

the President "to cause a survey be taken of the coast of the United States . . . together with such other matters as he may deem proper for completing an accurate chart of every part of the coasts";

Whereas the Coast Survey was established to carry out the duties established under such Act, and was the first Federal science agency of the United States;

Whereas over time additional duties, including geodetic surveying and tide and current monitoring and predictions, were bestowed upon the agency, which was first known as the U.S. Coast Survey and later the U.S. Coast and Geodetic Survey;

Whereas, in addition to providing charts and information vital to the young nation's economic and commercial success, such pioneering agency led some of the nation's earliest oceanographic research, undertaking surveys of the Gulf Stream to determine temperatures, depths, direction, and velocity as well as the character of the seafloor and forms of vegetation and marine life;

Whereas the early technicians and scientists of such agency invented and supported the development of many innovative tools that led to advances in hydrographic, shoreline, and geodetic surveying and cartographic methods, the first real-time water level stations, and deep-sea anchoring;

Whereas during the 20th century such agency, by then re-named the Coast and Geodetic Survey, advanced the development and marine applications of electronics and acoustics, including the development of Radar Acoustic Ranging, radio sono-buoys and the Roberts Radio Current Meter Buoy;

Whereas throughout their history these programs have provided services in support of the Nation's commerce and defense serving in all theaters of the Civil War and in World Wars I and II as hydrographers, cartographers, topographers, and scouts, including the production of more than 100 million maps and charts for U.S. and Allied forces;

Whereas our Nation's interests and economy became increasingly interwoven with the marine and atmospheric environment, a number of Federal science agencies with complimentary functions, including the Weather Bureau and the Bureau of Commercial Fisheries, were combined with such agency to create the National Oceanic and Atmospheric Administration (NOAA);

Whereas today these mapping and charting, geodesy, and tide and current data programs are located in the National Ocean Service of NOAA, in the Coast Survey, the National Geodetic Survey, and the Center for Operational Oceanographic Products and Services;

Whereas these programs promote NOAA's commerce and transportation goals and continue to support the research, development and application of state-of-the-art surveying, mapping, charting, ocean observing, modeling, and Internet-based product delivery services to promote safe and efficient commerce and transportation and contributing to the advancement of integrated ocean and earth observing systems;

Whereas, these programs continue to demonstrate relevance, value, importance, and service promoting and employing innovative partnerships with other agencies, State and local authorities, academia, and the private sector;

Whereas, these programs work internationally as the United States representative to the International Hydrographic Organization and through other organizations to promote integrated and uniform standards, protocols, formats, and services;

Whereas in addition to commerce and transportation these programs also advance NOAA's weather and water, climate, and ecosystem missions including marine resource

conservation, coastal management, and the protection of life and property from coastal storms and other hazards, as most recently demonstrated in responding to and facilitating the recovery of communities and commerce in the hurricane stricken Gulf Coast;

Whereas the devotion, industry, efficiency, and enterprise of these people and programs over their 200-year history have set an enviable record of public service: Now, therefore, be it

*Resolved, by the Senate* That the Senate—

(1) recognizes that for over 200 years, the National Oceanic and Atmospheric Administration and its predecessor agencies have been providing the Nation research, service, and stewardship of the marine environment, through products and services that protect lives and property, strengthen the economy, and support and sustain our coastal and marine resources;

(2) recognizes the vision of President Thomas Jefferson in supporting the advancement of science, and the survey of the coast in particular, to the welfare and commercial success of the Nation;

(3) recognizes the contributions made over the past 200 years by the past and current employees and officers of the Office of Coast Survey, the National Geodetic Survey, and the Center for Operational Oceanographic Products and Services of the National Oceanic and Atmospheric Administration; and

(4) encourages the people of the United States to salute and share in the planned celebrations of these historic programs during 2007 with ceremonies designed to give appropriate recognition to one of our oldest and most respected Federal agencies on the occasion of its bicentennial anniversary.

#### ESTABLISHING A PROCEDURE FOR AFFIXING AND REMOVING ARTWORK

Mr. DEWINE. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 629 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 629) establishing a procedure for affixing and removing permanent artwork and semi-permanent artwork in the Senate wing of the Capitol and in the Senate office buildings.

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

Mr. DEWINE. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 629) was agreed to, as follows:

S. RES. 629

*Resolved,*

#### SECTION 1. STANDARDS FOR PERMANENT ARTWORK AND SEMI-PERMANENT ARTWORK.

No permanent artwork or semi-permanent artwork may be affixed to or removed from the walls, floors, or ceilings of the public spaces and committee rooms of the Senate wing of the Capitol and the Senate office buildings unless—

(1) the Senate Commission on Art—

(A) has recommended the affixation or removal; and

(B) in the case of an affixation of permanent artwork or semi-permanent artwork—

(i) has recommended an appropriate location for the affixation; and

(ii) has determined that—

(I) not less than 25 years have passed since the death of any subject in a portrait included in the permanent artwork or semi-permanent artwork; and

(II) not less than 25 years have passed since the commemorative event that is to be portrayed in the permanent artwork or semi-permanent artwork; and

(2) the Senate has passed a Senate resolution approving the recommendation of the Senate Commission on Art.

#### SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that prior to making a recommendation to affix any permanent artwork or semi-permanent artwork to the walls, floors, or ceilings of the public spaces and committee rooms of the Senate wing of the Capitol and the Senate office buildings, the Senate Commission on Art should consider, at a minimum, the following:

(1) The significance of the original, intended, or existing permanent artwork or semi-permanent artwork in the installation space proposed for the additional permanent artwork or semi-permanent artwork.

(2) The existing conditions of the surface of the proposed installation space.

(3) The last time fixed art was added to the proposed installation space.

(4) The amount of area available for the installation of permanent artwork or semi-permanent artwork in the proposed installation space.

(5) The opinion of the Curatorial Advisory Board on such affixation.

#### SEC. 3. CREATION OF ARTWORK.

If a request to affix permanent artwork or semi-permanent artwork to the walls, floors, or ceilings of the public spaces and committee rooms of the Senate wing of the Capitol and the Senate office buildings meets the requirements of section 1, the Senate Commission on Art shall select the artist and shall supervise and direct the creation of the artwork and the application of the artwork to the selected surface.

#### SEC. 4. DEFINITIONS.

In this resolution—

(1) PERMANENT ARTWORK.—The term "permanent artwork" means artwork that when applied directly to a wall, ceiling, or floor has become part of the fabric of the building, based on a consideration of relevant factors including—

(A) the original intent when the artwork was applied;

(B) the method of application;

(C) the adaptation or essentialness of the artwork to the building; and

(D) whether the removal of the artwork would cause damage to either the artwork or the surface that contains it.

(2) SEMI-PERMANENT ARTWORK.—The term "semi-permanent artwork" means artwork that when applied directly to the surface of a wall, ceiling, or floor can be removed without damaging the artwork or the surface to which the artwork is applied.

#### HONORING THE MEMORY OF ARNOLD "RED" AUERBACH

Mr. DEWINE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 497 just received from the House and at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 497) to honor the memory of Arnold "Red" Auerbach.

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

#### ARNOLD "RED" AUERBACH

Mr. KENNEDY. Mr. President, today, we pay special tribute to a giant of sports in Massachusetts we are proud to call our own. I was honored to speak at his memorial service in Boston, and I am honored today to offer this resolution on the one and only Arnold "Red" Auerbach, who died in October at the age of 89.

Red was a pioneer in sports and in civil rights as well. He has been widely praised as one of the architects of the new Boston. He will never be forgotten—and there will never be another like him.

Basketball was his sport, and the Celtics he led with the legendary Bob Cousy and incomparable Bill Russell set the gold standard for the NBA for many years and transformed his city as well as his sport.

The stories of his competitive drive have become legendary. Red had a deep and abiding passion for life and for living each day as if it was a gift from above. Whenever you were in his presence, you could sense the powerful joy that comes to the rare few like Red Auerbach, who know they have done everything possible in every way on every day to achieve their dream.

Red Auerbach was a great coach and also a great man. He believed in winning, but he also believed that every individual should have the chance to be a winner. In the 1950s, before every Celtics game Red would invite a few children to play a brief game of basketball, complete with uniforms, official referees, and all the rest on the famous Boston Garden parquet floor. One player would be from the CYO, one from Chinatown, one from Roxbury, and one from the Young Men's Hebrew Association.

Long before anyone ever dreamed of it, Red had created his own "Rainbow Coalition," and he continued to champion civil rights all his life. He was the first to go overseas with American players to teach basketball to children in Europe and Asia, and he deserves immense credit for making it the international game it is today.

But his heart was in Boston, where he single-handedly put basketball on the map. He created the famous Celtic "magic & mystique," and renewed it year after year with exciting basketball. In the end, he led the Celtics to 9 world championships as coach—8 in a row and 16 world championships altogether. He was voted greatest coach of all time by the Professional Basketball Writers of America.

Few giants in the world are known by one name—Cher, Madonna, Elvis, Bono, and our very own "Red." He will be greatly missed and never forgotten, and his record of success will probably never be matched anywhere.

It is an honor to urge my colleagues in the Senate to support this resolu-

tion. Even if you rooted against the Celtics, Red Auerbach made your home team great, too.

Mr. KERRY. Mr. President, I want to express my thanks to all of my colleagues for adopting this resolution to honor the memory of Boston's greatest sports champion and legend, Arnold "Red" Auerbach. Plain and simple, Red Auerbach was basketball. He was more than just the greatest NBA coach of all time; he was the creator of the modern professional game.

Through the selection of the likes of Cousy, Russell, Havlicek, and Bird, Red built the greatest basketball dynasty in history. During two decades of coaching, Red Auerbach won 938 games and led the Boston Celtics to a record 9 National Basketball Association, NBA, championship titles. He was inducted into the Basketball Hall of Fame twice, once for his coaching and once for his contributions to the game. In 1980, Red was voted the greatest coach in NBA history by the Professional Basketball Writers Association of America. Fourteen of Red's players have been inducted into the Basketball Hall of Fame. After moving to the Celtics front office in 1966, Red's knowledge of basketball was instrumental in helping the Celtics win seven additional NBA titles.

In 1985, a life-size sculpture of Red Auerbach was placed in Boston's historic Faneuil Hall Marketplace to honor Red's contributions to the Boston Celtics and the city of Boston.

Most importantly, Red was known as a visionary and for his fierce loyalty to the people who worked for the Boston Celtics. From the players, to the coaches, to the ball boys, Red recognized the goodness in people and brought out the greatness in everyone he touched. He was an agent of change, hiring the first African-American coach in all of pro sports and drafting the league's first African-American player.

Red will be forever remembered as Boston's greatest winner on the court, but through the Red Auerbach Youth Foundation, he made a difference in thousands of young lives throughout Massachusetts. Red's foundation focuses on getting children, who would not otherwise participate, involved in sports and to bring children of all racial and ethnic backgrounds together through sports.

Red was also a proud Navy man. The values of honor, commitment, and integrity that Red brought to his coaching were also taught in the Navy where he served so proudly. The Navy's "Lone Sailor Award," which he recently received, will sit in a special place of honor in this giant's trophy case along with an awe inspiring number of championship trophies.

My thoughts and prayers go out to his children, Randy and Nancy, and his granddaughter Julie during this very difficult time. We take comfort knowing he is once again in the arms of his beloved Dot. While we may never again

catch a whiff of that unforgettable cigar smoke or see him shake his rolled up program at a bad call by an official again, we will never forget the man who taught us how to win again and inspired a city to be champions. Boston—indeed America—lost one of its finest with Red's passing. And I am so pleased that the U.S. Senate is honoring his life today by passing this resolution.

Mr. DEWINE. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD without intervening action or debate.

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

The concurrent resolution (H. Con. Res. 497) was agreed to.

The preamble was agreed to.

#### AMENDING THE CHEYENNE RIVER SIOUX TRIBE EQUITABLE COMPENSATION ACT

Mr. DEWINE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 623, S. 1535.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1535) to amend the Cheyenne River Sioux Tribe Equitable Compensation Amendments Act to provide compensation to members of the Cheyenne River Sioux Tribe for damage resulting from the Oahe Dam and Reservoir Project, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Indian Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Cheyenne River Sioux Tribe Equitable Compensation Amendments Act of 2006".*

##### SEC. 2. FINDINGS.

(a) FINDINGS.—Congress finds that—

(1) the Pick-Sloan Missouri River Basin program, authorized by section 9 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 891), was intended to promote the general economic development of the United States;

(2) the Oahe Dam and Reservoir Project—

(A) is a major component of the Pick-Sloan Missouri River Basin program; and

(B) contributes to the national economy;

(3) the Oahe Dam and Reservoir Project flooded the fertile bottom land of the Cheyenne River Sioux Reservation, which greatly damaged the economy and cultural resources of the Cheyenne River Sioux Tribe and caused the loss of many homes and communities of members of the Tribe;

(4) Congress has provided compensation to several Indian tribes, including the Cheyenne River Sioux Tribe, that border the Missouri River and suffered injury as a result of 1 or more of the Pick-Sloan projects;

(5) on determining that the compensation paid to the Cheyenne River Sioux Tribe was inadequate, Congress enacted the Cheyenne River Sioux Tribe Equitable Compensation Act (Public Law 106-51; 114 Stat. 2365), which created the Cheyenne River Sioux Tribal Recovery Trust Fund; and