose and impact of the transition from coalition to ISAF command in Afghanistan.

SD-419

#### Judiciary

Business meeting to consider pending calendar business.

SD-226

10 a.m.

#### Banking, Housing, and Urban Affairs

Business meeting to markup an original bill to reauthorize the Export-Import Bank of the United States.

SD-538

#### Energy and Natural Resources

To hold hearings to examine the nomination of Mary Amelia Bomar, of Pennsylvania, to be Director of the National Park Service, Department of the Interior.

SD-628

#### Aging

To hold hearings to examine savings for seniors and Medicare relating to increasing generic drug use.

SD-562

10:15 a.m.

#### Environment and Public Works

Business meeting to consider H.R. 1463, to designate a portion of the Federal building located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the "Justin W. Williams United States Attorney's Building", and the nominations of Roger Romulus Martella, Jr., of Virginia, to be an Assistant Administrator, and Alex A. Beehler, of Maryland, to be Inspector General, both of the Environmental Protection Agency, William H. Graves, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority, and Brigadier General Bruce Arlan Berwick, United States Army, Colonel Gregg F. Martin, United States Army, Brigadier General Robert Crear, United States Army, and Rear Admiral Samuel P. De Bow, Jr., NOAA, each to be a Member of the Mississippi River Commission, and other pending committee business.

SD-406

10:30 a.m.

#### Finance

To hold hearings to examine the nomination of John K. Veroneau, of Virginia, to be a Deputy United States Trade Representative, with the Rank of Ambassador.

SD-215

#### Appropriations

##### Legislative Branch Subcommittee

To resume hearings to examine progress of the Capitol Visitor Center construction.

SD-138

2:30 p.m.

#### Commerce, Science, and Transportation

To hold hearings to examine the nominations of Warren Bell, of California, Chris Boskin, of California, and David H. Pryor, of Arkansas, each to be a Member of the Board of Directors of the Corporation for Public Broadcasting, Calvin L. Scovel, of Virginia,

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

to be Inspector General, Department of Transportation, Charles Darwin Snelling, of Pennsylvania, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority, Collister Johnson, Jr., of Virginia, to be Administrator of the Saint Lawrence Seaway Development Corporation, Sharon Lynn Hays, of Virginia, to be an Associate Director of the Office of Science and Technology Policy, and Cynthia A. Glassman, of Virginia, to be Under Secretary of Commerce for Economic Affairs.

SR-253

## Judiciary

## Corrections and Rehabilitation Subcommittee

To hold an oversight hearing to examine Federal assistance for prisoner rehabilitation and reentry into our states.

SD-226

## Energy and Natural Resources

## Water and Power Subcommittee

To hold hearings to examine S. 1106, to authorize the construction of the Arkansas Valley Conduit in the State of Colorado, S. 1811, to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized, S. 2070, to provide certain requirements for hydroelectric projects on the Mohawk River in the State of New York, S. 3522, to amend the Bonneville Power Administration portions of the Fisheries Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years 2006 through 2012, S. 3832, to direct the Secretary of the Interior to establish criteria to transfer title to reclamation facilities, S. 3851, to provide for the extension of preliminary permit periods by the Federal Energy Regulatory Commission for certain hydroelectric projects in the State of Alaska, S. 3798, to direct the Secretary of the Interior to exclude and defer from the pooled reimbursable costs of the Central Valley Project the reimbursable capital costs of the unused capacity of the Folsom South Canal, Auburn-Folsom South Unit, Central Valley Project, H.R. 2563, to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette

River systems in Idaho, and H.R. 3897, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply Enhancement Project.

SD-628

## Intelligence

To hold closed hearings to examine intelligence matters.

SH-219

## SEPTEMBER 22

9:30 a.m.

## Foreign Relations

To hold hearings to examine the nomination of Clyde Bishop, of Delaware, to be Ambassador to the Republic of the Marshall Islands.

SD-419

## SEPTEMBER 26

10 a.m.

## Veterans' Affairs

To hold hearings to examine the nomination of Robert T. Howard, of Virginia, to be an Assistant Secretary of Veterans Affairs (Information and Technology); to be followed by a business meeting off the floor after the first roll call vote, to consider the nomination of Mr. Howard.

SR-418

3:15 p.m.

## Commerce, Science, and Transportation

## Foreign Relations

To hold joint hearings to examine International Polar Year.

SR-253

## SEPTEMBER 27

10 a.m.

## Commerce, Science, and Transportation

Business meeting to consider pending calendar business.

SR-253

## Energy and Natural Resources

## Public Lands and Forests Subcommittee

To hold hearings to examine S. 3599, to establish the Prehistoric Trackways National Monument in the State of New Mexico, S. 3794, to provide for the implementation of the Owyhee Initiative Agreement, S. 3854, to designate certain land in the State of Oregon as wilderness, H.R. 3603, to promote the economic development and recreational use of National Forest System lands and other public lands in

central Idaho, to designate the Boulder-White Cloud Management Area to ensure the continued management of certain National Forest System lands and Bureau of Land Management lands for recreational and grazing use and conservation and resource protection, to add certain National Forest System lands and Bureau of Land Management lands in central Idaho to the National Wilderness Preservation System, and H.R. 5025, to protect for future generations the recreational opportunities, forests, timber, clean water, wilderness and scenic values, and diverse habitat of Mount Hood National Forest, Oregon.

SD-628

## SEPTEMBER 28

10 a.m.

Commerce, Science, and Transportation  
Aviation Subcommittee

To hold hearings to examine new aircraft in the National Airspace System.

SR-253

## CANCELLATIONS

## SEPTEMBER 20

9 a.m.

## Foreign Relations

To hold hearings to examine the nomination of Margrethe Lundsager, of Virginia, to be United States Executive Director of the International Monetary Fund.

SD-419

## POSTPONEMENTS

9:30 a.m.

## Homeland Security and Governmental Affairs

## Federal Financial Management, Government Information, and International Security Subcommittee

To hold hearings to examine U.S. international broadcasts into Iran, focusing on financial investment of the American taxpayer for international broadcasting into Iran, whether the appropriate management and accountability controls exist within U.S. international broadcasting, and whether the content of the broadcasts promote international security and U.S. foreign policy.

SD-342

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S9665–S9687*

**Measures Introduced:** Three bills were introduced, as follows: S. 3907–3909. **Page S9680**

**Secure Fence Act:** Senate began consideration of the motion to proceed to consideration of H.R. 6061, to establish operational control over the international land and maritime borders of the United States. **Pages S9685–86**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, September 20, 2006. **Page S9685**

**SAFE Port Act—Amendment Modified:** A unanimous-consent agreement was reached providing that, notwithstanding the September 14, 2006 passage of H.R. 4954, SAFE Port Act, Stevens (for Menendez) Modified Amendment No. 4997, to standardize the risk-based funding of port security grants, which was previously agreed to, was modified. **Pages S9665–66**

**U.S.-Oman Free Trade Agreement Implementation Act—Agreement:** A unanimous-consent agreement was reached providing that the Senate resume consideration of H.R. 5684, to implement the United States-Oman Free Trade Agreement on Tuesday, September 19, 2006, under the order of Thursday, September 14, 2006; that any additional time until the vote be counted on the bill with the time equally divided between the two Leaders, or their designees; and that following the use, or yielding back of time, Senate vote on final passage of the bill at 12 noon. **Pages S9669–71**

**Horse Slaughter Prohibition Act—Agreement:** A unanimous-consent agreement was reached providing that Senate action on H.R. 503, 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, be vitiated and the Senate agree to the House request to return the papers. **Page S9686**

**Nominations Received:** Senate received the following nominations:

1 Army nomination in the rank of general.

Routine lists in the Air Force, Army.

**Pages S9679, S9686–87**

**Nominations Withdrawn:** Senate received notification of withdrawal of the following nominations:

Barbara Boxer, of California, to be a Representative of the United States of America to the Sixty-First Session of the General Assembly of the United Nations, which was sent to the Senate on September 15, 2006.

Norman B. Coleman, of Minnesota, to be a Representative of the United States of America to the Sixty-First Session of the General Assembly of the United Nations, which was sent to the Senate on September 15, 2006.

Ned L. Siegel, of Florida, to be a Representative of the United States of America to the Sixty-First Session of the General Assembly of the United Nations, which was sent to the Senate on September 15, 2006.

Barbara McConnell Barrett, of Arizona, to be an Alternate Representative of the United States of America to the Sixty-First Session of the General Assembly of the United Nations, which was sent to the Senate on September 15, 2006.

Cecil E. Floyd, of South Carolina, to be an Alternate Representative of the United States of America to the Sixty-First Session of the General Assembly of the United Nations, which was sent to the Senate on September 15, 2006. **Pages S9679, S9687**

**Enrolled Bills Presented:** **Page S9679**

**Executive Communications:** **Pages S9679–80**

**Additional Cosponsors:** **Pages S9680–81**

**Statements on Introduced Bills/Resolutions:** **Pages S9681–85**

**Additional Statements:** **Pages S9678–79**

**Notices of Hearings/Meetings:** **Page S9685**

**Adjournment:** Senate convened at 2 p.m., and adjourned at 6:35 p.m., until 9:45 a.m., on Tuesday, September 19, 2006. (For Senate's program, see the

remarks of the Majority Leader in today's Record on page S9686.)

## Committee Meetings

No committee meetings were held.

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# House of Representatives

## Chamber Action

The House was not in session today. The House is scheduled to meet at 12:30 p.m. on Tuesday, September 19, 2006.

## Committee Meetings

No committee meetings were held.

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### COMMITTEE MEETINGS FOR TUESDAY, SEPTEMBER 19, 2006

(Committee meetings are open unless otherwise indicated)

#### Senate

*Committee on Armed Services:* to hold hearings to examine the nominations of General Bantz J. Craddock, USA, for reappointment to be general and to be Commander, U.S. European Command, Vice Admiral James G. Stavridis, USN, for appointment to be admiral and to be Commander, U.S. Southern Command, Nelson M. Ford, of Virginia, to be Assistant Secretary of the Army for Financial Management and Comptroller, and Ronald J. James, of Ohio, to be Assistant Secretary of the Army for Manpower and Reserve Affairs, 9:30 a.m., SH-216.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine the problem of child pornography and what financial service companies and their regulators can do to eliminate child pornography from the financial payment system, 10 a.m., SD-538.

*Committee on Commerce, Science, and Transportation:* business meeting to consider the nominations of Kevin J. Martin, of North Carolina, to be a Member of the Federal Communications Commission, John M.R. Kneuer, of New Jersey, to be Assistant Secretary of Commerce for Communications and Information, and a nomination list in the Coast Guard, Time to be announced, Room to be announced.

Full Committee, to hold hearings to examine certain issues relating to online child pornography, 2:30 p.m., SR-253.

*Committee on Foreign Relations:* to hold hearings to examine responding to Iran's nuclear ambitions, 9:30 a.m., SD-419.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine if terrorist cells are forming in U.S. cell blocks relating to prison radicalization, 10 a.m., SD-342.

*Committee on the Judiciary:* business meeting to consider the nominations of Terrence W. Boyle, of North Carolina, and William James Haynes II, of Virginia, each to be United States Circuit Judge for the Fourth Circuit, Kent A. Jordan, of Delaware, to be United States Circuit Judge for the Third Circuit, Peter D. Keisler, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, William Gerry Myers III, of Idaho, and Norman Randy Smith, of Idaho, each to be United States Circuit Judge for the Ninth Circuit, Valerie L. Baker, to be United States District Judge for the Central District of California, Francisco Augusto Besosa, to be United States District Judge for the District of Puerto Rico, Philip S. Gutierrez, to be United States District Judge for the Central District of California, Marcia Morales Howard, to be United States District Judge for the Middle District of Florida, John Alfred Jarvey, to be United States District Judge for the Southern District of Iowa, and Sara Elizabeth Lioi, to be United States District Judge for the Northern District of Ohio, Time to be announced, S-216, Capitol.

Full Committee, to hold hearings to examine understanding the financial and human impact of criminal activity relating to the cost of crime, 10:30 a.m., SD-226.

Full Committee, to hold hearings to examine judicial nominations, 3 p.m., SD-226.

#### House

*Committee on Energy and Commerce,* hearing entitled "Improving NIH Management and Operation: A Legislative Hearing on the NIH Reform Act of 2006," 2 p.m., 2123 Rayburn.

*Committee on Financial Services,* hearing entitled "Sarbantes-Oxley at Four: Protecting Investors and Strengthening the Markets," 2 p.m., 2128 Rayburn.

*Committee on Government Reform,* Subcommittee on National Security, Emerging Threats and International Relations, hearing entitled "Combating Terrorism: Lessons Learned From London," 1 p.m., 2154 Rayburn.

*Committee on the Judiciary,* Subcommittee on Commercial and Administrative Law, hearing on H.R. 5637, Nonadmitted and Reinsurance Reform Act of 2006, 10 a.m., 2141 Rayburn.

*Committee on Rules,* to consider the following: H.R. 6054, Military Commissions Act of 2006; and H.R. 4844, Federal Election Integrity Act of 2006, 5 p.m., H-313 Capitol.

*Next Meeting of the SENATE*

9:45 a.m., Tuesday, September 19

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12:30 p.m., Tuesday, September 19

## Senate Chamber

**Program for Tuesday:** After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of H.R. 5684, to implement the United States-Oman Free Trade Agreement, with a vote on final passage of the bill to occur at 12 noon. At 2:15, Senate will begin consideration of the nomination of Alice S. Fisher, of Virginia, to be an Assistant Attorney General, and after a period of debate, vote on confirmation of the nomination.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)*

## House Chamber

**Program for Tuesday:** To be announced.



# Congressional Record

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