

court shall include, but not be limited to, equitable relief and civil penalties.

“b. Each Party may issue orders within its respective jurisdiction and may initiate actions to compel compliance with the provisions of its respective statutes and regulations adopted to implement the authorities contemplated by this Compact in accordance with the provisions of the laws adopted in each Party’s jurisdiction.

“3. Any aggrieved Person, Party or the Council may commence a civil action in the relevant Party’s courts and administrative systems to compel any Person to comply with this Compact should any such Person, without approval having been given, undertake a New or Increased Withdrawal, Consumptive Use or Diversion that is prohibited or subject to approval pursuant to this Compact.

“a. No action under this subsection may be commenced if:

“i. The Originating Party or Council approval for the New or Increased Withdrawal, Consumptive Use or Diversion has been granted; or,

“ii. The Originating Party or Council has found that the New or Increased Withdrawal, Consumptive Use or Diversion is not subject to approval pursuant to this Compact.

“b. No action under this subsection may be commenced unless:

“i. A Person commencing such action has first given 60 days prior notice to the Originating Party, the Council and Person alleged to be in noncompliance; and,

“ii. Neither the Originating Party nor the Council has commenced and is diligently prosecuting appropriate enforcement actions to compel compliance with this Compact.

The available remedies shall include equitable relief, and the prevailing or substantially prevailing party may recover the costs of litigation, including reasonable attorney and expert witness fees, whenever the court determines that such an award is appropriate.

“4. Each of the Parties may adopt provisions providing additional enforcement mechanisms and remedies including equitable relief and civil penalties applicable within its jurisdiction to assist in the implementation of this Compact.

“ARTICLE 8

“ADDITIONAL PROVISIONS

“Section 8.1. Effect on Existing Rights.

“1. Nothing in this Compact shall be construed to affect, limit, diminish or impair any rights validly established and existing as of the effective date of this Compact under State or federal law governing the Withdrawal of Waters of the Basin.

“2. Nothing contained in this Compact shall be construed as affecting or intending to affect or in any way to interfere with the law of the respective Parties relating to common law Water rights.

“3. Nothing in this Compact is intended to abrogate or derogate from treaty rights or rights held by any Tribe recognized by the federal government of the United States based upon its status as a Tribe recognized by the federal government of the United States.

“4. An approval by a Party or the Council under this Compact does not give any property rights, nor any exclusive privileges, nor shall it be construed to grant or confer any right, title, easement, or interest in, to or over any land belonging to or held in trust by a Party; neither does it authorize any injury to private property or invasion of private rights, nor infringement of federal, State or local laws or regulations; nor does it obviate the necessity of obtaining federal assent when necessary.

“Section 8.2. Relationship to Agreements Concluded by the United States of America.

“1. Nothing in this Compact is intended to provide nor shall be construed to provide, directly or indirectly, to any Person any right, claim or remedy under any treaty or international agreement nor is it intended to derogate any right, claim, or remedy that already exists under any treaty or international agreement.

“2. Nothing in this Compact is intended to infringe nor shall be construed to infringe upon the treaty power of the United States of America, nor shall any term hereof be construed to alter or amend any treaty or term thereof that has been or may hereafter be executed by the United States of America.

“3. Nothing in this Compact is intended to affect nor shall be construed to affect the application of the Boundary Waters Treaty of 1909 whose requirements continue to apply in addition to the requirements of this Compact.

“Section 8.3. Confidentiality.

“1. Nothing in this Compact requires a Party to breach confidentiality obligations or requirements prohibiting disclosure, or to compromise security of commercially sensitive or proprietary information.

“2. A Party may take measures, including but not limited to deletion and redaction, deemed necessary to protect any confidential, proprietary or commercially sensitive information when distributing information to other Parties. The Party shall summarize or paraphrase any such information in a manner sufficient for the Council to exercise its authorities contained in this Compact.

“Section 8.4. Additional Laws.

“Nothing in this Compact shall be construed to repeal, modify or qualify the authority of any Party to enact any legislation or enforce any additional conditions and restrictions regarding the management and regulation of Waters within its jurisdiction.

“Section 8.5. Amendments and Supplements.

“The provisions of this Compact shall remain in full force and effect until amended by action of the governing bodies of the Parties and consented to and approved by any other necessary authority in the same manner as this Compact is required to be ratified to become effective.

“Section 8.6. Severability.

“Should a court of competent jurisdiction hold any part of this Compact to be void or unenforceable, it shall be considered severable from those portions of the Compact capable of continued implementation in the absence of the voided provisions. All other provisions capable of continued implementation shall continue in full force and effect.

“Section 8.7. Duration of Compact and Termination.

“Once effective, the Compact shall continue in force and remain binding upon each and every Party unless terminated. This Compact may be terminated at any time by a majority vote of the Parties. In the event of such termination, all rights established under it shall continue unimpaired.

“ARTICLE 9

“EFFECTUATION

“Section 9.1. Repealer.

“All acts and parts of acts inconsistent with this act are to the extent of such inconsistency hereby repealed.

“Section 9.2. Effectuation by Chief Executive.

“The Governor is authorized to take such action as may be necessary and proper in his or her discretion to effectuate the Compact and the initial organization and operation thereunder.

“Section 9.3. Entire Agreement.

“The Parties consider this Compact to be complete and an integral whole. Each provision of this Compact is considered material to the entire Compact, and failure to implement or adhere to any provision may be con-

sidered a material breach. Unless otherwise noted in this Compact, any change or amendment made to the Compact by any Party in its implementing legislation or by the U.S. Congress when giving its consent to this Compact is not considered effective unless concurred in by all Parties.

“Section 9.4. Effective Date and Execution.

“This Compact shall become binding and effective when ratified through concurring legislation by the states of Illinois, Indiana, Michigan, Minnesota, New York, Ohio and Wisconsin and the Commonwealth of Pennsylvania and consented to by the Congress of the United States. This Compact shall be signed and sealed in nine identical original copies by the respective chief executives of the signatory Parties. One such copy shall be filed with the Secretary of State of each of the signatory Parties or in accordance with the laws of the state in which the filing is made, and one copy shall be filed and retained in the archives of the Council upon its organization. The signatures shall be affixed and attested under the following form:

“In Witness Whereof, and in evidence of the adoption and enactment into law of this Compact by the legislatures of the signatory parties and consent by the Congress of the United States, the respective Governors do hereby, in accordance with the authority conferred by law, sign this Compact in nine duplicate original copies, attested by the respective Secretaries of State, and have caused the seals of the respective states to be hereunto affixed this _____ day of (month), (year).”: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) Congress consents to and approves the interstate compact regarding water resources in the Great Lakes—St. Lawrence River Basin described in the preamble;

(2) until a Great Lakes Water Compact is ratified and enforceable, laws in effect as of the date of enactment of this resolution provide protection sufficient to prevent Great Lakes water diversions; and

(3) Congress expressly reserves the right to alter, amend, or repeal this resolution.

TENTH ANNIVERSARY OF UNITED STATES EMBASSIES BOMBINGS

Ms. CANTWELL. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 912, S. Res. 618.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 618) recognizing the 10th anniversary of the bombings of the United States Embassies in Nairobi, Kenya and Dar es Salaam, Tanzania, and memorializing the citizens of the United States, Kenya, and Tanzania whose lives were claimed as a result of the al Qaeda led terrorist attacks.

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

Ms. CANTWELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to this measure be printed in the RECORD.

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

The resolution (S. Res. 618) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 618

Whereas on August 7, 1998, the al Qaeda terrorist group, led by Osama bin Laden, organized nearly simultaneous vehicular bombing attacks on the United States embassies in Nairobi and Dar es Salaam;

Whereas approximately 4,000 people were injured in the Nairobi bombing, including 14 United States citizens, 13 Foreign Service Nationals, and 2 contractors;

Whereas 213 people were killed in the bombing in Nairobi, including victims who were employees of the United States Government, or were family members of employees of the United States Government, namely—

(1) the following United States citizens: Nathan Aliganga, Julian Bartley, Sr., Julian Bartley, Jr., Jean Dalizu, Molly Hardy, Kenneth Hobson, Prabhi Kavaler, Arlene Kirk, Dr. Mary Louise Martin, Michelle O'Connor, Sherry Olds, and Uttamlal (Tom) Shah;

(2) the following Foreign Service Nationals: Chrispin W. Bonyo, Lawrence A. Gitau, Hindu O. Idi, Tony Irungu, Geoffrey Kalio, G. Joel Kamau, Lucy N. Karigi, Francis M. Kibe, Joe Kiongo, Dominic Kithuva, Peter K. Macharia, Francis W. Maina, Cecelia Mamboleo, Lydia M. Mayaka, Francis Mbugua Ndongu, Kimeu N. Nganga, Francis Mbogo Njunge, Vincent Nyoike, Francis Olewe Ochilo, Maurice Okach, Edwin A.O. Omori, Lucy G. Onono, Evans K. Onsongo, Eric Onyango, Sellah Caroline Opati, Rachel M. Pussy, Farhat M. Sheikh, Phaedra Vrontamitis, Adams T. Wamai, Frederick M. Yafes; and

(3) the following contractors: Moses Namayi and Josiah Odero Owuor;

Whereas 85 people were injured in the Dar es Salaam bombing, including 2 United States citizens and 5 Foreign Service Nationals;

Whereas 1 Foreign Service National working at the Dar es Salaam embassy, Saidi Rogarth, is still listed by the Department of State as missing;

Whereas 11 people were killed in the Dar es Salaam bombing, including—

(1) Yusuf Ndange, a Foreign Service National; and

(2) the following contractors: Abdulrahman Abdalla, Paul E. Elisha, Abdalla Mnyola, Abbas William Mwillla, Bakari Nyumbu, Mtendeje Rajabu, Ramadhani Mahundi, and Dotto Ramadhani;

Whereas damage to both buildings was extensive, rendering the facilities unusable;

Whereas the outpouring of aid and assistance from the people and Governments of Kenya and Tanzania was widespread and greatly appreciated by the people of the United States;

Whereas security guards at both embassies acted bravely on the day of the bombings, protecting the lives and property of citizens of the United States, Kenya, and Tanzania;

Whereas the United States embassies in both Nairobi and Dar es Salaam have been rebuilt;

Whereas the United States Government is partnering with the people and Governments of Kenya and Tanzania to help both countries obtain a more democratic future;

Whereas 12 of the suspects indicted in the case have either been killed, captured, or are serving life sentences without parole; and

Whereas the United States Government continues to search for the remaining suspects, including Osama bin Laden: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic significance of the tenth anniversary of the al Qaeda bomb-

ings of the United States embassies in Nairobi, Kenya and Dar es Salaam, Tanzania;

(2) mourns the loss of those who lost their lives in these tragic and senseless attacks, especially those who were employed by the embassies;

(3) remembers the families and colleagues of the victims whose lives have been forever changed by the loss endured on August 7, 1998;

(4) expresses its deepest gratitude to the people of Kenya and Tanzania for their gracious contributions and assistance following these attacks;

(5) reaffirms its support for the people of Kenya and Tanzania in striving for future opportunity, democracy, and prosperity; and

(6) reaffirms its resolve to defeat al Qaeda and other terrorist organizations.

WELCOMING HOME FARC
HOSTAGES

Ms. CANTWELL. I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S. Res. 627 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 627) welcoming home Keith Stansell, Thomas Howes, and Marc Gonsalves, three citizens of the United States who were held hostage for over 5 years by the Revolutionary Armed Forces of Colombia, FARC, after their plane crashed on February 13, 2003.

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

Ms. CANTWELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

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

The resolution (S. Res. 627) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 627

Whereas a Congressional Resolution in 2007 (S. Con. Res. 53) condemned the kidnapping and hostage-taking of three citizens of the United States, Keith Stansell, Thomas Howes, and Marc Gonsalves for over four years by the FARC, and demanded their immediate and unconditional release;

Whereas the Senate expresses sorrow at the murder of Tom Janis by the FARC, another citizen of the United States that was on the downed aircraft, and Luis Alcedes Cruz, a member of the Colombian military, as well as citizens of the United States who died during a hostage search mission in 2003;

Whereas the Government of Colombia carried out a historic rescue mission on July 2, 2008, freeing 15 hostages who the FARC had kidnapped and held in captivity, including these three citizens of the United States, Ingrid Betancourt, and military and police personnel of Colombia;

Whereas the armed forces of Colombia planned, led, and executed the rescue operation without a single gunshot;

Whereas the United States Government played a key supportive role in the rescue mission by the armed forces of Colombia;

Whereas the FARC is designated as a foreign terrorist organization by the Department of State and the European Union;

Whereas the FARC utilizes kidnappings for ransom, extortion, and the drug trade to finance its activities;

Whereas the FARC committed atrocities against citizens of both Colombia and the United States;

Whereas the FARC has kidnapped at least 36 citizens of the United States since 1980, and killed 10 citizens of the United States;

Whereas the FARC currently holds an estimated 700 people as hostages; and

Whereas over 50 FARC leaders have been indicted in the United States for drug trafficking: Now, therefore, be it

Resolved, That the Senate—

(1) welcomes Keith Stansell, Thomas Howes, and Marc Gonsalves home to the United States after being held for over five years by the Revolutionary Armed Forces of Colombia (FARC);

(2) celebrates with the families and relatives of the hostages who kept faith despite being unsure of the fates of their family members for more than five years;

(3) expresses gratitude to the Government of Colombia and the armed forces of Colombia for successfully rescuing the hostages, and applauds the effective contribution of the United States Government to this effort;

(4) calls for the immediate release of all hostages held by the FARC and other armed terrorist groups in Colombia; and

(5) urges the FARC to lay down their weapons and reject terrorism.

NATIONAL TRUANCY PREVENTION
MONTH

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 924, S. Res. 624.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 624) designating August 2008 as "National Truancy Prevention Month."

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

Ms. CANTWELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 624) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 624

Whereas public schools in the United States are facing a dropout crisis, with approximately 1,200,000 students not graduating from high school on time and only 70 percent of students earning high school diplomas;

Whereas truancy has been shown to be the first and best indicator that a child will drop out of school, use marijuana for the first